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To: All Members of the Borough Council

You are requested to attend the meeting of the Charnwood Borough Council to be held in The Preston Room, Woodgate Chambers, Woodgate, Loughborough on Monday, 25th March 2019 at 6.30 pm for the following business.

Chief Executive

Southfields
Loughborough

15th March 2019

AGENDA

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
3. MINUTES OF THE PREVIOUS MEETING 7 - 27

To confirm the minutes of the Council meeting held on 25th February 2019.

4. ANNOUNCEMENTS
 - 4.1. MAYOR'S ANNOUNCEMENTS

To receive announcements from the Mayor (if any).

4.2. LEADER'S ANNOUNCEMENTS

To consider significant, recent matters affecting the Council or the Borough (if any).

4.3. CHIEF EXECUTIVE'S ANNOUNCEMENTS

To receive announcements from the Chief Executive (if any).

5. PETITIONS

To allow councillors to formally submit petitions for consideration under the Council's petition scheme, as set out in Full Council Procedure 9.8.

6. BUSINESS RESERVED TO COUNCIL

To consider the following matters reserved to Council in accordance with Section 5 of the Constitution:

6.1. CAPITAL PLAN AMENDMENT REPORT 28 - 43

A report of the Cabinet, seeking approval for changes to the 2018/19 to 2020/21 Capital Plan and its financing, is attached.

6.2. ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION 44 - 67

A report of the Cabinet, proposing amendments to the Constitution following the annual review, is attached.

6.3. ANNUAL SCRUTINY REPORT 2018/19 68 - 78

A report of the Scrutiny Management Board, submitting the Annual Scrutiny Report for 2018/19 for consideration, is attached.

6.4. REPORT OF THE INDEPENDENT REMUNERATION PANEL IN RESPECT OF ALLOWANCES PAID TO MEMBERS OF CHARNWOOD BOROUGH COUNCIL FOR 2019/20 79 - 92

A report of the Chief Executive, enabling the Council to consider the findings and the recommendations of the Independent Remuneration Panel in respect of allowances paid to members of the Council and the Scheme of Members' Allowances for 2019/20, is attached.

6.5. TIMETABLE FOR COUNCIL AND COMMITTEE MEETINGS AND MEMBER TRAINING DAYS FOR 2019/20 93 - 99

A report of the Chief Executive, enabling the Council to consider a proposed timetable for Council and committee

meetings and designated member training days for the next Council year (2019/20) and the period to December 2020, is attached.

6.6. CONFERRMENT OF FREEDOM OF THE BOROUGH

100 - 101

A report of the Chief Executive, enabling the Council to consider initial arrangements for conferring the Freedom of the Borough, is attached.

7. CALL-IN REFERENCES

There are no references to Council following the call-in of a Cabinet decision under Scrutiny Committee Procedure 11.7.

8. POSITION STATEMENTS

To consider the following position statement requested by the Labour Group under Full Council Procedure 9.10:

8.1 CRIME IN CHARNWOOD

9. MOTIONS ON NOTICE

No motions on notice have been received.

10. QUESTIONS ON NOTICE

To deal with the following questions on notice, submitted under Full Council Procedure 9.9(a):

10.1. PARKING ENFORCEMENT

Question submitted by Councillor Baines.

10.2. SHEPSHED REGENERATION PLAN

Question submitted by Councillor Radford.

10.3. PROMOTING TOURISM IN THE BOROUGH

Question submitted by Councillor Snartt.

10.4. EXPECTED CABINET REPORT RELATING TO LANDLORD SERVICES PLANNED WORKS, VOIDS AND ASSOCIATED WORKS

Question submitted by Councillor Draycott.

10.5. COMMUNITY GRANTS 2015-2019

Question submitted by Councillor Parton.

10.6. LOUGHBOROUGH TOWN CENTRE MASTERPLAN
PROGRESS

Question submitted by Councillor Parton.

10.7. IMPROVEMENTS TO GREEN SPACES IN SOUTHFIELDS
WARD

Question submitted by Councillor Parton.

10.8. PURCHASES UNDER THE RIGHT TO BUY SCHEME

Question submitted by Councillor Miah.

11. MINUTE REFERENCES

There are no minute references.

12. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN
AND USE OF SPECIAL URGENCY PROCEDURE 102 - 107

A report of the Chief Executive, informing Council of two decisions that were exempted from call-in in accordance with Scrutiny Committee Procedure 11.9, one of which was also taken using the special urgency procedure in accordance with Access to Information Procedure 13.9(b), is attached.

13. CHANGES TO THE DELEGATION OF EXECUTIVE FUNCTIONS 108 - 116

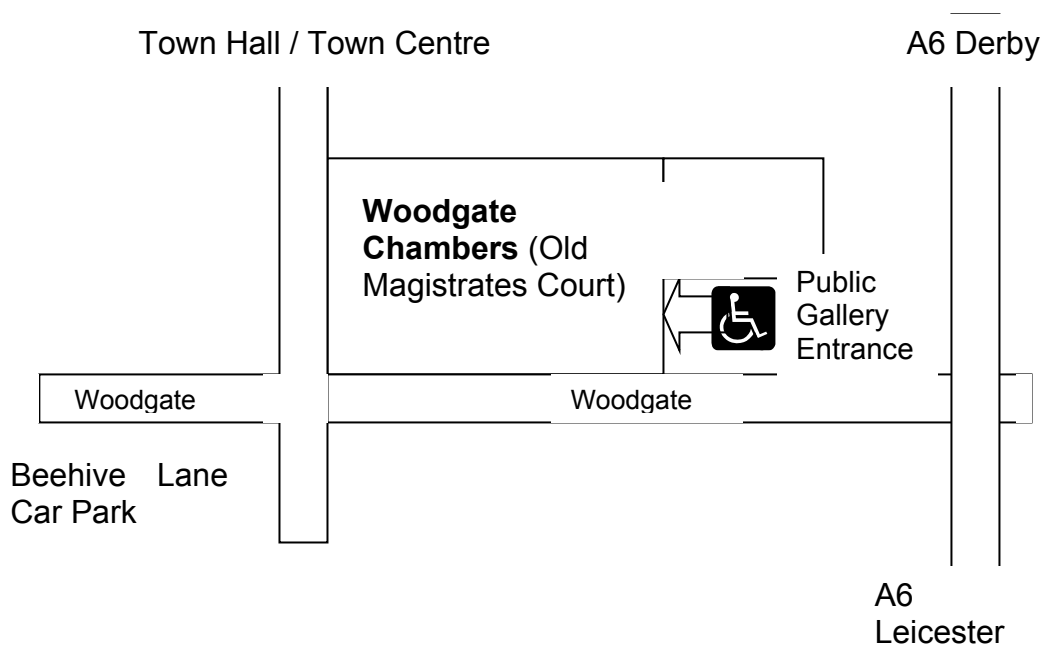
A report of the Chief Executive, informing Council of changes to the delegation of Executive functions, is attached.

14. APPOINTMENTS TO COMMITTEES

To consider any changes to Committee membership for the current Council year (2018/19) (if any).

WHERE TO FIND WOODGATE CHAMBERS AND PUBLIC ACCESS

Woodgate Chambers
70 Woodgate
Loughborough
Leics
LE11 2TZ



INFORMATION FOR ATTENDING THE MEETING



Please turn your mobile phone on to silent during the meeting.



Toilet facilities are available for members of the public at the back of the Public Gallery. Toilet facilities are available for members attending the meeting on the opposite side of the Foyer.



Please note that smoking is not permitted by law within the building and is also not permitted outside the building anywhere on the site. Please observe notices which request no smoking around the entrances.

Forthcoming scheduled meetings of Council

Council Meeting Date	Deadline Date and Time for Councillors to submit Questions on Notice (under Full Council Procedure 9.9(a)), Requests for Position Statements (under Full Council Procedure 9.10) and Motions on Notice (under Full Council Procedure 9.11(a))
Monday, 20th May 2019	Annual Council (no questions/motions/position statements)

Councillors, please send your question, request for position statement or motion on notice to:

Karen Widdowson, Democratic Services Manager
Council Offices, Southfield Road, Loughborough, LE11 2TX
Email: democracy@charnwood.gov.uk

CHARNWOOD BOROUGH COUNCIL

**MEETING OF THE CHARNWOOD BOROUGH COUNCIL
HELD IN
THE PRESTON ROOM, WOODGATE CHAMBERS, WOODGATE,
LOUGHBOROUGH
ON 25TH FEBRUARY 2019**

PRESENT

The Mayor (Councillor C. Harris)
The Deputy Mayor (Councillor Seaton)

Councillor Baines
Councillor Barkley
Councillor Bebbington
Councillor Bentley
Councillor Bokor
Councillor Bradshaw
Councillor Brookes
Councillor Campsall
Councillor Capleton
Councillor Draycott
Councillor Forrest
Councillor Fryer
Councillor Gerrard
Councillor Hachem
Councillor Hadji-Nikolaou
Councillor Hamilton
Councillor Hampson
Councillor Harper-Davies
Councillor K. Harris
Councillor Hayes
Councillor Huddleston
Councillor Hunt

Councillor Mercer
Councillor Miah
Councillor Morgan
Councillor Murphy
Councillor Pacey
Councillor Page
Councillor Paling
Councillor Parsons
Councillor Parton
Councillor Poland
Councillor Radford
Councillor Ranson
Councillor Rattray
Councillor Rollings
Councillor Shepherd
Councillor Smidowicz
Councillor Smith
Councillor Snartt
Councillor Tassell
Councillor Taylor
Councillor Tillotson
Councillor Vardy

Honorary Aldermen Tormey

71. OPENING THOUGHTS AND REFLECTIONS

The Mayor opened the meeting and after reflecting on current events referred to the ability that nonsense poems could have to lighten the mood. She concluded by reciting the nursery rhyme "There's a hole in my bucket, dear Liza".

The Mayor then went on to state that the meeting was being recorded and the sound recording would be made available on the Council's website. In addition, under the Openness of Local Government Bodies Regulations people may film, record, tweet or blog the meeting and that was outside the Council's control.

72. APOLOGIES

Apologies for absence had been received from Councillors Cooper, Gaskell, Grimley, Jukes, Lowe and Savage, and from Honorary Aldermen Bush, Shields and Stott.

73. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The Mayor drew Councillors' attention to the advice on interests in item 6.1 on the agenda, 2019/20 Special Expenses and General Fund and HRA Revenue Budgets, for members of precepting authorities. The Mayor also reminded Councillors that Section 106 of the Local Government Finance Act 1992 required that a Councillor who owed arrears of Council Tax which had been outstanding for more than two months must declare that at any Council meeting which considered the setting of a budget and the Council Tax, and that they should not vote on those matters.

The Mayor also invited the Monitoring Officer to confirm his advice in relation to interests in item 6.3 on the agenda, Council Tax – Amendments to Empty Homes Premium and Exemptions. In doing so, the Monitoring Officer clarified that only interests relating to properties in the Borough needed to be disclosed.

The following disclosures of pecuniary and personal interests were made:

- (i) by Councillor Barkley – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council and Syston Town Council;
- (ii) by Councillor Bebbington – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Shepshed Town Council;
- (iii) by Councillor Brookes – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Thurmaston Parish Council;
- (iv) by Councillor Forrest – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Barrow Upon Soar Parish Council;
- (v) by Councillor Fryer – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council;
- (vi) by Councillor Gerrard – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Syston Town Council and East Goscote Parish Council;
- (vii) by Councillor Hampson – a personal interest in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions);
- (viii) by Councillor C. Harris – a personal interest in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as she was party to a property in the Borough that was let out; however, it had never proved difficult to let or been empty for a period of time and she therefore did not consider that she needed to leave the room for the consideration of the item;

- (ix) by Councillor Harper-Davies – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Mountsorrel Parish Council;
- (x) by Councillor K. Harris – an interest in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as he had an indirect interest in a rental property;
- (xi) by Councillor Miah – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council and a personal interest leading to bias in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as a landlord;
- (xii) by Councillor Morgan – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council;
- (xiii) by Councillor Pacey – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Syston Town Council;
- (xiv) by Councillor Paling – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Sileby Parish Council, and a disclosable pecuniary interest in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as he had inherited a property in the Borough that was currently empty;
- (xv) by Councillor Parton – personal interests in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets), item 6.2 on the agenda (Capital Strategy (Including Treasury Management Strategy) For 2019/20) and item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as a member of Leicestershire County Council, and a personal interest in item 10.4 on the agenda (Questions on Notice – Loughborough Town Centre) as a member of the Loughborough Town Team, appointed by Leicestershire County Council;
- (xvi) by Councillor Poland – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council and the Leicestershire and Rutland Combined Fire Authority, and as his wife was a member of Syston Town Council;
- (xvii) by Councillor Radford – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council;
- (xviii) by Councillor Ranson – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Barrow Upon Soar Parish Council;
- (xix) by Councillor Rattray – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Birstall Parish Council at the time that it set its precept;
- (xx) by Councillor Seaton – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council and Thurmaston Parish Council;

- (xxi) by Councillor Shepherd – personal interests in items 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) and item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as a member of Leicestershire County Council;
- (xxii) by Councillor Smidowicz – an interest in item 6.3 on the agenda (Council Tax – Amendments to Empty Homes Premium and Exemptions) as she was the clerk to a charity which owned properties that could be empty;
- (xxiii) by Councillor Tassell – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Shepshed Town Council;
- (xxiv) by Councillor Taylor – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Leicestershire County Council and Anstey Parish Council;
- (xxv) by Councillor Vardy – a personal interest in item 6.1 on the agenda (2019/20 Special Expenses and General Fund and HRA Revenue Budgets) as a member of Syston Town Council.

Councillor Hadji-Nikolaou joined the meeting at 6.45pm.

74. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of Council held on 21st January 2019 were confirmed and signed.

75. ANNOUNCEMENTS

75.1 MAYOR'S ANNOUNCEMENTS

The Mayor made no announcements.

75.2 LEADER'S ANNOUNCEMENTS

There were no Leader's announcements.

75.3 CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Chief Executive made no announcements.

76. PETITIONS

No petitions were submitted.

77. BUSINESS RESERVED TO COUNCIL

77.1 2019/20 SPECIAL EXPENSES AND GENERAL FUND AND HRA REVENUE BUDGETS

A report of the Cabinet, setting out the proposed General Fund and HRA Revenue Budgets for 2019/20 along with the proposed Council Tax Levy, and the 2019/20 proposals to increase rent and service charges within the ring-

fenced Housing Revenue Account, was submitted (item 6.1 on the agenda filed with these minutes).

Following confirmation from major preceptors regarding their precepts, the full Council Tax Recommendations, which the Council had to consider in order to set a Council Tax Levy and General Fund and HRA Revenue Budgets for 2019/20, were circulated (item 6.1 supplementary report filed with these minutes).

Councillors were reminded that it was a legal requirement that all votes taken on this item, including votes on amendments must be recorded votes.

Councillor Bentley joined the meeting at 6.55pm.

It was proposed by Councillor Barkley and seconded by Councillor Morgan that recommendations 1 to 17 outlined in the supplementary report of the Cabinet be approved for reasons 1 to 17 in that report.

The following amendment was proposed by Councillor Draycott and seconded by Councillor Hamilton:

- (i) that the Council provide free toilet provision in Loughborough town centre by keeping the Market Place and Biggin Street toilets open 7 days a week;
- (ii) that the £60,000 cost be met by increasing Directorate Savings by £60,000 to £360,000 for 2019/20 and in future years to be met by future underspends, Directorate Savings or reserves.

For the amendment – Councillors Bradshaw, Draycott, Forrest, Hamilton, Hampson, K. Harris, Huddleston, Miah and Tillotson.

Against the amendment – Councillors Baines, Barkley, Bebbington, Bentley, Bokor, Brookes, Campsall, Capleton, Fryer, Gerrard, Hachem, Hadji-Nikolaou, Harper-Davies, Hayes, Hunt, Mercer, Morgan, Murphy, Pacey, Page, Paling, Parsons, Parton, Poland, Radford, Ranson, Rattray, Rollings, Seaton, Shepherd, Smidowicz, Smith, Snartt, Tassell, Taylor and Vardy.

Abstaining – Councillor C. Harris.

The amendment was defeated.

The following amendment was proposed by Councillor K. Harris and seconded by Councillor Bradshaw:

- (i) that the Council create a purpose-built water re-filling station in Loughborough town centre so that those visiting the town centre can be provided with fresh clean water to re-fill their water bottles;
- (ii) that the £20,000 one-off cost be met from reserves.

In responding to the amendment, Councillor Bokor stated that there was already a scheme for inclusion in the Council's capital plan that was being brought forward and would deliver that objective.

Councillor Hunt referred to the scheme being operated by refill.org.uk. She also disclosed a personal interest as one of the locations which was participating in the scheme was the office in which she worked.

For the amendment – Councillors Bradshaw, Campsall, Draycott, Forrest, Hamilton, K. Harris, Huddleston, Miah and Tillotson.

Against the amendment – Councillors Baines, Barkley, Bebbington, Bentley, Bokor, Brookes, Capleton, Fryer, Gerrard, Hachem, Hadji-Nikolaou, Hampson, Harper-Davies, Hayes, Hunt, Mercer, Morgan, Murphy, Pacey, Page, Paling, Parsons, Parton, Poland, Radford, Ranson, Rattray, Rollings, Seaton, Shepherd, Smidowicz, Smith, Snartt, Tassell, Taylor and Vardy.

Abstaining – Councillor C. Harris.

The amendment was defeated.

For the motion – Councillors Baines, Barkley, Bebbington, Bentley, Bokor, Brookes, Campsall, Capleton, Fryer, Gerrard, Hachem, Hadji-Nikolaou, Hampson, Harper-Davies, Hayes, Hunt, Mercer, Morgan, Murphy, Pacey, Page, Paling, Parsons, Parton, Poland, Radford, Ranson, Rattray, Rollings, Seaton, Shepherd, Smidowicz, Smith, Snartt, Tassell, Taylor and Vardy.

Against the motion – Councillors Bradshaw, Draycott, Forrest, Hamilton, K. Harris, Huddleston, Miah and Tillotson.

Abstaining – Councillor C. Harris.

RESOLVED

1. that the expenses incurred by the Council in performing in Loughborough a function performed elsewhere in its area by a parish council or the chairman of a parish meeting be treated as special expenses for the purposes of Section 35 of the Local Government Finance Act 1992, to the extent provided in minute 72(C)1 of Council February 2008;
2. that:
 - a. the Original Budget for 2019/20 be £16,954,156;
 - b. the base Council Tax be set at £122.09 at Band D; and
 - c. the Loughborough Special Rate be set at £74.97;
3. that the amounts below be approved as the Council Tax Base for 2019/20:

- (a) for the whole Council area as 56,462.40 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
- (b) for dwellings in those parts of its area to which a Parish precept relates:

Part of the Council's area:

Parish/Meeting/Town Council	Council Tax Base 2019/20
Anstey	2,468.3
Barkby	143.6
Barkby Thorpe	14.3
Barrow-upon-Soar	2,404.0
Beeby	38.2
Birstall	4,504.0
Burton-on-the-Wolds	514.3
Cossington	215.0
Cotes	24.0
East Goscote	939.3
Hamilton Lea	234.7
Hathern	885.7
Hoton	149.0
Mountsorrel	2,889.8
Newtown Linford	533.9
Prestwold	14.7
Queniborough	1,135.7
Quorndon	2,410.7
Ratcliffe-on-the-Wreake	89.9
Rearsby	486.3
Rothley	2,105.9
Seagrave	274.9
Shepshed	4,586.8
Sileby	2,716.3
South Croxton	131.8
Stonebow Village	16.5
Swithland	162.2
Syston	4,334.7
Thrussington	255.4
Thurcaston & Cropston	943.9
Thurmaston	2,825.6
Ulverscroft	60.1
Walton-on-the-Wolds	128.3
Wanlip	85.6
Woodhouse	965.5

Wymeswold	590.0
Loughborough	16,183.5
Charnwood Borough Council	56,462.4

being the amounts calculated by the Council, in accordance with Regulation 6 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate;

4. that the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:
- a) the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts) is £8,106,771;
 - b) £59,183,312 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils;
 - c) £47,398,739 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
 - d) £11,784,573 being the amount by which the aggregate at 4(b) above exceeds the aggregate at 4(c) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
 - e) £208.72 being the amount at 4(d) above (Item R), all divided by Item T (3(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - f) £4,891,079 being the aggregate amount of Loughborough special items and Parish precepts referred to in Section 34(1) of the Act;
 - g) £122.09 being the amount at 4(d) above less the result given by dividing the amount at 4(f) above by Item T (3(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;

h) Part of the Council's area:

<u>Parish, etc.</u>	<u>District Band D Charge</u>
Anstey	235.27
Barkby and Barkby Thorpe	171.86
Barrow-upon-Soar	212.74
Beeby	122.09
Birstall	215.38
Burton-on-the-Wolds / Cotes / Prestwold	172.72
Cossington	184.88
East Goscote	183.84
Hamilton Lea	122.09
Hathern	171.77
Hoton	193.23
Mountsorrel	310.29
Newtown Linford	217.61
Queniborough	170.09
Quorndon	226.30
Ratcliffe-on-the-Wreake	149.90
Rearsby	165.10
Rothley	184.77
Seagrave	191.15
Shepshed	185.47
Sileby	199.44
South Croxton	211.25
Stonebow Village	122.09
Swithland	146.75
Syston	229.41
Thrussington	167.12
Thurcaston & Cropston	162.22
Thurmaston	254.67
Ulverscroft	122.09
Walton-on-the-Wolds	157.16
Wanlip	157.14
Woodhouse	204.84
Wymeswold	173.30
Loughborough Special Expense Area	197.06

being the amounts given by adding to the amount at 4(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 3(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of

its Council Tax for year for dwellings in those parts of its area to which one or more special items relate;

i) Part of the Council's area:

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Anstey	156.84	182.99	209.12	235.27	287.55	339.83	392.11	470.54
Barkby and Barkby	114.57	133.67	152.76	171.86	210.05	248.24	286.43	343.72
Barrow-upon-Soar	141.82	165.47	189.10	212.74	260.01	307.29	354.56	425.48
Beeby	81.39	94.96	108.52	122.09	149.22	176.35	203.48	244.18
Birstall	143.58	167.52	191.44	215.38	263.24	311.10	358.96	430.76
Burton-on-the-Wolds / Cotes	115.14	134.34	153.52	172.72	211.10	249.48	287.86	345.44
Cossington	123.25	143.80	164.33	184.88	225.96	267.05	308.13	369.76
East Goscote	122.56	142.99	163.41	183.84	224.69	265.54	306.40	367.68
Hamilton Lea	81.39	94.96	108.52	122.09	149.22	176.35	203.48	244.18
Hathern	114.51	133.60	152.68	171.77	209.94	248.11	286.28	343.54
Hoton	128.82	150.29	171.76	193.23	236.17	279.11	322.05	386.46
Mountsorrel	206.86	241.34	275.81	310.29	379.24	448.19	517.15	620.58
Newtown Linford	145.07	169.25	193.43	217.61	265.97	314.32	362.68	435.22
Queniborough	113.39	132.29	151.19	170.09	207.89	245.68	283.48	340.18
Quorndon	150.86	176.01	201.15	226.30	276.59	326.88	377.16	452.60
Ratcliffe-on-the-Wreake	99.93	116.59	133.24	149.90	183.21	216.52	249.83	299.80
Rearsby	110.06	128.41	146.75	165.10	201.79	238.48	275.16	330.20
Rothley	123.18	143.71	164.24	184.77	225.83	266.89	307.95	369.54
Seagrave	127.43	148.67	169.91	191.15	233.63	276.10	318.58	382.30
Shepshed	123.64	144.26	164.86	185.47	226.68	267.90	309.11	370.94
Sileby	132.96	155.12	177.28	199.44	243.76	288.08	332.40	398.88
South Croxton	140.83	164.31	187.77	211.25	258.19	305.14	352.08	422.50
Stonebow Village	81.39	94.96	108.52	122.09	149.22	176.35	203.48	244.18
Swithland	97.83	114.14	130.44	146.75	179.36	211.97	244.58	293.50
Syston	152.94	178.43	203.92	229.41	280.39	331.37	382.35	458.82
Thrussington	111.41	129.98	148.55	167.12	204.26	241.39	278.53	334.24
Thurcaston & Cropston	108.14	126.17	144.19	162.22	198.27	234.32	270.36	324.44
Thurmaston	169.78	198.08	226.37	254.67	311.26	367.85	424.45	509.34
Ulverscroft	81.39	94.96	108.52	122.09	149.22	176.35	203.48	244.18
Walton-on-the-Wolds	104.77	122.24	139.69	157.16	192.08	227.01	261.93	314.32
Wanlip	104.76	122.22	139.68	157.14	192.06	226.98	261.90	314.28
Woodhouse	136.56	159.32	182.08	204.84	250.36	295.88	341.40	409.68
Wymeswold	115.53	134.79	154.04	173.30	211.81	250.32	288.83	346.60
Loughborough Special Expense Area	131.37	153.27	175.16	197.06	240.85	284.64	328.43	394.12

being the amounts given by multiplying the amounts at 4(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in the valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

5. that it be noted that the County Council, the Police and Crime Commissioner for Leicestershire ('PCCL') and the Combined Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below:

	REQUIREMENTS £ (TO 2 DECIMAL PLACES)							
	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H
LEICS COUNTY COUNCIL and adult social care	861.45	1,005.03	1,148.60	1,292.18	1,579.33	1,866.48	2,153.63	2,584.36
COMBINED FIRE AUTHORITY	44.43	51.83	59.24	66.64	81.45	96.26	111.07	133.28
POLICE & CRIME COMMISSIONER	148.82	173.62	198.43	223.23	272.84	322.44	372.05	446.46
CHARNWOOD BOROUGH	81.39	94.96	108.52	122.09	149.22	176.35	203.48	244.18
TOTAL	1,136.09	1,325.44	1,514.79	1,704.14	2,082.84	2,461.54	2,840.23	3,408.28

the split between the County Council precept and the additional Adult Social Care precept is shown in the table below:

	REQUIREMENTS £ (TO 2 DECIMAL PLACES)							
	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H
LEICS COUNTY COUNCIL 2019	800.23	933.61	1,066.98	1,200.35	1,467.10	1,733.84	2,000.59	2,400.70
ADULT SOCIAL CARE	61.22	71.42	81.63	91.83	112.23	132.64	153.05	183.66
COMBINED CHARGE	861.45	1,005.03	1,148.61	1,292.18	1,579.33	1,866.48	2,153.64	2,584.36

6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table overleaf as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings:

	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H
	6/9	7/9	8/9	1	11/9	13/9	15/9	18/9
ANSTEY	1,211.54	1,413.47	1,615.39	1,817.32	2,221.17	2,625.01	3,028.86	3,634.64
BARKBY / BARKBY THORPE	1,169.27	1,364.15	1,559.03	1,753.91	2,143.67	2,533.42	2,923.18	3,507.82
BARROW-UPON-SOAR	1,196.52	1,395.95	1,595.37	1,794.79	2,193.63	2,592.47	2,991.31	3,589.58
BEEBY	1,136.09	1,325.44	1,514.79	1,704.14	2,082.84	2,461.53	2,840.23	3,408.28
BIRSTALL	1,198.28	1,398.00	1,597.71	1,797.43	2,196.86	2,596.28	2,995.71	3,594.86
BURTON-ON-THE-WOLDS, COTES & PRESTWOLD	1,169.84	1,364.82	1,559.79	1,754.77	2,144.72	2,534.66	2,924.61	3,509.54
COSSINGTON	1,177.95	1,374.28	1,570.60	1,766.93	2,159.58	2,552.23	2,944.88	3,533.86
EAST GOSCOTE	1,177.26	1,373.47	1,569.68	1,765.89	2,158.31	2,550.72	2,943.15	3,531.78
HAMILTON LEA	1,136.09	1,325.44	1,514.79	1,704.14	2,082.84	2,461.53	2,840.23	3,408.28
HATHERN	1,169.21	1,364.08	1,558.95	1,753.82	2,143.56	2,533.29	2,923.03	3,507.64
HOTON	1,183.52	1,380.77	1,578.03	1,775.28	2,169.79	2,564.29	2,958.80	3,550.56
MOUNTSORREL	1,261.56	1,471.82	1,682.08	1,892.34	2,312.86	2,733.37	3,153.90	3,784.68
NEWTOWN LINFORD	1,199.77	1,399.73	1,599.70	1,799.66	2,199.59	2,599.50	2,999.43	3,599.32
QUENIBOROUGH	1,168.09	1,362.77	1,557.46	1,752.14	2,141.51	2,530.86	2,920.23	3,504.28
QUORNDON	1,205.56	1,406.49	1,607.42	1,808.35	2,210.21	2,612.06	3,013.91	3,616.70
RATCLIFFE-ON-THE-WREAKE	1,154.63	1,347.07	1,539.51	1,731.95	2,116.83	2,501.70	2,886.58	3,463.90
REARSBY	1,164.76	1,358.89	1,553.02	1,747.15	2,135.41	2,523.66	2,911.91	3,494.30
ROTHLEY	1,177.88	1,374.19	1,570.51	1,766.82	2,159.45	2,552.07	2,944.70	3,533.64
SEAGRAVE	1,182.13	1,379.15	1,576.18	1,773.20	2,167.25	2,561.28	2,955.33	3,546.40
SHEPSHED	1,178.34	1,374.74	1,571.13	1,767.52	2,160.30	2,553.08	2,945.86	3,535.04
SILEBY	1,187.66	1,385.60	1,583.55	1,781.49	2,177.38	2,573.26	2,969.15	3,562.98
SOUTH CROXTON	1,195.53	1,394.79	1,594.04	1,793.30	2,191.81	2,590.32	2,988.83	3,586.60
STONEBOW VILLAGE	1,136.09	1,325.44	1,514.79	1,704.14	2,082.84	2,461.53	2,840.23	3,408.28
SWITHLAND	1,152.53	1,344.62	1,536.71	1,728.80	2,112.98	2,497.15	2,881.33	3,457.60
SYSTON	1,207.64	1,408.91	1,610.19	1,811.46	2,214.01	2,616.55	3,019.10	3,622.92
THRUSSINGTON	1,166.11	1,360.46	1,554.82	1,749.17	2,137.88	2,526.57	2,915.28	3,498.34
THURCASTON & CROPSTON	1,162.84	1,356.65	1,550.46	1,744.27	2,131.89	2,519.50	2,907.11	3,488.54
THURMASTON	1,224.48	1,428.56	1,632.64	1,836.72	2,244.88	2,653.03	3,061.20	3,673.44
ULVERSCROFT	1,136.09	1,325.44	1,514.79	1,704.14	2,082.84	2,461.53	2,840.23	3,408.28
WALTON-ON-THE-WOLDS	1,159.47	1,352.72	1,545.96	1,739.21	2,125.70	2,512.19	2,898.68	3,478.42
WANLIP	1,159.46	1,352.70	1,545.95	1,739.19	2,125.68	2,512.16	2,898.65	3,478.38
WOODHOUSE	1,191.26	1,389.80	1,588.35	1,786.89	2,183.98	2,581.06	2,978.15	3,573.78
WYMESWOLD	1,170.23	1,365.27	1,560.31	1,755.35	2,145.43	2,535.50	2,925.58	3,510.70
LOUGHBOROUGH (SPECIAL EXPENSES)	1,186.07	1,383.75	1,581.43	1,779.11	2,174.47	2,569.82	2,965.18	3,558.22

7. that the original HRA Budget for 2019/20 as outlined in Appendix 5 of the General Fund and HRA Revenue budget report of the Cabinet be approved;
8. that the HRA weekly rents be amended in line with the Ministry of Housing, Communities and Local Government (MHCLG) guidance;
9. that the non-HRA dwelling properties retain their current rents as charged in 2018/19;

10. that the HRA service charges be approved in accordance with the MHCLG guidance;
11. that shop rents retain their current rents in accordance with the assessment by the Valuation Office;
12. that garage rents are increased by 2.49% in accordance with the assessment by the Valuation Office;
13. that the Leasehold Management and Administration charge increases to £113.06 per annum;
14. that the Lifeline weekly charge is increased in line with MHCLG guidance;
15. that it be determined that the basic amount of Council Tax for 2019/20 is not excessive according to the principles set out by the Secretary of State;
16. that the NNDR tax base for 2019/20 will be £45,357,073;
17. that the following Loughborough Special Levy items be extended:
 - (i) Funding for the costs of opening Biggin Street, Loughborough, toilets on a Friday ongoing, £4,400;
 - (ii) Funding for Voluntary and Community Grants within Loughborough on an on-going basis, £20,000;
 - (iii) Contribution towards Open Spaces grounds maintenance work in Loughborough, to be reviewed each year, £120,000.

Reasons

1. To set the definition of the Loughborough Special Expenses in accordance with Section 35 of the Local Government Finance Act 1992.
2. To ensure that the necessary finance would be available to carry out services in 2019/20 and to set the Council Tax and Loughborough Special Expenses in accordance with legal and statutory requirements.
3. To set the Council's 2019/20 Council Tax Base in accordance with the regulations made under Section 31B of the Local Government Finance Act 1992.
- 4-6. To set a Council Tax in accordance with legal and statutory requirements.
7. To ensure sufficient funding for the Housing Revenue Account in 2019/20.
8. To comply with social housing rents guidance which, for 2019/20, is a 1% reduction.

9. To reflect the greater flexibility for rental options for non-HRA dwellings.
10. To ensure the correct alignment of costs and service charges for tenants in accordance with best practice.
11. So that shop rents remain affordable and are charged in line with the assessment by the Valuation Office.
12. To increase the rent generated for this asset.
13. So that there is sufficient recovery of the costs associated with operating the leasehold flat and shop services.
14. That there is sufficient recovery of the costs associated with operating the Lifeline service.
15. To comply with the requirements of section 52ZB of the Local Government Finance Act 1992.
16. To set the Council's NNDR tax base in accordance with statutory requirements.
17. To enable items to be added to the Loughborough Special Rate in order to:
 - (i) Open Biggin Street toilets (Loughborough) on a Friday;
 - (ii) continue funding for Voluntary and Community Grants within Loughborough;
 - (iii) Contribute towards costs for Open Spaces grounds maintenance work in Loughborough.

77.2 CAPITAL STRATEGY (INCLUDING TREASURY MANAGEMENT STRATEGY) FOR 2019/20

A report of the Cabinet, setting out the Capital Strategy, newly required under the Prudential Code, and the Treasury Management Strategy Statement together with the Annual Investment Strategy and Minimum Revenue Provision (MRP) Policy for 2019/20 for consideration and approval, was submitted (item 6.2 on the agenda filed with these minutes).

It was proposed by Councillor Barkley, seconded by Councillor Fryer and

RESOLVED

1. that the Capital Strategy, as set out at Appendix A to the report of the Head of Finance and Property Services, attached as an Annex, be approved;

2. that the Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy, as set out in Appendix B to the report of the Head of Finance and Property Services, attached as an Annex, be approved;
3. that the Prudential and Treasury Indicators, also set out in Appendix B to the report of the Head of Finance and Property Services, attached as an Annex, be approved.

Reasons

1. To enable the Council to comply with the statutory code of practice issued by CIPFA: 'The Prudential Code for Capital Finance in Local Authorities, 2017 Edition'.
2. To ensure that the Council's governance and management procedures for Treasury Management reflect best practice and comply with the CIPFA Treasury Management in the Public Services Code of Practice, Guidance Notes and Treasury Management Policy Statement.
3. To ensure that funding of capital expenditure is taken within the totality of the Council's financial position and that borrowing and investment is only carried out with proper regard to the Prudential Code for Capital Finance in Local Authorities.

Having disclosed or identified interests in the following item, Councillors Bentley, Hadji-Nikolaou, Hampson, K. Harris, Miah, Paling and Smidowicz withdrew from the meeting.

77.3 COUNCIL TAX - AMENDMENTS TO EMPTY HOMES PREMIUM AND EXEMPTIONS

A report of the Cabinet, setting out amendments to the Empty Homes Premium and to relief offered on properties which are unoccupied, unfurnished and uninhabitable, and the introduction of a Care Leavers Policy to offer Council Tax Relief for consideration and approval, was submitted (item 6.3 on the agenda filed with these minutes).

It was proposed by Councillor Barkley, seconded by Councillor Taylor and

RESOLVED

1. that the proposed amendments to the Council Tax Empty Homes Premium and the relief offered on properties which are unoccupied, unfurnished and uninhabitable, and the dates of introduction of amendments, as set out below, be approved:

Empty homes Premium

Length of time property empty	Additional Premium
2 - 5 years (introduce from 2019)	100%
5 - 10 years (introduce from 2020)	200%
10 years+ (introduce from 2021)	300%

Unoccupied, unfurnished and uninhabitable properties

Amend current discount for properties which are unoccupied, unfurnished and uninhabitable from 50% for 12 months to 100% for 6 months – effective from 1st April 2019;

2. that the introduction of the Charnwood Care Leavers Policy, as set out in Appendix A of the report of the Head of Customer Experience, attached as an Annex, be approved.

Reasons

1. To increase the incentives for bringing empty properties back into use from 1st April 2019.
2. To facilitate the introduction of the Charnwood Care Leavers Policy from 1st April 2019, to support those leaving the care system and moving to independent living in line with all other Local Authorities in Leicestershire.

77.4 PAY POLICY STATEMENT 2019/20

Councillors Bentley, Hadji-Nikolaou, Hampson, K. Harris, Miah, Paling and Smidowicz returned to the meeting.

A report of the Personnel Committee, recommending that the Pay Policy Statement for 2019/20 be approved and adopted, was submitted (item 6.4 on the agenda filed with these minutes).

It was proposed by Councillor Barkley, seconded by Councillor Draycott and

RESOLVED that the Pay Policy Statement for 2019/20, as set out in Annex A to the report considered by the Personnel Committee (attached as an appendix), be approved and adopted.

Reason

To ensure that the Council meets its obligations under Section 38 of the Localism Act 2011.

77.5 NEW SCRUTINY COMMITTEE STRUCTURE

A report of the Scrutiny Management Board, setting out recommendations for a new scrutiny committee structure, was submitted (item 6.5 on the agenda filed with these minutes).

It was proposed by Councillor Miah, seconded by Councillor Parsons and

RESOLVED

1. that the current scrutiny committee structure set out in the Constitution be replaced with the following committees as from the commencement of the 2019/20 civic year:
 - Scrutiny Commission (consisting of 7 members selected on a politically balanced basis, quorum to be 4 members),
 - Scrutiny Call-In Committee (consisting of 8 members being the Chairs and Vice-chairs of the other 4 scrutiny committees, quorum to be 5 members),
 - Corporate Services Scrutiny Committee (consisting of 7 members selected on a politically balanced basis; quorum to be 4 members),
 - Housing, Planning & Regeneration and Regulatory Services Scrutiny Committee (consisting of 7 members selected on a politically balanced basis, quorum to be 4 members),
 - Neighbourhoods & Community Wellbeing Scrutiny Committee (consisting of 7 members selected on a politically balanced basis, quorum to be 4 members);
2. that the overall areas of responsibility for each of the new scrutiny committees be as summarised in Part B of the report of the Monitoring Officer (attached as Annex 1);
3. that the amendments to the Council's Constitution set out in Annex 2 be made with effect from the commencement of the 2019/20 civic year.

Reasons

- 1 - 3. To implement a new scrutiny committee structure, following on from the recommendation made by the Centre for Public Scrutiny that the current scrutiny structure should be reviewed.

77.6 NOMINATION OF MAYOR ELECT FOR 2019/20

It was proposed by Councillor Miah, seconded by Councillor Morgan and

RESOLVED that Councillor Seaton be nominated as Mayor Elect for the 2019/20 Council year.

Reason

To ensure that a nomination was made for Mayor of the Borough for 2019/20.

77.7 NOMINATION OF DEPUTY MAYOR ELECT FOR 2019/20

It was proposed by Councillor Morgan, seconded by Councillor Miah and

RESOLVED that Councillor Snartt be nominated as Deputy Mayor Elect for the 2019/20 Council year.

Reason

To ensure that a nomination was made for Deputy Mayor of the Borough for 2019/20.

Councillor Snartt thanked Councillors for their support and stated that it was a great honour to be nominated. He further stated that he looked forward to supporting the Mayor during the following Council year.

78. CALL-IN REFERENCES

There were no call-in references from Scrutiny.

79. POSITION STATEMENTS

No position statements had been requested.

80. MOTIONS ON NOTICE

No motions on notice had been submitted.

81. QUESTIONS ON NOTICE

The questions on notice and the responses of the Leader or his nominee were submitted (item 10 on the agenda filed with these minutes).

81.1 STAFF REDUNDANCIES AND VACANCIES

Councillor Draycott stated that she found the figures provided for the number of staff affected by redundancies, the costs of those redundancies, and the amount spent on agency staff quite shocking. The number of staff employed by

the Council had decreased and the use of agency staff had increased. That approach was causing a waste of taxpayers' money. She stated that the Council should seek to fill vacancies with permanent staff and asked the Cabinet Lead Member if he could provide any hope that such an approach would be adopted.

Councillor Poland thanked Councillor Draycott for her question and stated that any redundancies that were not voluntary were a matter for regret. He explained the cost savings that had arisen from the management restructure that had taken place in 2010/11. Since then there had only been small numbers of redundancies each year. There were certain one-off services for which the use of agency workers and consultants was more appropriate than having that expertise in-house. In the case of hard to fill posts, for example in planning where there was a national shortage, agency staff were essential.

81.2 LEISURE CENTRE PARKING CHARGES

Councillor Bradshaw thanked the Cabinet Lead member for the reply and referred to the fact that free parking was provided at the Soar Valley and South Charnwood Leisure Centres but not at the Loughborough Leisure Centre. The car park at the Loughborough Leisure Centre could be used by people who wished only to shop in the town centre. However there were other towns in Leicestershire with leisure centres close to the town centre where the local council provided a full refund of parking charges for leisure centre users. The current arrangements were inconsistent, with different areas of the Borough being treated differently, and could act as a disincentive for residents living in or near Loughborough to use that leisure centre. She therefore asked the Cabinet Lead Member to consider providing free parking for users of the Loughborough Leisure Centre.

Councillor Harper-Davies thanked Councillor Bradshaw for her question and supplementary question. She stated that she would consult with the relevant Head of Service regarding the suggestion that Councillor Bradshaw had made.

81.3 HOUSES IN MULTIPLE OCCUPATION CONSULTATION

Councillor Parton referred to other local authorities that had set the threshold above which permissions for further conversions of domestic dwellings to houses in multiple occupation (HMOs) would not be permitted at 10% of existing properties being HMOs. He also stated that the issue was of significant concern to local residents and wished to see them consulted on the licensing of HMOs. He concluded by thanking the Cabinet Lead Member and the Council for allowing residents to have a voice in the current planning consultation.

Councillor Vardy thanked Councillor Parton for his comments. He stated that the consultation exercise was still ongoing and that there would be further public consultation on the Local Plan in the future.

81.4 LOUGHBOROUGH TOWN CENTRE

Councillor Parton stated that he had been approached about the possibility of organising further events in Loughborough town centre. The organisers, who included volunteers, had asked for help with a number of matters: consolidating the forms and guidance for holding town centre events to make them less onerous, setting up a town centre community budget so that voluntary groups did not have to pay some of the charges associated with town centre events, and making amendments to the Loughborough Market Charter so that certain events were not deemed to be rival markets.

Councillor Bokor thanked Councillor Parton for his suggestions and proposed that she met with him to discuss them further.

81.5 PREPAREDNESS FOR LEAVING THE EUROPEAN UNION

Councillor Hamilton stated that it was evident that the Government expected local authorities to play a role in the transition to the United Kingdom being outside the European Union. There would be costs associated with replacing one set of arrangements with another and there were issues relating to resilience and business continuity. The Government had set aside £56.5million for local authorities to cover those costs and all district councils had received £35,000 as part of that funding. Other parts of that funding had been set aside for costs that became apparent. Councillor Hamilton therefore asked what the Council was doing to record costs including officer time that were incurred in dealing with the transition so that any additional costs could be claimed from the Government.

Councillor Morgan thanked Councillor Hamilton for his question and referred to the written answer which dealt with how the £35,000 would be allocated. He stated that areas that had ports had been allocated additional money and that included North West Leicestershire, which was the location of East Midlands Airport. The Council was working with its partners to co-ordinate any response that was required.

81.6 EMPTY HOMES

Councillor Rattray stated that it was positive to see so many empty homes being brought back into use and the new Empty Homes Premium would assist further with that. She also stated that she had discovered that 8 of the 45 homes that had been brought back into use were located in Birstall, which she was pleased to see. There were 45 empty properties in Birstall, of which 23 had been empty for 2 years or more. She asked whether there was further work that councillors could do to assist with bringing empty properties back into use.

Councillor Mercer stated that the Council was working hard to bring empty homes back into use and the new Empty Homes Premium would be a powerful tool to help with that. The actions that the Council was taking had resulted in

the number of properties being brought back into use increasing from 4 per year to 50 per year. If councillors believed that a property was empty they could let the Empty Homes Officer know.

82. MINUTE REFERENCES

There were no minute references.

83. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN

A report of the Chief Executive, informing the Council of an urgent decision that had been exempted from call-in in accordance with Scrutiny Committee Procedure 11.9, was submitted (item 12 on the agenda filed with these minutes).

84. APPOINTMENTS TO COMMITTEES

There were no proposals to consider.

Note:

These minutes are subject to confirmation as a correct record at the next meeting of the Council which is scheduled for Monday 25th March 2019

COUNCIL – 25TH MARCH 2019

Report of the Cabinet

ITEM 6.1 CAPITAL PLAN AMENDMENT REPORT

Purpose of Report

To seek approval for changes to the 2018/19 to 2020/21 Capital Plan and its financing.

Recommendations

1. That the Acquisition of Affordable Housing to meet housing need HRA scheme be increased by the sum of £415k, be added to the Capital Plan in 2020/21 and that it proceeds.
2. That the Disabled Facilities Grant budget of £448k slippage from 2018/19 to 2019/20 be approved.
3. That the HRA Bathrooms budget of £426k slippage from 2018/19 to 2019/20 be approved.

Reasons

1. To confirm that the Acquisition of Affordable Housing to meet housing need HRA scheme should be increased to the sum of £415k, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA Reserves.
2. To enable the scheme budget to be available in 2019/20.
3. To enable the scheme budgets to be available in 2019/20.

Policy Justification and Previous Decisions

The Capital Plan is an integral element of all policies and the current three-year plan was adopted by full Council on 26th February 2018. The Financial Regulations in the Council's Constitution require that decisions regarding the addition of Council funding of greater than £250k to existing schemes and slippage of greater than £250k per scheme must be approved by full Council.

At its meeting on 14th March 2019, the Cabinet considered a report of the Head of Finance and Property Services regarding the 2018/19 to 2020/21 Capital Plan and its financing. That report is attached as an Annex.

An extract from the Cabinet minutes which details the Cabinet's consideration of the matters reserved to Council is set out below.

“99. CAPITAL PLAN AMENDMENT REPORT

Considered a report of the Head of Finance and Property Services to consider changes to the current Capital Plan and its financing (item 12 on the agenda filed with these minutes).

The Chief Executive and the Strategic Director of Corporate Services assisted with consideration of the report.

RESOLVED

[...]

2. *that it be recommended to Council that the Acquisition of Affordable Housing to meet housing need HRA scheme be increased by the sum of £415k, be added to the Capital Plan in 2020/21 and that it proceeds;*
3. *that it be recommended to Council that the Disabled Facilities Grant budget of £448k slippage from 2018/19 to 2019/20 be approved;*
4. *that it be recommended to Council that the HRA Bathrooms budget of £426k slippage from 2018/19 to 2019/20 be approved;*

[...]

Reasons

[...]

2. *To confirm that the Acquisition of Affordable Housing to meet housing need HRA scheme, should be increased to the sum of £415k, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA Reserves.*
3. *To enable the scheme budget to be available in 2019/20.*
4. *To enable the scheme budgets to be available in 2019/20.*

[...]”

Implementation Timetable including Future Decisions and Scrutiny

As detailed in the attached Annex.

Report Implications

As detailed in the attached Annex.

Key Decision: Yes

Background Papers: None

Officer to Contact:

Laura Strong
Democratic Services Officer
01509 634734
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CABINET – 14TH MARCH 2019**Report of the Head of Finance and Property Services
Lead Member: Cllr Tom Barkley****Part A**ITEM CAPITAL PLAN AMENDMENT REPORTPurpose of the Report

This report requests Cabinet to consider and approve changes to the 2018/19-2020/21 Capital Plan and its financing.

Recommendations

1. That, the current Capital Plan for 2018/19 - 2020/21, as amended by the changes shown in Appendix 1, in the sum of £32,852,390 be approved.
2. **That it be recommended to Council** that the Acquisition of Affordable Housing to meet housing need HRA scheme be increased by the sum of £415k, be added to the Capital Plan in 2020/21 and that it proceeds.
3. **That it be recommended to Council** that the Disabled Facilities Grant budget of £448k slippage from 2018/19 to 2019/20 be approved.
4. **That it be recommended to Council** that the HRA Bathrooms budget of £426k slippage from 2018/19 to 2019/20 be approved.
5. That all the slippages detailed in Appendix 1 be approved.
6. That Cabinet note that £25k budget for Hardware Replacement has been brought forward from 2019/20 to 2018/19.
7. That Cabinet note that the Old Rectory Museum Toilet scheme totalling £12k has been added to the Capital Plan in 2018/19.
8. That the Bell Foundry Pocket Park phase 2 scheme to the sum of £22k be added to the Capital Plan in 2019/20.
9. That the Disabled Facilities Grants scheme be increased by £110k to allow for the Disabled Facilities Grants from the Ministry of Housing, Communities and Local Government to be spent.
10. That the virement of £210k to the HRA Central Heating and Boiler installation scheme from the HRA Major Structural Works scheme be approved.

Reasons

1. To enable the Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.

2. To confirm that the Acquisition of Affordable Housing to meet housing need HRA scheme, should be increased to the sum of £415k, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA Reserves.
3. To enable the scheme budget to be available in 2019/20.
4. To enable the scheme budgets to be available in 2019/20.
5. To enable the schemes budgets to be available in 2019/20
6. To enable additional work to proceed in 2018/19 ahead of schedule. This has been approved by the s151 Officer. The budget has already been approved by Cabinet and it has just been brought forward. It is fully funded.
7. To enable the installation a toilet in the Old Rectory Museum, Loughborough before the Museum opens in April. This has been approved by the s151 Officer. This is to be funded from virements, then RCCO and then capital receipts.
8. To allow works at the Bell Foundry Pocket Park to be done to spend \$106 monies.
9. To confirm that the Disabled Facilities Grants scheme be increased and funded by an external grant.
10. To enable more HRA Central Heating Systems and Boilers to be installed.

Policy Justification and Previous Decisions

The Capital Plan is an integral element of all policies and the current three-year plan was adopted by Council on 26th February 2018. Amendments to the Capital Plan were last reported to the Cabinet on 13th December 2018.

Implementation Timetable including Future Decisions and Scrutiny

This report will be available for scrutiny by the Overview Scrutiny Panel on 11th March 2019.

Implementation will be immediately after the period for call-in of the Cabinet's decisions (subject to there being no call-in) or immediately after Full Council's decisions, whichever applies.

Report Implications

The following implications have been identified for this report.

Financial Implications

The financial implications are covered in the body of this report.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Insufficient funding	Unlikely (2)	Major (4)	Moderate (8)	The funding of the Capital Plan is regularly monitored and any apparent shortfalls are brought to the attention of Cabinet with suggested solutions
General Risks associated with capital expenditure	Likely (3)	Significant (2)	Moderate (6)	The Capital Plan is controlled by Project Boards for larger schemes and by Project Officers for smaller schemes. Progress, risks and possible problems are notified to these boards and to the Capital Programme Team for all projects of £50k or more. Such risks are identified and dealt with and reported as necessary to the Senior Management Team and Cabinet.

Key Decision:

Yes

Background Papers:

None

Officer to Contact:

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Part B

Background - Capital Plan

1. Since the last Capital Plan Amendment Report on 13th December 2018 a number of amendments and additions to the Capital Plan have been put forward. These changes have affected the overall total and the funding of the Plan and those requiring an amendment to the expenditure budget are set out in Appendix 1. This report summarises these changes and, if approved, becomes the current Capital Plan for 2018/19 - 2020/21.
2. The net effects of these changes on the 2018/19 Capital Plan are as follows:

2018/19 Capital Plan	£'000
Approved 2018/19 Capital Plan (13 Dec 2018)	12,456
Add:	
Net new/amended schemes	157
Budget brought forward from 2019/20	25
Less : Net slippage into 2019/20	(1,769)
Amended 2018/19 Capital Plan	10,869

Funded by:	£'000
General Fund:	
Grants, Contributions and Revenue	1,919
Contributions from Capital Plan Reserve	933
Contributions from Capital Receipts	1,176
Total General Fund	4,028
HRA:	
MRA or equivalent	3,257
Contribution from HRA Financing Fund	7
Contributions from Capital Receipts	586
Revenue Contributions	2,991
Total HRA	6,841
Total Funding for 2018/19	10,869

3. A full list of the decisions and amendments are listed in Appendix 1. A detailed explanation for the major changes are given in the table below. Then the current Capital Plan, including the changes listed in Appendix 1, is included as Appendix 2.

Scheme	£
New/Amended Schemes	
Bell Foundry Pocket Park – increase in budget in 2019/20	22,000
<p>As part of the wider Bell Foundry pocket park project a play facility was built in the summer of 2018, which has proven to be so popular that children and parents queue to use the equipment at peak times. This is a new scheme be a second phase of works to extend the play facility and will include additional play equipment, landscaping and seating. These works will complement the existing facilities; extend the opportunities for children’s play; and provide opportunities for parents to socialise while their children play together. Upon completion the extended play facility will be better able to accommodate the local needs of families while supporting the effort to provide community cohesion in this priority neighbourhood. This scheme is fully funded by S106.</p>	
Old Rectory Museum toilet – increase in budget in 2018/19	12,000
<p>This is a new scheme. The Old Rectory forms part of Charnwood’s cultural offer and is operated under a lease agreement with the Loughborough Archaeological & History Society (LAHS). The LAHS curate the museum and provide volunteer staffing between April and November each year when the museum is open to the public.</p> <p>The current LAHS committee have raised a number of concerns about the Old Rectory including the lack of any toilet facilities. They are having difficulty in employing volunteers to support their work at the museum because of this.</p> <p>The proposal is to utilise a corner of the ground floor currently housing a sink to provide an accessible toilet which is available for volunteers and members of the public to use. £3,300 of this is to be funded by savings on the Grants for Shop Front Improvements scheme and the Town Hall tills scheme.</p> <p>The S151 has approved that this scheme in accordance with Financial Procedure rules so that the toilet can be installed prior to the start of the summer season opening in April.</p> <p>The scheme will be funded by using savings identified elsewhere within the plan of £3,300 and then RCCO and then capital receipts if required.</p>	
Increase in DFG Budget	109,800
<p>In January 2019 the Government reallocated DFG funding amongst Councils across the country and this Council was awarded a further £109,803 of DFG funding.</p>	

Scheme	£
Acquisition of Affordable Housing to meet housing need HRA – increase in budget in 2020/21	415,100
<p>The existing budget over the 3 years (2018/19 to 2020/21) is £5,272,000. The additional budget would bring the total to £5,687,100. It is proposed to increase the budget to maximise the use of Right to Buy capital receipts arising from Council house sales. The additional budget will enable the Council to increase the number of purchases it can make on the open market, particularly two-bed properties, as the Council has a shortage of these. This will help to address the housing needs of households on the Housing Register by providing more homes for social rent.</p> <p>This request for additional budget is to maximise the use of Right to Buy capital receipts arising from sales of Council houses. The Council can retain Right to Buy receipts on the basis that this funding will be used to increase the supply of affordable housing. These receipts must be spent within three years of receipt, otherwise they must be paid over to the Government plus interest at a rate of 4% above the base rate. There is, however, another condition with the use of these capital receipts. It is that they can only fund a maximum of 30% of a scheme. This budget increase is to spend the receipts retained in quarter 3 of 2018/19. The 70% can be funded by HRA Reserves.</p>	
Virements on the HRA schemes	
<p>Central Heating and boiler installation, Fortem vire in £210k from Major Structural Works, Fortem. There is a target to do 308 heating installations. The average cost is £2,300 per property due to additional works when undertaking boiler swaps e.g. moving flues, scaffolding etc. 90 additional units needed to meet target.</p>	
Budget brought forward from 2019/20 into 2018/19	
Replacement Hardware	25,000
<p>This budget is being brought forward to support the requirement for new 2 in 1 devices, laptops and monitors to support the migration to Windows 10 and Office 365.</p>	

Scheme	£
Scheme Slippage	
Disabled Facilities Grants – slippage into 2019/20	448,000
<p>Spending of the Disabled Facilities Grant (DFG) budget is determined by:</p> <ul style="list-style-type: none"> • The number of applications for a DFG received (referrals from County Council Adult and Child Social Care or a Housing Support Coordinator dependent on the needs identified during assessment) • The eligible costs of the works required (which can vary from a few hundred pounds to £30k maximum) • The time taken to complete the work by the independent contractors employed by the applicants, once the grant is approved (which can vary from a few weeks to a few months depending on the extent of the works and the availability of the contractor). <p>These factors are all outside of the control of the Council and so can only forecast the level of committed budget on approved applications. At present the level of spend is below the committed budget.</p> <p>This budget is fully funded by the Better Care Fund and any slippage will allow additional payments to be made in 2019/20.</p>	
HRA Bathrooms - slippage into 2019/20	60,000
<p>The programme is expected to be largely complete, save around 12 level access shower like for like replacements that are planned to be completed in April 2019. The work is required to maintain the Charnwood standard. It is therefore necessary to slip £60K of the budget to 2019/20.</p>	
HRA Major Adaptations, Fortem - slippage into 2019/20	155,000
<p>£75k of the budget is to be slipped for a major remodelling scheme that is now expected to be completed in 2019/20.</p> <p>There has been a delay in receiving prices for some adaptation works. Prices are now starting to come through, however it is likely that a small number of adaptation works will now be completed in April and May 2019/20 as a result. The requested slippage amount is £80k</p>	
HRA Door Replacement, Fortem - slippage into 2019/20	219,450
<p>Delivery has been slower than expected, largely due to a national issue relating to the supply of composite doors. Work is necessary to support the delivery of the Charnwood standard.</p>	

HRA Carbon Monoxide Alarms- slippage into 2019/20	50,000
The majority of the Council's stock has detection installed. There are 133 properties on the programme, however the occupants have previously refused access due to (for example) hoarding behaviour. Access and delivery options are currently being explored.	
HRA Other slippages - slippage into 2019/20	205,000
in addition to the HRA slippages above there are 2 other HRA schemes where budget is slipping into 2019/20. These are £15k for Mobility Scooter storage and £205k for estate and external works. In respect of the latter, the Council is reviewing prices that have been received for the works, which are needed to maintain the condition of footpaths.	
Private Sector Housing Grants - slippage into 2019/20	109,000
<p>This budget is to be used for Discretionary Housing Grants e.g. Home Repair, upon full spend of the remaining Regional Housing Pot.</p> <p>In reviewing the grants provided by the Council, consideration is given to those residents in most need of assistance, and each case will be assessed on its own merits to ensure that:</p> <ul style="list-style-type: none"> • All other available options have been fully explored. • Assistance through other means is not reasonably available or practicable. <p>The purpose of the funding is to ensure that we maximise the number of discretionary grants we can offer within our budget and in line with the Policy and not just to maximise the spend.</p>	
Birstall Cedars Academy all weather pitch - slippage into 2019/20	50,000
A sum of £50,000 of section 106 monies has been received as a contribution towards the provision of an all-weather pitch at Cedars Academy in Birstall to assist in the provision of an all-weather Multi Use Games Area. The school is currently exploring with Football Association the delivery of a larger pitch resulting in the scheme being delayed.	
Public Art Provision - slippage into 2019/20	70,100
This scheme is to be delivered in tandem with an adjacent public art scheme by a consultant in Shepshed and will not complete until 2019/20... The public art is intended to enhance the play area that has been recently installed at the Tickow Lane Development. The art will be contained within the play area. This is fully funded by a S106 contribution.	

Green Spaces Programme - slippage into 2019/20	85,000
This slippage is £75k relating to work on the extension to the existing Loughborough cemetery which is awaiting the legal transfer of the land and £10k is a contingency for the Southfields Park scheme which may be required.	

4. The Capital Plan is fully funded as per the table in paragraph 2 of this report.

Appendices

Appendix 1 – Details of Capital Plan Amendments

Appendix 2 – Capital Plan 2018/19-2020/21

CAPITAL PLAN AMENDMENT REPORT 2018/19		Appendix 1	
	2018/19 £	2019/20 £	2020/21 £
Capital Plan Amendment Report - 13th December 2018 - Minute 64	12,455,800	11,141,500	7,853,500
New/Amended Schemes			
<u>20th November 2018 - approved</u>			
Town Hall Seating Replacement - RCCO	4,800		
<u>Delegated Decision 216 17th December 2018</u>			
Thurmaston Parish Council - Silverdale and Elizabeth Park S106	32,300		
<u>Delegated Decision 218 18th December 2018</u>			
Green Spaces Programme - Park Road Tennis Courts Refurbishment	1,000		
<u>14th December 2018 - approved</u>			
Town Hall Public Wifi Installation - virement	(5,000)		
Wireless connectivity including presentation facilities - virement	5,000		
<u>Capital Programme Team 15 January 2019</u>			
Acquisition of Affordable Housing to meet housing need - receipts retained			415,100
Disabled Facilities Grants - Block Sum - increase funded by government grant DFG	109,800		
Bell Foundry Pocket Park - phase 2 S106		22,000	
Old Rectory Museum Toilet	12,000		
Grants for Shop Front Improvements - vired to Old Rectory Toilet	(1,100)		
Town Hall - Tills - vired to Old Rectory Toilet	(1,200)		
Central Heating and Boiler Installation - Fortem - vired from Major Structural Works	210,000		
Major Structural Works - Fortem	(210,000)		
<u>* Cabinet 14 March 2019 Agenda Item 8</u>			
HRA Kitchens		189,190	
HRA Bathrooms		395,700	
HRA Central Heating and Boiler Installation		222,000	
New/Amended Schemes Total	157,600	828,890	415,100
Budget brought forward from 2019/20 - approved by S151 Officer (8 February 2019)			
Replacement Hardware Programme - Block Sum	25,000	(25,000)	
Budget brought forward from 2019/20 Total	25,000	(25,000)	0
Slippage into 2019/20			
General Fund			
Regional Housing Pot Grant	(27,900)	27,900	
Disabled Facilities Grants - Block Sum - Better Care Funded element	(448,400)	448,400	
Private Sector Housing Grants - Block Sum	(109,000)	109,000	
Fuel Poverty Scheme	(9,000)	9,000	
Planning and Regeneration Essential Technology Refresh	(1,100)	1,100	
Beehive Lane Car Park Improvements and refurbishment scheme	(20,000)	20,000	
Beehive Lane Car Park fire & safety evacuation systems	(8,000)	8,000	
Birstall Cedars Academy all weather pitch S106	(50,000)	50,000	
Shortcliffe Community Park	(15,300)	15,300	
Public Art Provision - Loughborough & Shepshed S106	(70,100)	70,100	
Dishley Pool Access Works	(17,200)	17,200	
Green Spaces Programme - Loughborough Cemetery extension £75k and Southfields Park £10k	(85,000)	85,000	
Loughborough Old Cemetery Green Flag Site Development	(40,000)	40,000	
Mountsorrel Castle Park Green Flag Site Development	(40,000)	40,000	
The Outwoods Country Park - Septic tank system replacement	(15,000)	15,000	
The Outwoods Country Park - Visitor Centre and Café	(25,000)	25,000	
Shortcliffe Park Access Bridges	(15,200)	15,200	
Syston Community Garden	(22,300)	22,300	
Loughborough Festive Lights and Street Dressing	(16,300)	16,300	
Loughborough Market - replacement of Tug and Trailer	(9,000)	9,000	
HRA			
Job Management System	(21,100)	21,100	
Major Adaptations - Fortem	(155,000)	155,000	
Bathrooms - Fortem	(60,000)	60,000	
Door Replacement - Fortem	(219,450)	219,450	
Carbon Monoxide Alarms	(50,000)	50,000	
Mobility Scooter Storage - Fortem	(15,000)	15,000	
Estate and External Works - Fortem	(205,000)	205,000	
Slippage into 2019/20 Total	(1,769,350)	1,769,350	0
Update Report - Total	10,869,050	13,714,740	8,268,600
Total of 3 Year Capital Plan			32,852,390

* The inclusion of the three additions to the HRA Capital Programme are subject to Cabinet approval of Agenda Item 8 being presented at this meeting.

CAPITAL PLAN 2018/19

Scheme Details	First year in Capital Plan	Total Cost £	Spend Before 2018/19 £	2018/19				2019/20			2020/21		External Funding		
				Original Plan £	Current Budget £	Actual Spend 31/12/18 £	Balance £	Original Plan £	Current Budget £	Original Plan £	Current Budget £	2018/19 £	2019/20 £	2020/21 £	
SUMMARY OF CAPITAL PLAN															
<i>Directly Delivered Schemes</i>															
Community Wellbeing		3,485,515	670,315	793,600	1,572,100	749,272	822,828	188,000	558,100	685,000	685,000	279,900	199,100	0	
Corporate Services		2,965,629	2,149,029	315,000	661,600	479,983	181,617	110,000	45,000	110,000	110,000	12,100	0	0	
Housing, Planning & Regeneration & Regulatory Services - General Fund		785,430	184,530	50,000	214,800	59,089	155,711	200,000	286,100	100,000	100,000	0	1,100	0	
Housing, Planning & Regeneration & Regulatory Services - HRA		80,021,456	57,913,466	7,257,300	6,840,650	2,649,102	4,191,549	6,613,300	9,086,740	5,288,500	6,180,600	0	0	0	
<i>Sub-total Direct Delivery</i>		87,258,030	60,917,340	8,415,900	9,289,150	3,937,446	5,351,704	7,111,300	9,975,940	6,183,500	7,075,600	292,000	200,200	0	
<i>Indirectly Delivered Schemes</i>															
Community Wellbeing		1,296,839	146,439	0	838,100	64,421	773,679	30,000	252,300	60,000	60,000	643,300	222,300	0	
Corporate Services		0	0	0	0	0	0	0	0	0	0	0	0	0	
Housing, Planning & Regeneration & Regulatory Services - General Fund		16,195,139	10,833,839	515,000	741,800	492,963	248,837	2,430,000	3,486,500	1,133,000	1,133,000	690,200	1,997,400	1,058,000	
Housing, Planning & Regeneration & Regulatory Services - HRA		0	0	0	0	0	0	0	0	0	0	0	0	0	
<i>Sub-total Indirect Delivery</i>		17,491,978	10,980,278	515,000	1,579,900	557,384	1,022,516	2,460,000	3,738,800	1,193,000	1,193,000	1,333,500	2,219,700	1,058,000	
GF Total		24,728,552	13,984,152	1,673,600	4,028,400	1,845,729	2,182,671	2,958,000	4,628,000	2,088,000	2,088,000	1,625,500	2,419,900	1,058,000	
HRA Total		80,021,456	57,913,466	7,257,300	6,840,650	2,649,102	4,191,549	6,613,300	9,086,740	5,288,500	6,180,600	0	0	0	
Grand Total		104,750,008	71,897,618	8,930,900	10,869,050	4,494,830	6,374,220	9,571,300	13,714,740	7,376,500	8,268,600	1,625,500	2,419,900	1,058,000	
Community Wellbeing															
<i>Direct Delivery</i>															
JT Z478	Shortcliffe Community Park	2015/16	162,119	144,419	0	2,400	2,380	20	15,300	0	0	2,400	7,000	0	
JT Z697	Bell Foundry Pocket Park phase 1 and 2	2016/17	88,976	4,776	0	62,200	62,528	-328	22,000	0	0	62,200	22,000	0	
JT Z494	Public Art Provision - Loughborough & Shepshed	2017/18	92,824	17,724	0	5,000	0	5,000	70,100	0	0	5,000	70,100	0	
JR Z388	CCTV	2014/15	225,009	106,609	35,000	48,400	-8,735	57,135	35,000	35,000	35,000	0	0	0	
SW	Old Rectory Museum Toilet	2018/19	12,000	0	0	12,000	0	12,000	0	0	0	0	0	0	
SW Z389	Loughborough - Town Centre signage	2014/15	59,020	54,020	0	5,000	0	5,000	0	0	0	0	0	0	
SW Z413	Town Hall - Tills	2015/16	9,767	9,767	0	0	0	0	0	0	0	0	0	0	
SW Z392	Public Realm and Art Improvements	2014/15	103,354	93,754	0	9,600	3,200	6,400	0	0	0	0	0	0	
SW Z393	Grants for Shop Front Improvements	2014/15	13,931	13,431	0	500	500	0	0	0	0	0	0	0	
SW Z421	Carillon Tower Restoration Project	2017/18	289,500	0	0	289,500	268,434	21,066	0	0	0	44,600	0	0	
SW Z426	Loughborough Market - replacement of Tug and Trailer	2018/19	21,500	0	0	12,500	0	12,500	0	9,000	0	0	0	0	
KS Z746	Charnwood Museum Public Toilets Refurbishment	2018/19	16,000	0	16,000	16,000	0	16,000	0	0	0	0	0	0	
NB Z748	Loughborough Festive Lights and Street Dressing	2018/19	130,000	0	130,000	113,700	1,367	112,333	16,300	0	0	0	10,000	0	
NB Z749	Loughborough Market Improvements	2018/19	60,000	0	60,000	60,000	16,115	43,886	0	0	0	20,000	0	0	
RK Z756	Town Hall Public Wifi Installation	2018/19	10,000	0	15,000	10,000	0	10,000	0	0	0	0	0	0	
RK Z757	Town Hall Roof Upgrade	2018/19	50,000	0	50,000	50,000	6,234	43,766	0	0	0	0	0	0	
RK Z758	Town Hall Seating Replacement	2018/19	84,800	0	60,000	84,800	84,845	-45	0	0	0	0	0	0	
MB Z394	Provision of Neighbourhood Notice Boards	2014/15	15,001	8,901	0	6,100	4,155	1,945	0	0	0	0	0	0	
MB Z739	Green Spaces Programme	2016/17	589,995	77,195	125,000	427,800	182,882	244,918	0	85,000	0	5,700	0	0	
JT Z747	Dishley Pool Access Works	2018/19	32,600	0	32,600	15,400	12,432	2,968	0	17,200	0	0	0	0	
MB Z784	Loughborough Cemetery - New Burial Provision	2018/19	650,000	0	0	0	0	0	0	650,000	650,000	0	0	0	
SR Z750	Loughborough Old Cemetery Green Flag Site Development	2018/19	40,000	0	40,000	0	0	0	40,000	0	0	0	20,000	0	
MB Z751	Loughborough Playgrounds - Replacement Surfacing	2018/19	60,000	0	60,000	60,000	60,000	0	0	0	0	0	0	0	
SR Z752	Mountsorrel Castle Park Green Flag Site Development	2018/19	40,000	0	40,000	0	0	0	40,000	0	0	0	20,000	0	
MB Z753	The Outwoods Country Park - Septic tank system replacement	2018/19	45,000	0	45,000	30,000	1,815	28,185	0	15,000	0	0	0	0	
MB Z754	The Outwoods Country Park - Visitor Centre and Café	2018/19	188,000	0	35,000	10,000	10,000	153,000	178,000	0	0	0	50,000	0	
MB Z782	Outwoods Country Park	2018/19	140,000	0	140,000	41,913	98,087	0	0	0	0	140,000	0	0	
MB Z755	Shortcliffe Park Access Bridges	2018/19	50,000	0	50,000	34,800	34,750	50	15,200	0	0	0	0	0	
AG Z484	Closed Churchyards Walls	2016/17	156,119	139,719	0	16,400	253	16,147	0	0	0	0	0	0	
AG Z503	Charnwood Sites Access and Security	2018/19	50,000	0	0	50,000	34,205	15,795	0	0	0	0	0	0	

PO	Z300	Major Adaptations	On-going	5,741,912	5,741,912	0	0	-75,752	75,752	0	0	0	0	0	0	0	0	
PO	Z761	Major Adaptations - Fortem	2018/19	1,425,000	0	525,000	370,000	48,653	321,347	450,000	605,000	450,000	450,000	450,000	0	0	0	
PO	Z301	Minor Adaptations	On-going	718,292	568,292	50,000	50,000	33,492	16,508	50,000	50,000	50,000	50,000	50,000	0	0	0	
PO	Z302	Stairlifts	On-going	721,444	541,444	60,000	60,000	57,542	2,458	60,000	60,000	60,000	60,000	60,000	0	0	0	
PO	Z380	Major Void Works	On-going	1,337,954	1,337,954	0	0	10,372	-10,372	0	0	0	0	0	0	0	0	
PO	Z762	Major Void Works - Fortem	2018/19	840,000	0	280,000	280,000	34,370	245,630	280,000	280,000	280,000	280,000	280,000	0	0	0	
Compliance																		
PO	Z434	Asbestos Removal	On-going	1,621,896	1,171,896	150,000	150,000	90,968	59,032	150,000	150,000	150,000	150,000	150,000	0	0	0	
PO	Z741	Communal Area Improvements	2016/17	21,889	11,389	0	10,500	1,506	8,994	0	0	0	0	0	0	0	0	
PO	Z771	Communal Area Improvements - Fortem	2018/19	450,000	0	150,000	150,000	16,030	133,970	150,000	150,000	150,000	150,000	150,000	0	0	0	
PO	Z742	Communal Area Electric	2016/17	985,899	296,599	200,000	289,300	289,252	48	200,000	200,000	200,000	200,000	200,000	0	0	0	
PO	Z374	Carbon monoxide/smoke alarms	On-going	239,875	239,875	0	0	0	0	0	0	0	0	0	0	0	0	
PO	Z772	Carbon Monoxide Alarms	2018/19	120,000	0	50,000	0	2,050	-2,050	40,000	90,000	30,000	30,000	30,000	0	0	0	
PO	Z401	Fire Safety	On-going	1,472,314	1,472,314	0	0	-50,852	50,852	0	0	0	0	0	0	0	0	
PO	Z773	Fire Safety Works	2018/19	300,000	0	100,000	100,000	1,292	98,708	100,000	100,000	100,000	100,000	100,000	0	0	0	
PO	Z404	Cavity/Loft insulation	On-going	66,320	66,320	0	0	-4,745	4,745	0	0	0	0	0	0	0	0	
PO	Z774	Cavity/Loft insulation - Fortem	2018/19	150,000	0	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	0	0	0	
Stock Maximisation																		
PO	Z375	Garages	2016/17	150,000	0	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	0	0	0	
Decent Homes																		
PO	Z460	Charmwood Standard Kitchens	On-going	9,867,207	9,867,207	0	0	795,832	-795,832	0	0	0	0	0	0	0	0	
PO	Z763	Kitchens - Fortem	2018/19	1,059,190	0	322,000	322,000	62,395	259,605	190,000	379,190	358,000	358,000	358,000	0	0	0	
PO	Z461	Charmwood Standard Bathrooms	On-going	4,470,151	4,470,151	0	0	-4,063	4,063	0	0	0	0	0	0	0	0	
PO	Z764	Bathrooms - Fortem	2018/19	2,320,800	0	616,300	556,300	45,076	511,224	578,300	1,034,000	730,500	730,500	730,500	0	0	0	
PO	Z454	Electrical Upgrades	On-going	4,597,646	4,567,646	0	30,000	24,326	5,674	0	0	0	0	0	0	0	0	
PO	Z765	Electrical Upgrades - Fortem	2018/19	199,000	0	66,000	66,000	4,800	61,200	54,000	54,000	79,000	79,000	79,000	0	0	0	
PO	Z011	Windows	On-going	2,787,224	2,787,224	0	0	-5,369	5,369	0	0	0	0	0	0	0	0	
PO	Z766	Windows - Fortem	2018/19	50,000	0	20,000	10,000	10,000	10,000	20,000	20,000	20,000	20,000	20,000	0	0	0	
PO	Z005	Charmwood Standard Planned Heating	On-going	12,131,262	12,131,262	0	0	-196,006	196,006	0	0	0	0	0	0	0	0	
PO	Z767	Central Heating and Boiler Installation - Fortem	2018/19	1,622,000	0	518,000	728,000	119,123	608,877	238,000	460,000	434,000	434,000	434,000	0	0	0	
PO	Z743	Sheltered Housing Improvements inc heating & equipment	2016/17	1,102,130	539,130	200,000	163,000	38,080	124,920	200,000	200,000	200,000	200,000	200,000	0	0	0	
PO	Z462	Door Replacement	On-going	2,613,997	2,596,597	0	17,400	-43,243	60,643	0	0	0	0	0	0	0	0	
PO	Z768	Door Replacement - Fortem	2018/19	945,000	0	315,000	95,550	100	95,450	315,000	534,450	315,000	315,000	315,000	0	0	0	
PO	Z459	Roofing/guttering	On-going	3,072,036	2,943,936	0	128,100	157,411	-29,311	0	0	0	0	0	0	0	0	
PO	Z769	Re-roofing - Fortem	2018/19	1,800,000	0	600,000	600,000	3,741	596,259	600,000	600,000	600,000	600,000	600,000	0	0	0	
PO	Z369	Major Structural Works	On-going	1,233,589	1,233,589	0	0	-160,203	160,203	0	0	0	0	0	0	0	0	
PO	Z770	Major Structural Works - Fortem	2018/19	540,000	0	250,000	40,000	0	40,000	250,000	250,000	250,000	250,000	250,000	0	0	0	
General Capital Works																		
PO	Z357	Estate Works	On-going	632,070	625,070	0	7,000	-544	7,544	0	0	0	0	0	0	0	0	
PO	Z776	Estate and External Works - Fortem	2018/19	615,000	0	205,000	0	71	-71	205,000	410,000	205,000	205,000	205,000	0	0	0	
PO	Z857	Housing Capital Technical Costs	On-going	4,435,943	3,499,943	312,000	312,000	312,000	312,000	312,000	312,000	312,000	312,000	312,000	0	0	0	
PO	Z378	Door Entry Systems	On-going	1,331,814	680,014	200,000	251,800	174,917	76,883	200,000	200,000	200,000	200,000	200,000	0	0	0	
PO	Z419	New Build/Acquisitions	2017/18	304,577	304,577	0	0	1,536	-1,536	0	0	0	0	0	0	0	0	
PO	Z760	Acquisition of Affordable Housing to meet housing need	2018/19	5,642,100	0	1,953,000	1,953,000	1,176,245	776,755	1,856,000	2,797,000	0	892,100	0	0	0	0	
PO	Z406	Mobility Scooter Storage in Sheltered Schemes	On-going	128,363	128,363	0	0	0	0	0	0	0	0	0	0	0	0	
PO	Z775	Mobility Scooter Storage - Fortem	2018/19	45,000	0	15,000	0	0	0	15,000	30,000	15,000	15,000	15,000	0	0	0	
PO	Z470	Job Management System	2015/16	112,562	90,762	0	700	700	0	0	21,100	0	0	0	0	0	0	
Sub-total Direct Delivery				80,021,456	57,913,466	7,257,300	6,840,650	2,649,102	4,191,549	6,613,300	9,086,740	5,288,500	6,180,600	0	0	0	0	
Housing, Planning & Regeneration & Regulatory Services - HRA - Total				80,021,456	57,913,466	7,257,300	6,840,650	2,649,102	4,191,549	6,613,300	9,086,740	5,288,500	6,180,600	0	0	0	0	0

Z501 not included above

1,878

COUNCIL – 25TH MARCH 2019

Report of the Cabinet

ITEM 6.2 ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

Purpose of Report

To consider proposed amendments to the Constitution following the annual review.

Recommendation

That the changes to the Constitution set out in appendix 1 to the report of the Monitoring Officer (attached as an Annex) be made, to be effective from 6th May 2019, but with the following amendment to those changes (amendment is underlined):

Appendix 1 to the report of the Monitoring Officer, Item 5 – Webcasting, Filming and Recording of Meetings. Final sentence to be amended to read “Any filming, recording or reporting during meetings, including social media, should not be disruptive or intrusive”.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.

Policy Justification and Previous Decisions

Section 2.4 of the Constitution requires the Monitoring Officer to monitor and review the Constitution. These reviews are undertaken annually with the last such review being considered by the Cabinet on 12th April 2018 (Item 14, Minute 124 refers) and Council on 30th April 2018 (Item 6.2, minute 96.2 refers).

At its meeting on 14th March 2019, the Cabinet considered a report of the Monitoring Officer, proposing amendments to the Constitution following this year's annual review, for recommendation to Council. That report is attached as an Annex.

An extract from the Cabinet minutes which details the Cabinet's consideration of the matter is set out below.

“103. REVIEW OF THE CONSTITUTION

A report of the Monitoring Officer to consider amendments to the Constitution following the annual review, for recommendation to Council (item 16 on the agenda filed with these minutes).

The Head of Strategic Support and the Democratic Services Manager assisted with consideration of the report.

RESOLVED that it be recommended to Council that the changes to the Constitution set out in Appendix 1 to the report of the Monitoring Officer be made, to

be effective from 6th May 2019, but with the following amendment to those changes (amendment is underlined):

Appendix 1 to the report of the Monitoring Officer, Item 5 – Webcasting, Filming and Recording of Meetings (agenda page 297). Final sentence to be amended to read “Any filming, recording or reporting during meetings, including social media, should not be disruptive or intrusive”.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.”

Implementation Timetable including Future Decisions and Scrutiny

The approved changes to the Constitution will take effect on 6th May 2019 as set out in the recommendation. The Monitoring Officer will publish an updated version of the Constitution incorporating the approved changes.

A small number of changes to the delegation of Executive functions to officers were identified in the course of this year’s review. These were the subject of a separate report to the Leader, who has the authority to make changes to the delegation of Executive functions. A report setting out those changes appears elsewhere on this agenda.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no costs associated with making the recommended changes to the Constitution.

Risk Management

No specific risks have been identified in connection with this report.

Key Decision:	No
Background Papers:	Member Conduct Committee, 3rd December 2018 (Item 6, minute 12 refers) https://charnwood.moderngov.co.uk/ieListDocuments.aspx?CId=146&MId=192&Ver=4
Officers to Contact:	Adrian Ward Head of Strategic Support and Monitoring Officer 01509 634573 adrian.ward@charnwood.gov.uk

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CABINET – 14TH MARCH 2019

**Report of the Monitoring Officer
Lead Member: Councillor James Poland**

Part A

ITEM ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

Purpose of Report

To enable the Cabinet to consider and recommend to Council amendments to the Constitution following the annual review.

Recommendation

That it be recommended to Council that the changes to the Constitution set out in appendix 1 to this report be made, to be effective from 6th May 2019.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.

Policy Justification and Previous Decisions

Section 2.4 of the Constitution requires the Monitoring Officer to monitor and review the Constitution. These reviews are undertaken annually with the last such review being considered by the Cabinet on 12th April 2018 (Item 14, minute 124 refers) and Council on 30th April 2018 (Item 6.2, minute 96.2 refers).

The Member Conduct Committee reviewed the procedures for dealing with member conduct complaints and other elements of the Constitution relating to Planning Code of Good Practice and parts of the Constitution (including the Members' Code of Conduct) that relate to the roles of the Committee at its meeting on 3rd December 2018 (Item 6, minute 12 refers). The issues identified by the Committee in respect of the Planning Code of Good Practice are described in Part B of this report.

Implementation Timetable including Future Decisions and Scrutiny

The proposed changes to the Constitution require Council approval and would be submitted to Council on 25th March 2019. Changes will come into effect from 6th May 2019 to accord with the 4 yearly Borough elections.

A small number of potential changes to the Executive delegations to officers have been identified during this year's review. These will be the subject of a

separate report to the Leader, who has the authority to make changes to them. Any changes made will be reported to Council.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no costs associated with making the recommended changes to the Constitution.

Risk Management

No specific risks have been identified in connection with this report.

Key Decision:	No
Background Papers:	Member Conduct Committee, 3rd December 2018 (Item 6, minute 12 refers) https://charnwood.moderngov.co.uk/ieListDocuments.aspx?CId=146&MId=192&Ver=4
Officers to Contact:	Adrian Ward Head of Strategic Support and Monitoring Officer 01509 634573 adrian.ward@charnwood.gov.uk Karen Widdowson Democratic Services Manager and Deputy Monitoring Officer 01509 634785 karen.widdowson@charnwood.gov.uk

Part B

Background

1. In line with good practice, the Council reviews the Constitution annually. As part of the review consultations have taken place with officers and councillors both individually and through meetings with Group Leaders and the Chair of the Plans Committee, and of the Member Conduct Committee. The remainder of this report describes the recommended changes to the Constitution and the proposed amendments are set out in appendix 1 to the report.

Proposed changes to the Constitution

Monitoring Officer Protocol

2. Chapter 23 of the Constitution relates to the Monitoring Officer Protocol. Section 2 of the protocol specifically explains the arrangements between the Monitoring Officer, colleagues and Councillors and is designed to help ensure the effective discharge of their functions. Point (g) in Section 2 states:
 3. *'The Monitoring Officer will, where appropriate, make enquiries into allegations of misconduct in the absence of a written complaint being received and if appropriate will make a written report to the Member Conduct Committee unless the Monitoring Officer considers a report is not warranted'.*
4. A Councillor has suggested that section 2 (g) of the Monitoring Officer Protocol in Chapter 23 of the Constitution be deleted.
5. The Member Conduct Committee on 3rd December 2018 (Item 6, minute 12 refers) considered this matter and recommended that section (g) of the Monitoring Officer protocol in Chapter 23 of the constitution be deleted as part of the annual Constitutional review by full Council.
6. In considering whether to remove point (g) as above, the Member Conduct Committee considered whether the removal could inhibit officers from raising concerns, through fear of intimidation or harassment if the only option was to make a complaint in writing. However, the Committee were satisfied that measures were already in place elsewhere in the Constitution which would safeguard officers in relation to members and noted that paragraph 27 of the Member: Officer Protocol in Chapter 22 stated:
 7. *If an officer had cause to complain about the conduct of a member they may make a complaint to the Monitoring Officer if they consider that the conduct involves a breach of the Members' Code of Conduct. If an Officer*

considers that the conduct does not involve a breach of the Code of Conduct but is in breach of this Protocol or other Council codes and protocols, they should make their complaint, preferably in writing, to the Monitoring Officer. The Monitoring Officer will deal with the complaint in accordance with the procedure for non-Code of Conduct complaints

8. In addition, when the Member Conduct Committee considered this matter, they were informed that a brief review of the Monitoring Officer Protocols of other local authorities suggests that whilst some authorities include a similar section relating to the Monitoring Officer being able to deal with concerns or allegations about Members' conduct in the absence of a written complaint, the majority do not appear to have such a provision.
9. Therefore, it is proposed that section 2 (g) of the Monitoring Officer Protocol in Chapter 23 of the Constitution be deleted, and that this matter be carefully monitored.

Training requirements - Audit, Licensing and Personnel Committee

10. In November 2018, the Member Development Reference Group considered the draft Member Induction programme and requested that further consideration be given the training requirements of members of the Audit, Licensing and Personnel Committees.
11. Accordingly, this matter was referred to the Member Conduct Committee on 3rd December 2018 (Item 6, minute 12 refers) who considered it prudent to strengthen the training requirements for members who sat on the Audit, Licensing and Personnel Committees to ensure members were up to date with the relevant and latest rules and regulations.
12. The Committee was of the opinion that new members of each committee must attend mandatory training or its equivalent in the current Council term to be eligible. Also, with respect to Audit and Personnel Committee members, other councillors can substitute for members of the relevant committee who are absent using procedures set out in the Committee Procedures but in order to be eligible to participate in meetings the member must have attended the mandatory training, or its equivalent, in the current Council term.
13. Therefore, it is proposed that changes be made to section 5.5 (b) (c) and (e) in Chapter 5 of the Constitution to strengthen the training requirements of members sitting on these Committees.

Planning Code of Good Practice and Speakers at Plans Committee

14. The Planning Code of Good Practice was reviewed by the Member Conduct Committee on 3rd December 2018 (Item 7, minute 13 refers) and no changes were recommended.

15. Whilst considering the Planning Code of Good Practice, members of the Committee considered that Plans Committee members having the opportunity to ask additional questions of speakers at Plans Committee was of value to the decision-making process and recommended that the Democratic Services Manager (Deputy Monitoring Officer) investigated procedures of other local authorities and included the matter in the annual review of the Constitution.
16. A review has been undertaken and established a mixture of procedures and practices. Some Councils allow Plans Committee members to ask questions of objectors or agents/applicants, and others do not allow explaining that it may increase the risk of individuals being pressurised and put on the spot. There was also a consensus that the Chair is the best person to ensure that questions are factual points of clarification.
17. Currently the Constitution states that the "Chair of the Plans Committee may ask speakers or officers to provide clarification on any points that are raised by speakers".
18. The Head of Planning and Regeneration and the Chair of the Plans Committee have been consulted on this matter and they believe the wording in the Constitution is satisfactory and reduces the risk of members of the Committee potentially straying into cross-examining speakers, engaging debate or challenging points of view put forward.
19. Therefore, no change is recommended on this point.

Single Cabinet Member Decisions

20. Section 9E of the Local Government Act 2000 (as amended) ('the 2000 Act') gives authority to the Leader of the Council to arrange for Executive functions to be discharged by:
 - himself or herself;
 - the Cabinet;
 - another member of the Cabinet;
 - a committee of the Cabinet;
 - an area committee, or
 - an officer of the Council
21. In October 2018, the Leader gave authority for the Lead Member for Communities, Safety and Wellbeing to make decisions on grant awards under the Member Grants scheme where a councillor has a personal interest that might lead to bias in relation to the matter, except in cases where the Lead Member for Communities, Safety and Wellbeing has a personal interest that might lead to bias in relation to the matter.
22. Section 10.9 of the Constitution states that 'the rules applying to executive decisions taken by them [single members] shall be the same as those applying to decisions by the Cabinet as a whole'.

23. In practice this means that Cabinet Lead Member decision meetings need to be arranged, often for one item of business only, and the meeting will last only a few minutes. From October 2018 to January 2019 there have been five such meetings set up.
24. In law, the Council only needs to publish the details of the decision (including any report) after the decision has been taken. As long as this requirement is fulfilled, then the need for a Cabinet Lead Member decision meeting is not required. This practice is adopted by many other local authorities without taking away the transparency of decision making.
25. It is therefore proposed that section 10.9 of Chapter 10 of the Constitution to be amended to enable Cabinet Lead Member decisions to be taken without the need to hold a public meeting. In addition, the reference in section 4.5 of Chapter 4 of the Constitution needs to be amended to delete the sentence "There are currently no delegations to single Cabinet members", and include reference to the one single Member decision currently delegated by the Leader.

Financial Regulations

26. The newly appointed Head of Finance and Property Services has reviewed the Financial Regulations set out in Chapter 16 of the Constitution and suggested some minor re-wordings to parts of the Chapter in order to improve clarity.
27. In addition, there is now a requirement for the Council to prepare a Capital Strategy annually which needs approving by Council at the same time as the Treasury Management Strategy.
28. Therefore, it is proposed that section 16.5 (m) of Chapter 16 be amended to reflect this new requirement.

Webcasting, Filming and Recording of Meetings

29. Under the Openness of Local Government Bodies Regulations 2014 other people may film, tweet or blog from Council and Committee meetings.
30. Similarly, under the Local authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (as amended) other people may film, tweet or blog from Cabinet meetings
31. At the recent refresher training session about Council Meeting Procedures, concerns were raised about members of the public and indeed Councillors potentially becoming disruptive whilst filming and recording meetings.
32. To address these concerns, it is therefore proposed that section 9.18 (a) of Chapter 9 be strengthened to include reference to filming and recording of meetings.

Licensing Committee

33. Chapter 5 of the Constitution sets out the roles and functions of decision-making committees.
34. Recently a Licensing Sub-Committee was set up to consider whether a private hire operator was fit and proper. Currently in the Constitution there is no distinction between private hire operators and hackney carriage or private hire vehicle licensees.
35. It is therefore proposed that section 5.5 (c) of Chapter 5 of the Constitution be amended to draw out the distinction.

Personnel Committee

36. Chapter 5 of the Constitution sets out the roles and functions of decision-making committees.
37. The Personnel Committee appoints panels for various functions. Recently it was highlighted that function 7 “To undertake the Chief Executives Performance and Development Review” was omitted from the list of functions that could be undertaken by a panel when it is the Committee’s intention that this should be the case.
38. It is therefore proposed that section 5.5 (e) of the Constitution be amended to add in this function to the list of functions that could be undertaken by a Panel.

Scheme of Delegation to Officers - Council Functions

39. The Head of Planning and Regeneration has reviewed the Scheme of Delegation to Officers and identified the following changes that fall under the Council functions:

Development Control

40. Under the scheme of delegation to officers in part 1(v) of the Constitution, the following exception to the delegation to the Head of Planning and Regeneration to determine planning applications is set out in the Constitution:

(v) the application is submitted by a serving member of the Council, a person who has served as a member of the council at any time during the four-year period prior to the submission of the application, a serving officer of the Council or a person who served as an officer of the council at any time during the two-year period prior to the submission of the application.

41. The Development Control team do not have access to information about how long-ago individuals worked for/served on the Council. The current national planning application form only requires applicants and the agent to self-declare if they are:

- (a) A member of staff
- (b) An elected member
- (c) Related to a member of staff
- (d) Related to an elected member

42. This presents a risk to the Council in determining planning applications. Therefore, in line with current national application form, it is proposed that this delegation be amended to apply only to serving members of staff and members of the Council

Time limits for implementing planning permissions

43. Under the scheme of delegation to officers in part 2a of the Constitution, delegated authority is afforded to the Head of Planning and Regeneration in section 8.2:

- 3. To agree extensions to the time limits for implementing planning permissions where no demonstrable harm would be caused to an interest of acknowledged importance.

44. This type of planning application no longer exists and so this provision in the Constitution can be removed. This will require consequential renumbering of the Constitution

Changes occasioned by changes to the General Permitted Development Order (GDPO) 2015

45. There have been a series of technical amendments made by Government to the arrangements for dealing with minor planning matters (considered under the Town and Country Planning (General Permitted Development) (England) Order 2015) [the 'GPDO'], which relate to Environmental Impact Assessments, whether notice should be given to the local planning authority before development can commence and if prior approval for development proposals are required.

46. Under the scheme of delegation to officers in part 2a of the Constitution, delegated authority is afforded to the Head of Planning and Regeneration in section 8.2:

15. To respond to applications for determinations under parts 6, 7, 24 and 31 of the Town and country Planning (General Permitted Development) (Amendment) (England) Order 1995.

16. To respond to applications made under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015.

47. These provisions relate to permitted development rights that are subject to prior notification and/or prior approval by the local planning authority. These are now out of date and need to be amended to reflect the latest legislative position and enable effective decision making in the local planning authority.

48. It is proposed to simplify the text by merging the two provisions together and providing new text that acknowledges the Order is subject to periodic update. This will require consequential renumbering of the constitution.

Hedgerow Retention Notices

49. In addition, the scheme of delegation at paragraph 33 delegated the following powers to the Head of Planning and Regeneration:

33. To serve hedgerow retention notices in consultation with the Chair of Plans Committee.

50. The Hedgerow Regulations 1997 specify the circumstances where hedgerows considered to be important are to be protected and the process by which landowners can apply to remove them using a 'hedgerow removal notice'. The Council must respond within a set period of time if they consider the hedgerow should be retained by using a 'Hedgerow retention notice'. Where Hedgerows have been removed unlawfully the Council may give notice to the owner to replace the hedgerow using an 'hedgerow replacement notice'. Therefore, it is proposed to amend part 33 of the Constitution to add this provision to the delegated authority of the Head of Planning and Regeneration.

Minor word changes

51. The Head of Planning and Regeneration has also suggested several minor wording changes which are set out in Appendix 1.

Key Decision Definition

52. Chapter 13, section 13.6 of the Constitution sets out the definition of a key decision:

"A key decision is an Executive decision which is likely:

- *to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or*
- *to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough.*

The Council has developed the following guidance for what constitutes a key decision. A key decision is one which:

- *commits the Council to expenditure, savings or increases or reductions in income of £100,000 or more in any financial year;*
- *makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a), or*
- *will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.*

In other cases, the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision”.

53. The £100,000 threshold was set in 2000 when the new Executive arrangements were introduced. A review of other local authority's key decision thresholds strongly supports an increase to reflect inflationary and other price increases.
54. Therefore, it is proposed that section 13.6 of Chapter 13 of the Constitution be amended to increase the threshold to £150,000.

PROPOSED CHANGES TO THE CONSTITUTION

Item 1 – Monitoring Officer Protocol

It is proposed that the following change be made to Chapter 23, section 2 (g) of the Monitoring Officer Protocol, with deleted text shown as struck through:

~~'The Monitoring Officer will, where appropriate, make enquiries into allegations of misconduct in the absence of a written complaint being received and if appropriate will make a written report to the Member Conduct Committee unless the Monitoring Officer considers a report is not warranted'.~~

Item 2 – Training requirements - Audit, Licensing and Personnel Committee

It is proposed that the following changes be made to Chapter 5, 5.5 (b) (c) and (e) with added text shown in bold and underlined.

(b) Audit Committee

'Members cannot participate in Audit Committee meetings unless they have attended the appropriate training prescribed by the Head of Strategic Support.

Members of the Audit Committee must attend the mandatory training, or its equivalent, at the start of each Council term to maintain their eligibility.

Other councillors are allowed to substitute for members of the Audit Committee who are absent using procedures set out in the Committee Procedures. In order to maintain eligibility to participate in meetings a councillor must have attended mandatory training, or its equivalent, in the current Council term'.

(c) Licensing Committee

'Members cannot participate in Licensing Committee or Sub-committee meetings unless they have attended the appropriate training on relevant licensing matters prescribed by the Head of Strategic Support.

Members of the Licensing Committee must attend the mandatory training, or its equivalent, at the start of each Council term to maintain their eligibility.

(e) Personnel Committee and Panels

'Members cannot participate in Personnel Committee and Panel meetings: unless they have attended the appropriate training on relevant personnel matters prescribed by the Head of Strategic Support; or they have had previous substantial involvement in the matter under consideration.

Members of the Personnel Committee must attend the mandatory training, or its equivalent, at the start of each Council term to maintain their eligibility.

Other councillors are allowed to substitute for members of the Personnel Committee who are absent using procedures set out in the Committee Procedures. In order to maintain eligibility to participate in meetings a councillor must have attended mandatory training, or its equivalent, in the current Council term'.

Item 3 – Single Cabinet Member Decisions

It is proposed that the following changes be made to 10.9 of Chapter 10 with added text shown in bold and underlined and deleted text shown as struck through:

'Where executive decisions are the responsibility of ~~a committee of the Cabinet or an individual member of the Cabinet,~~ the rules applying to executive decisions taken by them shall be the same as those applying to decisions by the Cabinet as a whole. **details of the decision (including any report) be published after the decision has been taken, as required in law.**

It is proposed that the corresponding change be made to 4.5 of Chapter 4 with added text shown in bold and underlined and deleted text shown as struck through:

~~'There are currently no delegations to single Cabinet members'~~

At present there is one single Cabinet Member delegation to the Lead Member for Communities, Safety and Wellbeing to make decisions on grant awards under the Member Grants scheme where a councillor has a personal interest that might lead to bias in relation to the matter, except in cases where the Lead Member for Communities, Safety and Wellbeing has a personal interest that might lead to bias in relation to the matter.

Item 4 – Financial Regulations

It is proposed that the following changes be made to the following sections of Chapter 16 with added text shown in bold and underlined and deleted text shown as struck through:

16.5 SPECIFIC FINANCIAL RESPONSIBILITIES

(a) Contracts

All members of staff must comply with the requirements of the Council's Contracts Procedure Rules. Their purpose is to set clear rules for the procurement of goods, works and services for the Council. This will ensure a system of openness, integrity and accountability where the probity and transparency of the process will be beyond reproach. In turn this will lead to better value for money and give confidence to all concerned that the Borough Council is fulfilling its fiduciary responsibilities.

Any officer, Member, agent of the Council or firm, whilst acting on the Council's behalf in relation to any contractual matter directly or indirectly concerning the Council, shall conduct themselves in such a manner that the independence and integrity of the Council and the Council's procedures are at all times maintained and are seen to be maintained. Failure to observe such standards of conduct will be regarded by the Council with the utmost gravity.

The Contracts Procedure Rules set out the requirements for tendering and procurement of goods and services. The principal requirements are:

- **that for all situations below the values quoted refer to the value of the contract over the whole life of the contract.**
- Before commencing any proposed procurement process with an estimated value of £25,000 or more, the appropriate Head of Service must consult the Contract Compliance Officer, relevant Cabinet Lead Member and the Head of Finance and Property Services;
- Public Notice must be given in Source Leicestershire and on the Council's Web Site if the estimated value of the contract exceeds £25,000;
- For goods and services **estimated to cost** over £5,000 and up to £75,000 the relevant Head of Service must obtain written quotations;
- For goods and services **estimated to cost** over £25,000 and up to £75,000 written quotations must be returned to and opened by the Contract Compliance Officer;

- Full tendering requirements, including compliance with relevant EU procurement directives, apply to goods and services **estimated to cost** over £75,000;
- For goods and services **estimated to be in value** below £500,000 which do not exceed the approved budget for the scheme or supplies in question, decisions on the awarding of contracts are made by the Chief Executive or his/her nominee;
- For goods and services estimated to be £500,000 **in value** or more or where the approved budget would be exceeded, decisions on the selection of contractors are reserved to Cabinet;
- Contracts below £50,000 **in value** can be signed by the Chief Executive, Strategic Directors and Heads of Service;
- Contracts of £50,000 in value or more must be signed by the Chief Executive or his/her nominee.

For the purposes of The Local Authorities (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001, any contract with a value exceeding £50,000 entered into on behalf of the local authority in the course of the discharge of an executive function shall be made in writing. Such contracts must either be signed by at least two officers of the Council or made under the Common Seal of the Council.

The functions of the Contract Compliance Officer are assigned to the Chief Executive who will then delegate these to another officer and a deputy for the normal performance of this role. The current Contract Compliance Officer is the Head of Finance and Property Services.

The Contract Compliance Officer or the Deputy Contract Compliance Officer can agree waivers to the Contracts Procedure Rules for contracts up to £500,000 **in value** providing they comply with UK Legislation and EU Procurement Directives and will maintain a record of any decisions taken on waivers. The Contract Compliance Officer is responsible for maintaining the Council's Contract Compliance Rules and is authorised to make amendments to those rules as necessary. An up to date copy of the rules is available on the Council's intranet.

At the beginning of each financial year the Contract Compliance Officer will submit an Annual Procurement Plan to Cabinet for approval, containing details of the contracts **valued** above £25,000 to be let in that financial year. In approving the report, the Cabinet will agree for each contract the form of tender evaluation arrangements and whether the tender specification needs to be approved by Cabinet. Any contracts above £25,000

in value, not in the annual plan must have their procurement arrangements agreed by Cabinet before procurement begins.

(b) Capital Expenditure

Capital expenditure involves acquiring or enhancing ~~fixed non-current~~ **current** assets with a long-term value to the Council, such as land, buildings, and major items of plant and equipment or vehicles as well as the contribution or payments of grants to others to be used to fund capital expenditure. Capital assets shape the way services are delivered for the long term and may create financial commitments for the future in the form of financing costs and revenue running costs. The Council applies a ~~de-minimis~~ level of £10,000 to identify capital items.

The Council approves the three-year Capital Plan. The Cabinet is able to make the following changes to the approved Plan:

- (i) virement between existing schemes as set out in (c) below;
- (ii) slippage or bringing forward of expenditure of up to £250,000 per scheme;
- (iii) addition of new schemes to the Plan where these are fully externally-funded;
- (iv) addition of new schemes to the Plan where these are funded wholly or partly from the Council's resources and where the use of the Council's resources is up to £250,000 per scheme
- (v) approval of additions or reductions in the Council resources allocated to schemes so long as any increase does not mean that the total Council resources allocated to a scheme exceeds £250,000 where it did not before, and such increase is not more than £25,000 above the value of the original scheme
- (vi) approval of additions or reductions in the Council resources allocated to schemes where the original scheme was more than £250,000 and the change is less than £250,000.

If (v) or (vi) of the above conditions applies the Cabinet will not be able to make the change if in the view of the Section 151 Officer, the change significantly affects the scheme or the funding of the Capital Plan.

The Cabinet approves the release of funding for each project in the Programme which is over £50,000. The release of funding for projects below this level is approved in accordance with the Council's Financial Procedure Rules.

(f) Disposal of Assets

Obsolete, non-repairable or unnecessary assets should be disposed of with a view to achieving the most economically advantageous outcome for the Council having regard to the transparency and cost effectiveness of the disposal method, the timeliness of disposal and the likely price achievable.

Where individual assets, **(which are not land or buildings)**, valued over £20,000 need to be disposed of and written off Cabinet approval must be sought in advance. Items which are valued at below £20,000 can be approved at officer level. Details of officer approval levels are contained in the Financial Procedure Rules.

Where land and property **(buildings)** assets with a freehold value of over £100,000 or a leasehold value of over £50,000 need to be disposed of or written off **(excluding Right to Buy applications)** Cabinet approval to the terms of the disposal must be sought in advance. Items which are valued at below these amounts can be approved at officer level. Details of officer approval levels are contained in the Financial Procedure Rules.

(m) Capital Strategy and Treasury Management

The Council ~~creates~~ **prepares** and maintains, as the cornerstones for effective **management of capital expenditure and funding and** treasury management, **a Capital Strategy**, a Treasury Management ~~Strategy~~ Statement, an Annual Investment Strategy and Minimum Revenue Provision ~~Strategy~~ **Policy** which are all approved by Council **in advance of the financial year to which they relate** each year and progress against them is monitored on a regular basis by Council.

The Audit Committee is responsible for ensuring effective scrutiny of the **capital strategy and** treasury management strategy and policies.

The detailed operational procedures are covered by the Treasury Management Practices document ~~which is the responsibility of the~~. The Section 151 Officer **is the responsible officer for reviewing and maintaining the detailed operational procedures for Treasury Management.**

Item 5 - Webcasting, Filming and Recording of Meetings

It is proposed that the following change be made to Chapter 9, section 9.18 (a) of the Constitution with added text shown in bold and underlined:

- (a) Members of the public should not disrupt the conduct of meetings and must not be abusive or threatening towards the Councillors and officers attending meetings. **Any filming, recording, or reporting from meetings, including social media, should not be disruptive or intrusive.**

Item 6 – Licensing Committee

It is proposed that the following change be made to Chapter 5, section 5.5 (c) of the Constitution with added text shown in bold and underlined and deleted text shown as struck through:

- (c) Licensing Committee

Functions	Delegation
<p>12. To consider a hackney carriage or private hire vehicle licensee's continued fitness to hold a licence in cases where an individual licensee reaches 12 points, under the Council's Penalty Point Scheme, in a rolling 12-month period.</p> <p>12. <u>To consider a hackney carriage proprietor and driver licensee, and/or private hire driver or operator licensee's continued fitness to hold a license, including cases where an individual licensee reaches 12 points under the Council's Penalty Point Scheme, in a rolling 12-month period.</u></p>	<p>Items 3, 4, 6, 7, 9, 10, 11, 12 and 13 have been delegated to the Licensing Sub-committee.</p>

Item 7 – Personnel Committee

It is proposed that the following changes be made to Chapter 5, section 5.5 (e) of the Constitution with added text shown in bold and underlined and deleted text shown as struck through:

Functions	Delegation
<ol style="list-style-type: none"> 1. To determine the terms and conditions on which staff hold office and policies relating to those terms and conditions including procedures for dismissal 2. To determine appeals by a JNC Officer against dismissal. 3. To determine all other employment related appeals for JNC staff which are provided for in the Council’s procedures. 4. To make recommendations to Council on the appointment or dismissal of the Head of Paid Service. 5. To make appointments to Chief Officer and Statutory Officer posts excluding the Head of Paid Service. 6. To make councillor appointments to the Joint Negotiating and Consultative Committee. 7. To undertake the Chief Executive’s Performance and Development Review. 	<p>Officers are authorised to exercise the powers set out in section 8 of the Constitution</p> <p>Items 2 to 4 and 6 <u>2,3,4,6 and 7</u> have been delegated to Personnel Panels.</p> <p>The Personnel Committee will appoint panels which will consist of five members (with a quorum of three) for functions 2 to 4 and 6 <u>2,3,4,6 and 7</u></p>

Item 8 – Scheme of Delegation to Officers

It is proposed that the following changes be made to Part 2a of the Constitution (Section 8) paragraphs 1(v), 3, 15, 16, 33 with deleted text shown as struck through and added text shown in bold and underlined:

- 4 (v) the application is submitted by a serving member of the Council, a ~~person who has served as a member of the council at any time during the four-year period prior to the submission of the application,~~ **or** a serving officer of the Council. ~~or a person who served as an officer of the council at any time during the two-year period prior to the submission of the application.~~

- ~~3. To agree extensions to the time limits for implementing planning permissions where no demonstrable harm would be caused to an interest of acknowledged importance.~~
- 15. To respond to **notifications and** applications for determinations under ~~parts 6, 7, 24 and 31~~ of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order ~~1995~~ **2015 (as amended) and any subsequent revisions to the Order.**
- ~~16. To respond to applications made under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013~~
- 33. To serve hedgerow retention **and hedgerow replacement** notices in consultation with the Chair of Plans Committee.

Minor wording changes proposed		
Current wording	Proposed wording	Reason
<p>To determine all planning applications and applications for advertisement consent, listed building consent, conservation area consent and consent to carry out works to protected trees, except where:</p> <p>(i) the application is contrary to the provisions of an approved or draft Development Plan policy or Supplementary Planning Guidance and is recommended for permission</p>	<p>To determine all planning applications and applications for advertisement consent, listed building consent, conservation area consent and consent to carry out works to protected trees, except where:</p> <p>(i) the application is contrary to the provisions of an approved or draft or submitted Development Plan policy or Supplementary Planning Guidance and is recommended for permission</p>	<p>Draft policies can and do change through the early part of the plan making process and as such the weight that can be attached to them is limited. It is therefore proposed to limit the caveat so that Committee consider applications that conflict with adopted development plan policy (including policies in the local plan and neighbourhood plans) and new policies that have been formally submitted to the Secretary of State for Examination.</p> <p>As a planning tool Supplementary planning guidance no longer exists although legacy guidance that links to a saved</p>

		development plan policy remains available to support planning decisions. Nevertheless, supplementary planning guidance, and their successor 'supplementary planning documents' do not form part of the statutory development plan and their utility is simply to assist and guide the decision maker to understand the parent policy. Therefore, it is considered they can be removed from this caveat.
5. To approve details submitted in compliance with conditions on planning permissions.	5. To approve details submitted in compliance with conditions and planning obligations on planning permissions.	To ensure that obligations secured under Section 106 legal agreements are effectively monitored and discharged
To execute urgent works under section of the Planning (Listed Buildings and buildings in Conservation Areas) Act 1990	To execute urgent works under section 54 and determine the extent of urgent works under section 9(3) of the Planning (Listed Buildings and buildings in Conservation Areas) Act 1990	Minor amendment to ensure delegated authority is available to determine the extent of urgent works required and to amend a typo in the provision.

Item 9 – Definition of a Key Decision

It is proposed that the following changes be made to Chapter 13, section 13.6 of the Constitution with added text shown in bold and underlined and deleted text shown as struck through:

“A key decision is an Executive decision which is likely:

- *to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the*

Council's budget for the service or function to which the decision relates, or

- *to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough.*

The Council has developed the following guidance for what constitutes a key decision. A key decision is one which:

- *commits the Council to expenditure, savings or increases or reductions in income of ~~£100,000~~ **£150,000** or more in any financial year;*
- *makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a), or*
- *will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.*

In other cases, the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision”.

COUNCIL – 25TH MARCH 2019

Report of the Scrutiny Management Board

ITEM 6.3 ANNUAL SCRUTINY REPORT 2018/19

Purpose of Report

To consider the Annual Scrutiny Report for 2018/19.

Recommendation

That the work of scrutiny during 2018/19, as set out in the Annual Scrutiny Report 2018/19 attached as an Appendix to this report, be noted.

Reason

To report annually to Council on the workings of scrutiny bodies and the operation of the scrutiny function generally, in accordance with Scrutiny Committee Procedure 6.3(e) of the Council's Constitution.

Policy Justification and Previous Decisions

At its meeting on 6th March 2019, the Scrutiny Management Board agreed its Annual Scrutiny Report 2018/19 (Scrutiny Management Board Minute 42, 2018/19) for submission to Council. The report is attached as an Appendix.

Financial Implications

None

Risk Management

There are no identified risks associated with this report.

Background Papers: None

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Scrutiny
Annual Report

2018/19

Scrutiny Management Board



Introduction from the Chair of the Scrutiny Management Board

The Scrutiny Management Board's role is central to scrutiny arrangements at Charnwood as it works to:

- focus scrutiny by commissioning reviews and investigations where value can be added;
- monitor the effectiveness of scrutiny work by following up on actions agreed as a result of scrutiny recommendations;
- review Cabinet decisions before they are implemented where councillors have “called-in” such decisions for scrutiny.

During 2018/19, the Board has:

- continued to review the work of the Community Safety Partnership, in particular requesting a change to the basis of the report received to provide a more consistent and user-friendly report for its purposes;
- considered a call-in of a Cabinet decision under Scrutiny Committee Procedure 11.7 in respect of the Council's Environmental Services Contract, a decision which it concluded should be supported;
- noted key dates in relation to the Council's Revenues and Benefits Contract, concluding that programming further scrutiny of the contracting process was not necessary.
- looked at how effectively the themes set out in the Council's Corporate Plan were delivered in 2017/18, suggesting also ways in which the wording in the report might be made clearer;
- reviewed the Scrutiny Work Programme on an ongoing basis to ensure timely and effective scrutiny.

In addition, the Board has continued to support the work of scrutiny groups and panels by:

- considering requests from scrutiny groups in respect of the scrutiny work they wish to undertake and including those matters on the Scrutiny Work Programme where such scrutiny would add value and is appropriate to the role of the group concerned;
- further monitoring of the implementation of a Cabinet decision in relation to the Decent Homes Scrutiny Panel;
- considering the conclusions and recommendations of the Five Year Housing Supply Scrutiny Panel, making amendments to clarify those, and then submitting the Panel's report to the Cabinet. The Board also supported a recommendation that a quarterly report be provided to the Performance Scrutiny Panel if the Council's housing land supply fell below 5.5 years, to ensure that the position was monitored, and action identified if required;
- supporting and submitting to the Cabinet recommendations made by the Policy Scrutiny Group relating to the management of public open space, an outcome being that the Leader would raise again the issues identified at the next quarterly meeting of the Leader/Chief Executive/local Members of Parliament;
- having agreed the process for scrutiny of the Council's 2018/19 draft budget, subsequently recommending the Budget Scrutiny Panel's report to the Cabinet.

Finally, during 2018/19, the Board continued to be updated on progress with recommendations arising from the Centre for Public Scrutiny review, which had been instigated with a view to making scrutiny even better at Charnwood. Resulting improvements have included a greater role for Cabinet Lead Members where scrutiny issues relate to their portfolios, pre-meetings to enable scrutiny bodies to better focus their scrutiny at meetings and a revised scrutiny structure being proposed by the Board to Full Council in February 2019.

Councillor Jewel Miah, Chair of the Scrutiny Management Board

To access the agendas, minutes and sound recordings for meetings of the Board, click [here](#).

Policy Scrutiny Group



The main role of the Group is to act as a critical friend supporting the development and review of the Council's policies and strategies before the documents are agreed by the Cabinet or full Council. In particular, the Group seeks wherever possible to engage at the earliest possible stage when the Council reviews existing policies and strategies, as this approach provides the best opportunity for scrutiny input to have an impact. Policy development and review is a key area of the Council's activities as it is those policies that underpin how the Council delivers its service to the public.

Making a Difference

The Group is pleased to report that in performing this role it has been able to influence and improve the content of a number of policies and strategies during the year. In most cases the Group works constructively with Lead Members and officers to make suggestions and comments that will be considered as policies and strategies are finalised. It is pleasing to note that Lead Members and officers have readily accepted those suggestions and comments at the Group's meetings. The Group can also use its powers to make the Cabinet aware through recommendations and reports of its concerns or its wish to commend a particular policy approach.

It is worth noting that examples of all of these positive outcomes can be found in the summary of the Group's work set out below.

The Work of the Group in 2018/19

The Group scrutinised a wide range of policies and strategies and was able to achieve improvements to a number of them. Those improvements included: broadening the scope of the Climate Change Strategy to highlight the important contributions that commuting by bicycle and a vegetarian diet can make to reducing CO₂ emissions, clarifying that people who had mental health disabilities would be treated in the same way as those people who had physical disabilities in the Housing Income and Financial Inclusion Policy, and including more information about the issue of problem gambling and the measures that could be used to reduce its impact in the Statement of Principles made under the Gambling Act 2005.

During its consideration of the Council's Open Spaces Strategy, the Group identified concerns with the increasing use of management companies to manage open space on developments as an alternative to adoption of the land by the Council. The experience of residents on developments where this approach was used suggested that there could be problems with high levels of service charges and a lack of transparency when they were increased. There was also evidence that maintenance work was of low quality in some cases. As the current system is set out in law, the Group sent a report to the Cabinet recommending that the matter be raised with MPs. The Cabinet agreed to the Group's recommendation.

Policy Scrutiny Group

The Council is developing its new Local Plan and scrutiny of this will continue to be a priority. During the course of the year, the Group was able to consider the results of informal consultation with stakeholders and the public on options for the Plan. One key issue that the Group explored was the balance between pursuing a policy of urban concentration in order to enable infrastructure to be provided in those locations to support new development and focussing on too few sites which could add to the pressure on infrastructure. A second issue was how to deal with uncertainty regarding the delivery of planned sites and the use of reserve sites if delivery was delayed.

The Group also considered how the Council might use more direct methods to address the need for housing and particularly affordable housing. The Group was therefore pleased to have reported to the Cabinet its support for the Council to establish a housing development company. The Group saw doing so as an exciting initiative that could provide an opportunity for the Council to act more flexibly in responding to housing needs in the Borough.

During its consideration of the Council's Tenancy Support Policy, the Group identified that access to IT equipment was becoming more important for tenants, for example to complete online forms. The Group welcomed the availability of computers for public use in the Council's reception but identified that the layout could be improved to improve the privacy of computer users. Changes have recently been made to the layout which have addressed this issue.

The Process of Policy Development

As the Group sees policy and strategy documents from a range of services it is able to make comments and suggestions based on ensuring consistency and best practice across the Council. This year the Group has focussed on the issue of ensuring that the Council's policies can be clearly understood by the public. This led to amendments being made to the format and content of the Children and Young People's Strategy, the Tenancy Support Policy and the Council's Business Plan.

Councillor Brenda Seaton, Chair of the Policy Scrutiny Group

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).

Get Involved!

There are many opportunities for members of the public and representatives of organisations to get involved in the work of Scrutiny. The Scrutiny Members would welcome an increase in the number of people attending either to watch the meeting in action or ask a question on notice. Meetings are usually held at 6.30pm at the Council Offices, Southfields Road, Loughborough.

Members of the public can:

- Attend meetings of the Scrutiny Committees and standing panels, except in instances where confidential information is to be discussed. Details of these meetings are on our website, [here](#)
- Ask a question on notice on any agenda item. Email Democratic Services for more information, democracy@charnwood.gov.uk
- Suggest a topic for Scrutiny to consider by getting in touch with the Democratic Services team either through email democracy@charnwood.gov.uk or telephone 01509 634785
- Raise issues with your local Ward Councillor and request that Scrutiny considers this as part of a Councillor Call for Action, or add it to their Scrutiny Work Programme
- Watch out for consultations, surveys and requests for evidence by registering at <https://www.charnwood.gov.uk/pages/currentconsultations>

Overview Scrutiny Group

The Overview Scrutiny Group has two roles:

- (i) Scrutinising the recommendations of officer reports before they are presented to the Cabinet.
- (ii) Scrutinising external public service providers and partners, outside bodies and services shared with other local authorities.

Pre-decision Scrutiny

The Group's role is a valuable one within the decision-making structure. It provides the opportunity for reports to be viewed and scrutinised before they go to Cabinet for approval. The Group has the chance to ask questions and to gain more information about the reasoning behind the recommendations made to Cabinet. It is imperative that the Group provides a comprehensive scrutiny of reports to ensure that any concerns are highlighted before Cabinet make its decision.

During the year, Overview Scrutiny Group undertook pre-decision scrutiny of 20 items, supporting the recommendations being made to the Cabinet but also providing its own comments and suggestions. These included:

- Model of Local Government in Leicestershire – The Group was given the chance to scrutinise the response given by the District Council Leaders and the Leader's response in relation to the proposed model;
- Future Cemetery Provision for Loughborough – The issue of the site for the future cemetery in Loughborough was brought before the Group again following a review. The Group had the opportunity to scrutinise the revised proposals and was happy to agree with the proposed site. The Group commented that it was happy to see the review completed given the public opposition regarding the previous decision;
- Discretionary Houses in Multiple Occupation Licensing Scheme Options – The Group voiced its concerns regarding the lack of evidence cited in the report. It wanted to support the Cabinet Lead Member and commented that it disputed some of the data provided in the report. At its meeting, Cabinet agreed to pursue further investigation and research to obtain the evidence needed to establish the case for the introduction of an Additional or Selective Licensing Scheme.

Scrutiny of External Bodies

No scrutiny of external bodies took place during the year.

Councillor John Capleton, Chair of the Overview Scrutiny Group

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).



Budget Scrutiny Panel

The Budget Scrutiny Panel is now well established as part of both the Council's scrutiny work programme and its financial governance arrangements. In 2018/19, it held meetings between June and January to accord with the Council's timetable for setting its Medium Term Financial Strategy and 2019/20 budgets.

The process followed by the Panel was different to that followed in previous years in two respects. Firstly, the Panel was not involved in considering detailed suggestions regarding the Loughborough Special Expenses budget. This is now a function of the newly-established Loughborough Area Committee. Secondly, the Panel refined the process that had been agreed by the Scrutiny Management Board to bring forward its consideration of the draft revenue budgets and, therefore, give itself more time to consider the content of its draft report.

The Panel reported its conclusions in respect of the Council's 2019/20 draft budgets to the Scrutiny Management Board in January 2019, with the Board resolving to submit the Panel's conclusions to the Cabinet when it considered the Council's 2019/20 final budgets in February 2019.

The Panel focussed its scrutiny on a number of areas and identified several issues which it drew to the Cabinet's attention. These were primarily concerned with the Council's longer term financial management.

- As in previous years the Panel put on record the fact that the Council would be using reserves in each of the three years covered by the Medium Term Financial Strategy.
- The Panel also continued its review of the issue of underspends. It identified that there would be a significant difference in the way that underspends would be managed in 2019/20 compared to previous years and that the impact of seeking to save £300,000 per year in this way would need to be monitored.
- Another theme was the Council's approach to generating income, managing its assets and commercialisation more generally. This was identified as an area of continuing work for the Council.
- In this context the Panel identified a number of risks and in particular that there was considerable uncertainty regarding the amount of funding that the Council would receive from the Government after 2020. As a result the Panel recommended to the Cabinet that the issue was dealt with more explicitly in future versions of the Medium Term Financial Strategy.
- The Panel also highlighted the importance of pre-decision scrutiny of out-turn reports, virements and in-year service pressures, particularly when they related to additional costs arising from decisions by other agencies to reduce services, in ensuring the sound financial management of the Council.

With the continuing pressure on local government finances the support of scrutiny in overseeing the Council's budgeting process and financial strategy remains crucial.

Councillor Jewel Miah, Chair of the Budget Scrutiny Panel

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).



Performance Scrutiny Panel

The Performance Scrutiny Panel reviews Council Services with the aim of seeking improvements in Council performance and monitoring whether performance targets are being met. The Panel takes a significant role in rigorously scrutinising all Cabinet initiatives to ensure that objectives are being achieved and policies are operating efficiently.

The Panel receives performance reports on a quarterly basis to monitor progress against agreed targets. During 2018/19 the Panel requested additional reports and further information from officers to support its scrutiny of certain key performance targets. The Panel requested additional reports concerning the following:

- details as to why the target for the number of working days lost to the local authority due to sickness absence had not been met;
- suggested ways in which the Council could improve the number of satisfaction surveys completed by members of the public to drive further improvement in the web service they received;
- details as to why the time taken to process Housing Benefit/Council Tax new claims had not met its target, particularly with respect to the introduction of Universal Credit.

The Panel requested the following further information from officers to support its scrutiny of the Council's performance:

- an explanation of the reasons for the underspend in Landlord Services relating to the budget for electrical upgrades;
- an explanation of the reasons for the underspend in Neighbourhood Services relating to community grants and carry forward request to support Clockwise Credit Union;
- a detailed breakdown of food complaints and service requests to understand why the success criteria had not been met;
- clarification in relation to the Food Hygiene Rating Scheme targets and what actions were taken by the Service when a food business did not achieve level 3 or above on the National Food Hygiene Rating Scheme.

The Panel determined to review the performance of Council policies in this year and considered the Council's Zero Waste Strategy mid-way through its policy period as a test case. It recommended that the policy be further scrutinised once it had been revised in light of the Government's published Resources and Waste strategy. This was agreed by the Scrutiny Management Board and assigned to the Policy Scrutiny Group. The Panel reviewed the decision by the Scrutiny Management Board and the Cabinet in relation to the Council's housing land supply. After considering the views of officers and the Lead Member, it agreed with the decision to receive a quarterly report if the Council's housing land supply falls below 5.5 years and to add a performance indicator to monitor the five-year housing supply figure to the Council's Business Plan from 2019/ 20.

During the year the Panel also scrutinised the performance of the following Council matters in addition to its scrutiny of Revenue Monitoring and Capital Plan reports, the Council's financial performance, and revenue position as agreed by the Cabinet:

- Housing Repairs Complaints
- Housing Rent Arrears and Universal Credit
- Online Customer Service
- Delivery of Climate Local Plan
- Supporting Leicestershire Families Programme
- Tenancy Support
- Lightbulb Service Model
- Homeless Strategy 2018-2020
- Empty Homes Strategy 2017-2022
- Housing Strategy 2015-2020
- Charnwood Lottery

Councillor Hilary Fryer, Chair of the Performance Scrutiny Panel

To access the agendas, minutes and sound recordings for the Panel, click [here](#).

Scrutiny Panels

“Task and Finish” panels have an essential role in enabling councillors to engage in thorough investigation of specific issues of importance to the Council and the services it provides.

These panels are especially useful in enabling Councillors to identify and look at important issues in more detail. They can take a variety of forms, from a detailed review to a short, sharp, concentrated focus on a high-profile issue.

Five Year Housing Supply Scrutiny Panel

In March this year, the Scrutiny Management Board commissioned the Five Year Housing Land Supply Scrutiny Panel to scrutinise how effective the current method of calculating the five year housing land supply is and what the current situation is with local developers bringing sites to completion.

The Panel took evidence from a range of witnesses, including national housebuilders. Many factors were put forward that were likely to contribute to delays in the process, but overall a consensus was drawn that everyone should be working together more often to move forward for the benefit of the residents of Charnwood.

The final report of the Panel with its findings and recommendations was presented to the Scrutiny Management Board on 24th October 2018 and subsequently to the Cabinet on 15th November 2018. The Panel was successful in having its recommendations adopted by Cabinet which included adding the Five Year Housing Land Supply figures to the Council’s Key Performance Indicator (KPI) list to ensure that the figure is monitored regularly, the planning application deadlines be determined as KPIs with effect from the 2019/20 Business Plan. The Lead Member for Planning, Inward Investment and Tourism Strategy was tasked with writing to the Government with any further recommendations following the Panel’s report and reviewing the Council processes for section 106 agreements, reserve matter applications and pre-commencement conditions and bring any issues before the Cabinet for consideration.

Both the Cabinet and the Scrutiny Management Board thanked the Panel for its meticulous research and work and believed the recommendations to be sensible and added value to the Council’s scrutiny function.



The Value of Scrutiny Panels

By focusing on a particular topic where scrutiny considers value can be added, scrutiny panels are able to gather evidence from a number of sources, including officers, customers and other people directly affected by the issue, as well as experts from outside the Council. In addition to enabling comprehensive consideration of the matter, a Panel can provide the opportunity for the public to influence the policy-making process and assist the Panel in developing its recommendations.

Looking Ahead

The Scrutiny function has been in place since the implementation of the Local Government Act 2000, its practices have been interpreted widely and with varying degrees of effect nationally.



Essentially overview and scrutiny exists to ensure the Council's Executive is publicly held to account for its decisions and actions, and to promote open and transparent decision-making and democratic accountability. It has a wide remit to explore how the Council and its partner organisations could improve services for the residents of Charnwood. When evidence shows there could be a better way of doing things, overview and scrutiny can make recommendations for change.

The Parliamentary Select Committee report into Overview and Scrutiny in Local Government, published in December 2017, made interesting and timely reading. The Select Committee gathered a range of evidence from councillors, civil servants and scrutiny officers, and put forward a number of recommendations about how the scrutiny function could be improved and championed within local authorities. A review of the Select Committee's report shows that Charnwood Borough Council is already compliant with many of the recommendations put forward; providing assurance that the Council's scrutiny arrangements are reflective of best practice.

However, Members recognise that it needs to raise its game in terms of impact and the areas for improvement identified by the Centre for Public Scrutiny (CfPS) in February 2018 have been fully evaluated by members of the Scrutiny Management Board and Cabinet.

One significant change relates to the structure of the scrutiny committees with the aim of making them more outcome focussed. Full Council on 25th February 2019 approved a new scrutiny structure based on service directorates, overseen by a Scrutiny Commission Committee. This new structure will come into effect immediately after the May 2019 elections and is being seen as a catalyst for making a real difference to the lives of local people.

Going forward Members are also keen to review how the public can be better involved in the Scrutiny process, recognising that this is an area for improvement.

Following the May elections members will be offered training on effective questioning and listening skills which is vitally important for effective scrutiny. Likewise members will be offered development opportunities on how to use scrutiny effectively and how it can be focussed on the most appropriate and important topics.

Overall, there are many challenges ahead and the new guidance from HM Government which is due out shortly will certainly set the future direction of the scrutiny function nationally and more importantly at Charnwood.

Karen Widdowson, Democratic Services Manager



Membership of the Scrutiny Management Board



Cllr Jewel Miah

Chair of the Scrutiny Management Board



Cllr Geoff Parsons

Vice-chair of the Scrutiny Management Board



Cllr John Capleton

Chair of the Overview Scrutiny



Cllr Brenda Seaton

Chair of the Policy Scrutiny Group



Cllr Hilary Fryer

Chair of the Performance Scrutiny Panel



Cllr Pauline Ranson

Vice-chair of the Overview Scrutiny Group



Cllr Keith Harris

Vice-chair of the Policy Scrutiny Group



Cllr Bill Bebbington

Vice-chair of the Performance Scrutiny Panel

More Information?

If you would like to suggest a topic for scrutiny to look into, would like more information about scrutiny, or need this information in a different format, for example large print, audio or braille, please contact:

Democratic Services
Telephone: 01509 634785
Email: democracy@charnwood.gov.uk



COUNCIL – 25TH MARCH 2019

Report of the Chief Executive

ITEM 6.4 REPORT OF THE INDEPENDENT REMUNERATION PANEL IN RESPECT OF ALLOWANCES PAID TO MEMBERS OF CHARNWOOD BOROUGH COUNCIL FOR 2019/20

Purpose of Report

To consider the findings and the recommendations of the Independent Remuneration Panel in respect of allowances paid to members of Charnwood Borough Council (attached as Appendix A) and the Scheme of Members' Allowances for 2019/20 (attached as Appendix B).

Recommendation

That Council considers the recommendations of the Independent Remuneration Panel, submitted in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 as set out in Appendix A, and agrees to adopt the proposed Scheme of Members' Allowances for the 2019/20 financial year, as set out at Appendix B.

Reason

To ensure compliance with the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations).

Policy Justification and Previous Decisions

In setting the level of allowances to be paid for each year, the Council is obliged to have regard to recommendations made by the Independent Remuneration Panel.

Attached at Appendix A is the report of the Independent Remuneration Panel in respect of the allowances it recommends should be paid to members of Charnwood Borough Council for the financial year 2019/20.

Full Council resolved at its meeting on 24th April 2017 to link amendments to basic and special responsibility allowances to an index based on officer pay awards (minute reference 91.3). The relevant officer pay awards for 2019/20 have been agreed with a 2% uplift, which is therefore reflected in the proposed allowances for 2019/20.

Implementation Timetable including Future Decisions and Scrutiny

The revised Scheme of Allowances, if approved, would come into effect at the start of the 2019/20 financial year (ie 1st April 2019).

Report Implications

The following implications have been identified for this report.

Financial Implications

The proposed allowances can be met from within existing budgets.

If the proposed new Scrutiny Committee special responsibility allowances as recommended by the Independent Remuneration Panel are approved, this will result in an ongoing overall saving of approximately £2,000 per annum.

Risk Management

No specific risks have been identified in relation to this decision.

Background Papers: None

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Head of Strategic Support
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Appendices

Appendix A: Report of the Independent Remuneration Panel in Respect of Allowances Paid to Members of Charnwood Borough Council

Appendix B: Proposed Amended Members' Allowances Scheme

**REPORT OF THE INDEPENDENT REMUNERATION PANEL
IN RESPECT OF ALLOWANCES PAID TO
MEMBERS OF CHARNWOOD BOROUGH COUNCIL
2019-20**

THE PANEL

The Panel, which is appointed to make recommendations to the Council in respect of the allowances paid to Councillors, comprises the following members:

P. Cleere
G. Moss-Waghorn
P. Smith

REMIT

The Local Authorities (Members' Allowances) (England) Regulations 2003 require, amongst other things, that the Council has regard to the recommendations of an Independent Panel in agreeing allowances paid to Councillors.

Those Regulations require the Panel to produce a report making recommendations as to:

- The amount of basic allowance;
- Whether special responsibility allowances should be paid, and if so, the duties to which they should apply and the amounts of those allowances;
- Whether an allowance relating to the expense of arranging for the care of children or dependents should be available (carers' allowance) and, if so, the amount of that allowance;
- Whether travelling and subsistence allowances should be paid, and, if so, the duties for which they should be payable and the amounts of those allowances;
- Whether a basic allowance should be paid to co-opted members, and, if so, the amount of that allowance.

REPORT

This is the Independent Panel's report of its review of Members' Allowances for 2019/20. This report has been compiled and agreed by members of the Panel following meetings and consideration of the relevant issues between December 2018 and March 2019. The Head of Strategic Support attended the meetings to assist the Panel in consideration of these matters.

Link to Officer Pay Awards

As overall changes are now linked to officer pay awards, the Panel did not consider any general uplift. They noted that the 2% pay award agreed for officers for 2019/20 will be applied to the relevant Member allowances.

Allowances for the New Scrutiny Committee Structure

The proposals of the Panel in respect of special responsibility allowances for the new scrutiny committee structure are set out below (note: all figures quoted are at 2019/20 rates, ie with a 2% uplift from 2018/19)

Current Arrangements:

5 x Scrutiny Commissioners at £3,511 = £17,555
3 x Assistant Scrutiny Commissioners at £1,506 = £4,518

Current Total Costs: £22,073

New Arrangements:

Scrutiny Commission:

Chair's allowance: £3,761
Vice-chairs' allowance: £1,506

This is in-line with the Chair and Vice-chair of the current Plans Committee, and reflects the additional constitutional responsibilities attaching to the role of the Chair of the Scrutiny Commission, and the fact that the Scrutiny Commission will be meeting on a monthly basis (ie. more frequently than the other proposed new scrutiny committees).

Other Directorate Based Scrutiny Committees (x 3):

Chair's allowance: £3,511

Vice-Chair's allowance: £1,404

The Chairs' allowances are based on the existing Scrutiny Commissioner allowances, and the Vice-chairs' allowances at 40% of the Chairs' allowances in line with the Vice-chairs of other committees.

Total of Proposed New Allowances: £20,012

There would therefore be an annual ongoing saving of £2,061 against special responsibility allowances for the current scrutiny committee structure.

Other Allowances

The Panel asked the Head of Strategic Support to contact all Councillors to see if there were any other issues that the Panel should consider, and nothing was raised.

Therefore the Panel do not consider that any other changes to the Scheme of Allowances are required at this point in time.

THE COUNCIL'S SCHEME OF MEMBERS' ALLOWANCES

The Panel has therefore reviewed the Council's Scheme of Members' Allowances and have incorporated the proposals contained within this report.

A copy is attached to this report for approval.

CHARNWOOD BOROUGH COUNCIL

SCHEME OF MEMBERS' ALLOWANCES

In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, Charnwood Borough Council has agreed the following scheme for members' allowances. In the scheme the term year means the financial year commencing on 1st April 2019.

1. BASIC ALLOWANCE

Subject to paragraph 8, for each year a basic allowance as specified in schedule 1 to this scheme shall be payable to each councillor.

2. SPECIAL RESPONSIBILITY ALLOWANCE

(1) Subject to paragraph 8, for each year a special responsibility allowance shall be payable to those councillors and co-opted members who have the special responsibilities that are specified in schedule 2 to this scheme. For those councillors who have more than one special responsibility allowance, the highest will be paid at 100% and the second or subsequent allowances will be paid at 50%.

(2) Where a majority of councillors belong to the same political group (the controlling group), a special responsibility allowance shall be paid to at least one person who is not a member of the controlling group and has special responsibilities specified in schedule 2 to this scheme.

3. BASIC ALLOWANCE – CO-OPTED MEMBERS

Subject to paragraph 8, for each year, a basic allowance as specified in schedule 1 to this scheme shall be payable to co-opted members and Parish Members of the Member Conduct Committee.

4. CARERS' ALLOWANCE

Expenditure incurred by councillors in providing childcare or in providing care for an elderly, sick or disabled dependent relative to facilitate their attendance at duties specified in the Regulations and approved by the

Council shall be reimbursed in accordance with schedule 3 to this scheme.

5. TRAVEL AND SUBSISTENCE ALLOWANCES

Expenditure incurred by councillors in respect of travel and subsistence to facilitate their attendance at duties specified in the Regulations and approved by the Council shall be payable in accordance with schedule 4 to this scheme.

The travel and subsistence allowances set out in this scheme are available to the Co-opted and Parish Members of Council committees described in paragraph 3.

6. APPROVED DUTIES

Duties specified in the Regulations, together with specific duties approved by the Charnwood Borough Council in respect of which travel, subsistence and carers' allowances are payable are listed in schedule 5 to this scheme.

7. RENUNCIATION

A councillor may by notice in writing given to the Head of Financial & Property Services elect to forego any part of his or her entitlement to an allowance under this scheme.

8. PART-YEAR ENTITLEMENTS AND CEASING OF PAYMENTS

Councillors who are elected, or cease to be elected, part way through the Municipal Year shall receive their basic allowance pro-rata. The same provisions exist for those councillors who are appointed to a position attracting a Special Responsibility Allowance or who cease to hold a position attracting a Special Responsibility Allowance.

9. PENSIONS

Members of the Council are not entitled to be eligible for membership of the Local Government Pension Scheme.

10. CLAIMS AND PAYMENTS

- (1) Payment of basic and special responsibility allowances shall be made in monthly instalments of one-twelfth of the amounts specified in this scheme.
- (2) Claims for carers' allowance shall be in accordance with the conditions as specified in Schedule 3 to this scheme.
- (3) Claims for travel and subsistence allowances shall be in accordance with the conditions as specified in Schedule 4 to this scheme.

11. IT FOR COUNCILLORS

In addition to the allowances specified in the Local Authorities (Members Allowances)(England) Regulations 2003, Charnwood Borough Council has authorised the IT support to councillors set out in Schedule 6.

SCHEDULES

All amounts in the following schedules are paid from 1st April 2019 to 31st March 2020.

SCHEDULE 1

BASIC ALLOWANCES

	Allowance
Councillor	£5,176
Parish Member of the Member Conduct Committee	£258

SCHEDULE 2

SPECIAL RESPONSIBILITY ALLOWANCES

	Allowance
Leader	£12,538
Deputy Leader	£8,776
Cabinet Lead Members *	£5,015
Cabinet Deputy Lead Members *	£2,150
Mayor	£7,021
Deputy Mayor	£1,755
Independent Chair of Audit Committee	£3,511
Chair of Plans Committee	£3,761
Leader of the Opposition	£4,203
Chair of the Member Conduct Committee	£1,506
Chair of Licensing Committee	£2,507
Vice-chair of Plans Committee	£1,506
Vice-chair of Licensing Committee (2)	£752
Scrutiny Commissioner (5) **	£3,511
Assistant Scrutiny Commissioner (3) **	£1,506

* There shall be no more than 10 members of the Cabinet in total, including the Leader and Deputy Leader.

** Will only operate for the remainder of the 2018/19 civic year, then will be replaced by the new special responsibility allowances (see below)

New Scrutiny Special Responsibility Allowances for Civic Year 2019/20

Chair of Scrutiny Commission	£3,761
Vice-chair of Scrutiny Commission	£1,506
Chair of Directorate-based Scrutiny Committees (3)	£3,511
Vice-chair of Directorate-based Scrutiny Committees (3)	£1,404

SCHEDULE 3

CARERS' ALLOWANCE

A Carers' Allowance shall be payable for duties specified in the Local Authorities (Members' Allowances) (England) Regulations 2003 and approved by the Council subject to the following conditions:

- (i) The maximum hourly rate reimbursed for independent care of a child under the age of 14 shall be equal to the minimum wage.
- (ii) The maximum hourly rate reimbursed for the professional care of a dependent relative shall be equal to the Leicestershire County Council's hourly rate for a Home Care Assistant.
- (iii) Councillors must certify that the costs have been actually and necessarily incurred and the allowance shall be paid as a reimbursement of incurred expenditure against receipts.
- (iv) The allowance shall not be payable to a member of the claimant's own household.
- (v) The Head of Strategic Support shall be able to exercise discretion in respect of the above conditions in exceptional and justified circumstances.
- (vi) Claims shall be made within four months of the duty to which it relates.

SCHEDULE 4

TRAVEL AND SUBSISTENCE ALLOWANCES

Travel and Subsistence Allowance shall be payable in respect of duties specified in the Regulations and approved by the Council (see Schedule 5). Claims shall be made within four months of the approved duties to which they relate.

In respect of travel the following may be claimed:

- (a) The actual cost of travel by public service must not exceed the ordinary or any available cheap fare. Standard class rail fare may be claimed. In the case of travel by ship, first class fare is applicable.
- (b) Deposit or portorage of luggage and sleeping car accommodation subject to reduction by one-third of the subsistence allowance for that night.
- (c) Taxi-cab fares in cases of urgency or where no public service is reasonably available. The amount claimed shall not exceed the actual fare and any reasonable gratuity.
- (d) The cost of hiring a car which must not exceed the rate applicable to the members' own car.
- (e) Where a councillor uses his or her own motor car or motor cycle, the mileage rate claimed shall be as the rates available to staff (casual users) and agreed by the National Joint Council for Local Government Services (JNC) on an annual basis.

Current rates per mile are:

	Up to 10,000 miles	Over 10,000 miles
Car	45p per mile	25p per mile
Motorcycle	24p per mile	24 per mile
Bicycle	20p per mile	20p per mile

For journeys out of the county, councillors are encouraged to use rail travel. However, if they use their car, the cost claimed shall be the mileage rate above or the cost of standard return rail fare, whichever is the lower.

- (f) Where a councillor carries an official passenger, the additional mileage allowance of 5p per mile per passenger set by HMRC applies.

In respect of subsistence:

Subsistence allowance for councillors shall be the same as for staff and in accordance with guidance from the Inland Revenue such that the Council will refund actual amounts spent in respect of subsistence where supported by receipts and provided that the amounts are reasonable. The following rates are considered by the Inland Revenue to be acceptable as a guideline as to whether actual expenditure is reasonable and also for payment as "flat rates" where receipts are not available:

In the case of absence not involving overnight stay, but not at the normal place of residence:

- (i) for more than four hours before 11am – Breakfast allowance - £4
- (ii) for more than five hours after this time, ending before 8.30pm – Lunch/Tea allowance - £5
- (iii) for more than five hours ending after 8.30pm – Dinner allowance - £8

Use will not be made of a “flat rate” in respect of overnight absence as all expenditure in that respect should be claimed based on actual expenditure only, supported by receipts. However, a flat rate (without the need for receipts) of up to £5 for incidental expenses resulting from overnight absence is claimable. Where possible, overnight accommodation should be booked by the Council so that the VAT element can be reclaimed.

Subsistence allowances may not be claimed where adequate refreshments are provided.

SCHEDULE 5

APPROVED DUTIES OF THE COUNCIL

The Council has agreed that an approved duty, for the purpose of the payment of travel, subsistence and carers’ allowances, is attendance at meetings of:

- Council
- Cabinet
- Scrutiny Bodies
- Plans Committee and its site inspections
- Licensing Committee and its Sub-committees
- Member Conduct Committee and its Panels
- Audit Committee
- Personnel Committee and its Panels
- Appeals and Reviews Committee and its Panels
- Loughborough Area Committee
- Joint Consultative Committee
- Housing Management Advisory Board

Meetings of all outside bodies to which the Council makes appointments and upon which the councillor serves as a representative of the Council or substitute representative.

Conferences authorised by committees or in accordance with the scheme of delegation.

Interviews for the appointment of staff.

The opening of tenders in accordance with the requirements of the Council's Constitution.

Attendance by Cabinet Members at meetings within the Borough that relate directly to their lead member role.

Attendance by the Mayor and Deputy Mayor at meetings and events, both inside and outside the Borough, that relate directly to their roles.

Such other meetings at which individual members have been appointed to represent the Borough Council other than as members of outside bodies, either by virtue of a specific resolution or in the capacity of Leader or Deputy Leader or as Chair or Vice-chair of a Committee.

Training sessions, briefings and other meetings certified by the Head of Strategic Support.

Further to the above, the Council has agreed the following:

- (i) That travel allowance and carers' allowance, but not subsistence allowance be payable to a borough councillor in respect of attendance by invitation at a Parish Council or Parish Meeting to participate in the discussion of a Borough Council function.
- (ii) That travel and subsistence allowance and carers' allowance be payable to a borough councillor in respect of attendance at Borough Council premises or other establishments within the Borough on such occasions as they consider necessary in connection with the discharge of the Council's functions up to a limit of 15 occasions in each Council year. These are known as "duty days". This provision is an authorisation to carry out an approved duty of a councillor's own choice on 15 occasions of whatever duration and not 15 duty days which might be interpreted, for example, as 30 half days.
- (iii) That travel and subsistence allowance and carers' allowance be payable to a borough councillor in respect of full meetings of political groups held at Borough Council premises and specifically related to the business of the Borough Council on not more than 15 occasions in the period commencing with the day of the Annual Meeting of the Council in any year and terminating on the day preceding the Annual Meeting in the following year."

SCHEDULE 6

IT FOR COUNCILLORS

On request, the Council provides all Councillors with a computer or a tablet device, a printer and appropriate software and support.

If a Councillor chooses to use their own device no payment is made for this.

No payments are made towards home broadband or other connectivity costs.

COUNCIL – 25TH MARCH 2019

Report of the Chief Executive

ITEM 6.5 TIMETABLE FOR COUNCIL AND COMMITTEE MEETINGS AND MEMBER TRAINING DAYS FOR 2019/20

Purpose of Report

To consider a proposed timetable for Council and committee meetings and designated member training days for the next Council year (2019/20) and the period to December 2020.

Recommendations

1. That the schedule of Council, Cabinet, Scrutiny and other committee meetings for 2019/20 and the period to December 2020, attached as Appendix 1 to the report, be approved.
2. That the proposed dates for member training days for 2019/20 and the period to December 2020, attached as Appendix 2 to the report, be endorsed.
3. That delegated authority be given to the Head of Strategic Support to make minor amendments and corrections to the schedule of Council and committee meetings and member training days.

Reasons

1. To ensure that a schedule of meetings for 2019/20 is agreed to enable planning for the forthcoming Council year and six months into the new year.
2. To ensure that there is a timetable to enable planning for training and development days for councillors and co-opted members.
3. To enable minor amendments and corrections to be made in a timely manner.

Policy Justification and Previous Decisions

The Full Council Procedures set out the responsibility of Council to set a programme of Council meetings for the year. The Procedure Rules for Cabinet and committees allow them to fix the date and time of their meetings. Full Council is asked to agree the meeting dates for all meetings to enable the programme to be co-ordinated.

Dates up to December 2020 have been included in the timetable for a second year.

The Member Development Strategy, approved by Council on 7th November 2016 (minute 46.3 refers), sets out the following in respect of member training days:

- As part of setting the annual calendar of meetings one day per month will be allocated as a training day and one day per quarter as a planning training day so that members can have as much notice as possible of the dates on which training is to take place.
- The day of the week selected for training days will take into account the needs of all members and this may require different days to be utilised over the course of the year.

Therefore in proposing dates for member training days different days of the week have been selected.

Implementation Timetable including Future Decisions

Attached as appendices are proposed timetables for the next Council year (2019/20) and the period to December 2020 for:

- Council, Cabinet, Scrutiny and committee meetings (Appendix 1)
- monthly member training days and quarterly planning update training days (Appendix 2).

Amendments to the programme of meetings can be agreed during the year by the relevant bodies or by councillors and officers as set out in the Council's Constitution.

Report Implications

The following implications have been identified for this report.

Financial Implications

None.

Risk Management

There are no specific risks associated with these recommendations.

Background Papers: None

Officer to Contact: Karen Widdowson
Democratic Services Manager
01509 634785
karen.widdowson@charnwood.gov.uk

SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS FOR 2019/20

<i>Meeting</i>	<i>Day</i>	<i>Date</i>
Annual Council	Monday	20th May 2019
Plans Committee	Thursday	23rd May 2019
Scrutiny Commission	Monday	3rd June 2019
Personnel Committee	Tuesday	4th June 2019
Cabinet	Thursday	6th June 2019
Audit Committee	Tuesday	11th June 2019
Member Conduct Committee	Monday	17th June 2019
Appeals and Reviews Committee	Tuesday	18th June 2019
Loughborough Committee	Wednesday	19th June 2019
Plans Committee	Thursday	20th June 2019
Council	Monday	24th June 2019
Corporate Services Committee	Tuesday	25th June 2019
Scrutiny Commission	Monday	1st July 2019
Housing Planning Regeneration and Regulatory Committee	Tuesday	2nd July 2019
Cabinet	Thursday	4th July 2019
Appeals and Reviews Committee	Monday	8th July 2019
Neighbourhoods, and Community Wellbeing Committee	Tuesday	9th July 2019
Plans Committee	Thursday	18th July 2019
Licensing Committee	Tuesday	23rd July 2019
Audit Committee	Tuesday	24th July 2019
Scrutiny Commission	Monday	5th August 2019
Cabinet	Thursday	8th August 2019
Appeals and Reviews Committee	Monday	12th August 2019
Plans Committee	Thursday	22nd August 2019
Council	Monday	2nd September 2019
Housing Planning Regeneration and Regulatory Committee	Tuesday	3rd September 2019
Member Conduct Committee	Monday	9th September 2019
Neighbourhoods, and Community Wellbeing Committee	Tuesday	10th September 2019
Scrutiny Commission	Monday	16th September 2019
Corporate Services Committee	Tuesday	17th September 2019
Loughborough Area Committee	Wednesday	18th September 2019
Cabinet	Thursday	19th September 2019
Audit Committee	Tuesday	24th September 2019
Plans Committee	Thursday	26th September 2019
Appeals and Reviews Committee	Monday	30th September 2019

<i>Meeting</i>	<i>Day</i>	<i>Date</i>
Personnel Committee	Tuesday	1st October 2019
Scrutiny Commission	Monday	14th October 2019
Cabinet	Thursday	17th October 2019
Licensing Committee	Tuesday	22nd October 2019
Plans Committee	Thursday	24th October 2019
Appeals and Reviews Committee	Monday	28th October 2019
Council	Monday	4th November 2019
Scrutiny Commission	Monday	11th November 2019
Cabinet	Thursday	14th November 2019
Audit Committee	Tuesday	19th November 2019
Plans Committee	Thursday	21st November 2019
Appeals and Reviews Committee	Monday	25th November 2019
Neighbourhoods, and Community Wellbeing Committee	Tuesday	26th November 2019
Member Conduct Committee	Monday	2nd December 2019
Corporate Services Committee	Tuesday	3rd December 2019
Scrutiny Commission	Monday	9th December 2019
Housing Planning Regeneration and Regulatory Committee	Tuesday	10th December 2019
Cabinet	Thursday	12th December 2019
Appeals and Reviews Committee	Monday	16th December 2019
Personnel Committee	Tuesday	17th December 2019
Loughborough Area Committee	Wednesday	18th December 2019
Plans Committee	Thursday	19th December 2019
Scrutiny Commission	Monday	13th January 2020
Cabinet	Thursday	16th January 2020
Council	Monday	20th January 2020
Appeals and Reviews Committee	Monday	27th January 2020
Plans Committee	Thursday	30th January 2020
Scrutiny Commission	Monday	10th February 2020
Licensing Committee	Tuesday	11th February 2020
Cabinet	Thursday	13th February 2020
Appeals and Reviews Committee	Monday	17th February 2020
Audit Committee	Tuesday	18th February 2020
Council	Monday	24th February 2020
Corporate Services Committee	Tuesday	25th February 2020
Plans Committee	Thursday	27th February 2020
Housing Planning Regeneration and Regulatory Committee	Tuesday	3rd March 2020
Scrutiny Commission	Monday	9th March 2020
Neighbourhoods, and Community Wellbeing Committee	Tuesday	10th March 2020
Cabinet	Thursday	12th March 2020
Member Conduct Committee	Monday	16th March 2020

<i>Meeting</i>	<i>Day</i>	<i>Date</i>
Loughborough Area Committee	Wednesday	18th March 2020
Personnel Committee	Tuesday	24th March 2020
Plans Committee	Thursday	26th March 2020
Appeals and Reviews Committee	Monday	30th March 2020
Scrutiny Commission	Monday	6th April 2020
Cabinet	Thursday	9th April 2020
Appeals and Reviews Committee	Monday	20th April 2020
Plans Committee	Thursday	23rd April 2020
Council	Monday	27th April 2020
Scrutiny Commission	Monday	5th May 2020
Cabinet	Thursday	7th May 2020
Appeals and Reviews Committee	Monday	11th May 2020
Annual Council	Monday	18th May 2020
Plans Committee	Thursday	21st May 2020
Scrutiny Commission	Monday	1st June 2020
Personnel Committee	Tuesday	2nd June 2020
Cabinet	Thursday	4th June 2020
Appeals and Reviews Committee	Tuesday	8th June 2020
Audit Committee	Tuesday	9th June 2020
Member Conduct Committee	Monday	15th June 2020
Loughborough Area Committee	Wednesday	17th June 2020
Plans Committee	Thursday	18th June 2020
Council	Monday	22nd June 2020
Housing Planning Regeneration and Regulatory Committee	Tuesday	23rd June 2020
Scrutiny Commission	Monday	29th June 2020
Neighbourhoods, and Community Wellbeing Committee	Tuesday	30th June 2020
Cabinet	Thursday	2nd July 2020
Appeals and Reviews Committee	Monday	6th July 2020
Corporate Services Committee	Tuesday	7th July 2020
Plans Committee	Thursday	16th July 2020
Licensing Committee	Tuesday	21st July 2020
Audit Committee	Tuesday	28th July 2020
Scrutiny Commission	Monday	10th August 2020
Cabinet	Thursday	13th August 2020
Appeals and Reviews Committee	Monday	24th August 2020
Plans Committee	Thursday	27th August 2020
Neighbourhoods, and Community Wellbeing Committee	Tuesday	2nd September 2020
Council	Monday	7th September 2020
Corporate Services Committee	Tuesday	8th September 2020
Scrutiny Commission	Monday	14th September 2020

<i>Meeting</i>	<i>Day</i>	<i>Date</i>
Housing Planning Regeneration and Regulatory Committee	Tuesday	15th September 2020
Loughborough Area Committee	Wednesday	16th September 2020
Cabinet	Thursday	17th September 2020
Member Conduct Committee	Monday	21st September 2020
Audit Committee	Tuesday	22nd September 2020
Plans Committee	Thursday	24th September 2020
Appeals and Reviews Committee	Monday	28th September 2020
Scrutiny Commission	Monday	12th October 2020
Personnel Committee	Tuesday	13th October 2020
Cabinet	Thursday	15th October 2020
Licensing Committee	Tuesday	20th October 2020
Plans Committee	Thursday	22nd October 2020
Appeals and Reviews Committee	Monday	26th October 2020
Council	Monday	9th November 2020
Scrutiny Commission	Monday	16th November 2020
Appeals and Reviews Committee	Tuesday	17th November 2020
Cabinet	Thursday	19th November 2020
Member Conduct Committee	Monday	30th November 2020
Corporate Services Committee	Tuesday	1st December 2020
Plans Committee	Thursday	3rd December 2020
Scrutiny Commission	Monday	7th December 2020
Housing Planning Regeneration and Regulatory Committee	Tuesday	8th December 2020
Cabinet	Thursday	10th December 2020
Appeals and Reviews Committee	Monday	14th December 2020
Neighbourhoods, and Community Wellbeing Committee	Tuesday	15th December 2020
Loughborough Area Committee	Wednesday	16th December 2020
Audit Committee	Tuesday	22nd December 2020

APPENDIX 2

SCHEDULE OF MEMBER TRAINING DAYS FOR 2019/20

Type	Day	Date
Monthly	Monday	10th June 2019
Planning	Thursday	27th June 2019
Monthly	Wednesday	10th July 2019
Monthly	Thursday	15th August 2019
Monthly	Thursday	12th September 2019
Planning	Thursday	3rd October 2019
Monthly	Wednesday	16th October 2019
Monthly	Monday	18th November 2019
Planning	Thursday	5th December 2019
Monthly	Wednesday	11th December 2019
Monthly	Tuesday	28th January 2020
Monthly	Thursday	20th February 2020
Monthly	Tuesday	17th March 2020
Planning	Thursday	19th March 2020
Monthly	Wednesday	29th April 2020
Monthly	Tuesday	26th May 2020
Monthly	Wednesday	10th June 2020
Planning	Thursday	25th June 2020
Monthly	Wednesday	8th July 2020
Monthly	Thursday	20th August 2020
Planning	Thursday	3rd September 2020
Monthly	Thursday	10th September 2020
Monthly	Wednesday	14th October 2020
Monthly	Monday	23rd November 2020
Planning	Thursday	26th November 2020
Monthly	Thursday	17th December 2020

COUNCIL – 25TH MARCH 2019

Report of the Chief Executive

ITEM 6.6 CONFERRMENT OF THE FREEDOM OF THE BOROUGH

Purpose of Report

To consider initial arrangements for conferring the Freedom of the Borough to Mr Lez Cope-Newman.

Recommendations

1. That consideration be given to conferring upon Mr Lez Cope-Newman the honour of Honorary Freeman in view of his eminent services to the Borough and its people.
2. That subject to 1 above, the ceremony take place at a special meeting of the Council at 6.30pm on 24th June 2019, prior to the ordinary Council meeting proposed for that date.

Reasons

1. To consider in principle whether to confer a civic honour.
2. To make arrangements for a special meeting to confer the honour as required by statute.

Policy Justification and Previous Decisions

The Local Government Act 1972 allows the Council to confer the title of Honorary Freeman on “persons who have, in the opinion of the Council have rendered eminent services to the Borough”. There must be a resolution passed by not less than two-thirds of the members present at a meeting of the Council specially convened for the purpose of granting the Freedom of the Borough.

The Council granted the Freedom of the Borough to Ms Paula Radcliffe MBE and Mr Mike Jones in 2008.

The Freedom of the Borough is the highest honour the Council can bestow on any citizen and, in order of precedence, Honorary Freeman are placed immediately above Honorary Aldermen.

Implementation Timetable including Future Decisions and Scrutiny

It has been suggested that the Council give consideration to conferring the honour of Honorary Freeman on Mr Lez Cope-Newman. Mr Cope-Newman is currently the Chair of the Love Loughborough Business Improvement District

(BID), having previously served as Vice-chair, founder member and director following the BID's establishment in 2012. Mr Cope-Newman has lived in the Borough for almost all of his life and has owned and managed a number of businesses locally. Mr Cope-Newman has undertaken a significant amount of work to raise money for charities including the Breast Care Unit at Glenfield Hospital, Loughborough Beacon Rotary Club and to support people with Down's syndrome and their families. That work has followed from his earlier activities in youth work.

If the Council wishes to confer the honour, it is suggested that the special Council meeting takes place at 6.30pm on 24th June 2019 in the Preston Room, Woodgate Chambers, Loughborough, prior to the ordinary Council meeting proposed for that date. A report setting out proposed meeting dates for the 2019/20 Council year appears elsewhere on the agenda for this meeting.

Report Implications

The following implications have been identified for this report.

Financial Implications

Any costs associated with arrangements for conferring the honour of Honorary Freeman can be met from existing budgets.

Risk Management

There are no risks associated with making this decision.

Background Papers: None

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COUNCIL – 25TH MARCH 2019

Report of the Chief Executive

ITEM 12 URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN AND USE OF SPECIAL URGENCY PROCEDURE

Purpose of Report

To note two decisions that were exempted from call-in in accordance with Scrutiny Committee Procedure 11.9, one of which was also taken using the special urgency procedure in accordance with Access to Information Procedure 13.9(b).

Action Requested

In accordance with Full Council Procedure 9.11(d) questions may be asked of the Leader in relation to the urgent decisions that were taken. The Leader may ask the relevant Lead Member to respond.

Policy Justification and Previous Decisions

Normally 28 clear days' notice must be given before a key decision can be taken. A key decision can be taken without 28 clear days' notice if a general exception notice is published and given to the Chair of the Scrutiny Management Board. Under this procedure the key decision can then be taken five clear working days after the notice has been issued.

If it is not practicable to wait until five clear working days after a general exception notice has been issued, the decision can be taken as a case of special urgency only if the Chair of the Scrutiny Management Board (or in his/her absence the Mayor or Deputy Mayor) has agreed that the decision is urgent and cannot reasonably be delayed.

Access to Information Procedure 13.9(b) of the Council's Constitution requires that any cases of the use of the special urgency procedure are reported to the next ordinary meeting of the Council. If there has been no use of the special urgency procedure in the previous 12 months the Leader will submit a report to that effect to the Council at the end of the Council year.

The call-in procedure provides for a period of five clear working days during which councillors can ask for decisions taken by the Cabinet and individual Cabinet members, and key decisions taken by officers to be reviewed. With the agreement of the Chair of the Scrutiny Management Board (or in his/her absence the Mayor or Deputy Mayor) a decision can be exempted from call-in if the decision to be taken is both urgent and reasonable and the delay caused by the call-in process would not be in the interests of the Council or the public. Scrutiny Committee Procedure 11.9 requires that decisions that are exempted from call-in are reported to Council.

Acquisition of Properties for Rental

On 19th October 2017 the Leader delegated authority to the Head of Strategic and Private Sector Housing to acquire additional Housing Revenue Account (HRA) properties for rental. It is likely that any properties acquired will exceed £100,000 in value, and therefore each purchase will be a key decision. It would not be practical for the usual call-in arrangements for key decisions to be applied as any delay caused could result in the purchase falling through, and therefore the then Mayor, in the absence of the Chair of the Scrutiny Management Board, gave her approval for decisions taken under this delegated authority to be exempted from call-in under Scrutiny Procedure Rule 11.9. The Chair of the Scrutiny Management Board subsequently confirmed that he was happy with these arrangements. These arrangements were reported to Council on 6th November 2017 (minute 57 2017/18 refers).

The purchase of one property is being reported to this meeting of Council:

- 19 James Street, Anstey (3-bedroom house) for £160,000

The decision of the Head of Strategic and Private Sector Housing to exchange contracts on the purchase can be found in the Annex to this report.

Commissioning Plan for Sport and Physical Activity and Associated Staffing Matters

An exempt decision in respect of the commissioning plan for sport and physical activity and associated staffing matters is due to be taken shortly. The Chair or the Scrutiny Management Board has agreed that the decision can be exempted from call-in and that the special urgency provision can be used. Details of the decision to be made are set out in Part B of the report.

Implementation Timetable including Future Decisions

As detailed within the Annex and Part B to this report.

Any future exemption from call-in or use of the special urgency procedure will be reported to full Council in accordance with Scrutiny Committee Procedure 11.9 and Access to Information Procedure 13.9. If there is no use of the special urgency procedure during the next 12 months then a report to that effect will be submitted to the meeting of the Council proposed to be held on 27th April 2020.

Report Implications

As detailed within the Annex and Part B to this report.

Background Papers: [Council 6th November 2017, Item 14, Changes to Membership of the Cabinet and the Delegation of Executive Functions: Acquisition of Additional Housing Revenue Account Properties for Rental](#)

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Annex

Report of the decision of the Head of Strategic and Private Sector Housing in respect of the acquisition of a property

Part B

Decision Taken in Respect of the Commissioning Plan for Sport and Physical Activity and Associated Staffing Matters

1. A report has been prepared to enable the Chief Executive to take an exempt urgent key decision to enter into a partnership agreement with Leicestershire and Rutland Sport for the delivery of Charnwood's Commissioning Plan for Sport and Physical Activity in partnership with key organisations across the Borough from 1st April 2019 to 31st March 2020. The partnership agreement will enable the Council to deliver its part of the Leicestershire and Rutland Sport (LRS) Sport and Physical Activity Strategy 2017-2021, which was approved by the Cabinet on 16th November 2017 (minute 57 2017/18 refers).
2. The Council received confirmation of the funding allocation for its Commissioning Plan for Sport and Physical Activity on 6th March 2019 and the contracts of current staff are due to expire on 31st March 2019. This allowed limited time to consider how the reduced funding should be used. Making use of the processes for the notification of key decisions and call-in would have meant that it would not have been possible to implement revised staffing arrangements by 1st April 2019. For this reason, the Head of Neighbourhood Services requested that the special urgency procedure for key decisions be utilised and that the decision be exempted from call-in.
3. The Council will receive a total of £143,023, of which £35,968 will be allocated to both North and South Charnwood's School Sport and Physical Activity Networks. The remaining £107,055 has been allocated to contribute to, and extend, the contracts of the four Community Sport and Physical Activity Development Officers on fixed term temporary contracts.
4. The Council will also receive an additional £21,420 from West Leicestershire CCG to deliver 7 courses of the Steady Steps (falls prevention) Programme during 2019/20 and £3,700 from the Leicestershire Nutrition and Dietetic Service (LNDS) to deliver 6 months of LEAP and FLiC programmes (exercise/weight management programmes for adults/families).
5. The Chair of the Scrutiny Management Board agreed on 13th March 2019 that the proposed decision was both urgent and reasonable and that the delay that would be caused by giving notice of the decision and the call-in process would not be in the interests of the Council or the public. Therefore the decision to be taken by the Chief Executive could be exempted from call-in and the special urgency provisions could be used.

Acquisition of Properties

19 James Street, Anstey

Decision under Delegated Powers

Officer Requesting Decision

Beverly Wagstaffe – Housing Strategy and Support Manager

Officer Making the Decision

Alison Simmons - Head of Strategic and Private Sector Housing

Recommendation

To approve the purchase of 19 James Street, Anstey and for the Council to formerly Exchange Contracts and Complete the purchase.

Reason

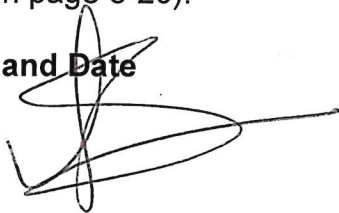
To utilise approved funding for the purchase of additional HRA rental properties.

Authority for Decision

Section 8.3, of the Constitution gives delegated authority to the Head of Strategic and Private Sector Housing to acquire additional properties for rent via the HRA where approved funding exists within the Capital Plan for the relevant financial year, and where any property acquired is subject to a Condition Survey, an Independent Valuation, Standard Legal checks, and meets identified housing needs (item 20 on page 8-20).

Decision and Date

Signed:



Date: 13th February 2019

Head of Strategic and Private Sector Housing

Background

On the 19th October 2017, the Leader gave delegated executive authority to the Head of Strategic and Private Sector Housing to acquire additional properties for rent via the HRA within available approved funding which has subsequently been formalised in an update of the Constitution approved by Council on the 25th June 2018

The following property has now been identified to purchase:

- 19 James Street, Anstey – 3 bed house

The seller of the property has accepted an offer of £160,000

A Condition Survey, Valuation and Legal checks have all now been satisfactorily completed.

There is an identified need for 3 bed houses in the Anstey area. In addition, the Council owns the properties either side of this property.

Comments from HR

Not applicable

Financial Implications

The cost of acquiring this property is £160,000 with associated fees estimated at £2,650 and stamp duty of £5,500 (total cost of £168,150).

In February 2018, Cabinet approved a budget of £1,953,000 for 2018-2019 and in August 2018 approved a budget of £2,797,000 for 2019-2020 to support delivery of the Housing Acquisition Policy in acquiring additional HRA properties for rent.

To date the Council has purchased 8 other properties for the sum £1,260,279 including associated fees with a further £816,430 committed with 4 other purchases including this property.

This means that the total spent to date and the funds committed equal £2,076,709. The 2018/19 capital budget will overspend by £123,709 which will have a compensating budget reduction in 2019/20 this is allowed for in the overall capital scheme budget

There is sufficient budget to cover the cost of acquiring 19 James Street, Anstey.

Risk Management

No risks identified

Key Decision:	Yes, but exempted from call-in. See agenda item 14, Full Council meeting dated the 6 th November 2017.
Background Papers:	Housing Acquisition Policy approved by Cabinet on the 10 th May 2018.

COUNCIL – 25TH MARCH 2019

Report of the Chief Executive

Part A

ITEM 13 CHANGES TO THE DELEGATION OF EXECUTIVE
FUNCTIONS

Purpose of Report

To inform Council of changes to the delegation of Executive functions.

Action Requested

In accordance with Full Council Procedure 9.11(d) questions may be asked of the Leader in relation to the changes to the delegation of Executive functions.

Policy Justification and Previous Decisions

At the Council Meeting on 6th November 2017, Council resolved that Councillor Jonathan Morgan be appointed Leader of the Council for the remainder of the Council term from 2015/16 to 2018/19 (Council minute 50.1 2017/18 refers).

As required by the Constitution, the Chief Executive reports to Council whenever the Leader makes a change to the composition of the Cabinet, or to the allocation of Executive functions to the Cabinet, individual Cabinet members or officers.

As part of the annual review of the Constitution officers were asked if there were any amendments required to the scheme of delegation to officers. Proposed amendments to the delegation of Council functions are set out in the report on the annual review of the Constitution, which appears elsewhere on this agenda. Proposed changes to the scheme of delegation of Executive functions were submitted to Councillor Morgan, as Leader of the Council. The changes, which are set out in the Annex to this report, were approved on 7th March 2019.

The changes relate to the delegations to the Head of Landlord Services and Head of Strategic and Private Sector Housing. The majority of the changes are to bring consistency with other sections of the scheme of delegation, update terminology, reflect changes in legislation and the current Enforcement Policy, or to delete reference to strategies that no longer exist such as the Older Persons Housing Strategy.

The proposed change to delegation number 21 to the Head of Strategic and Private Sector Housing is to reflect the intention to use properties for longer term lets rather than temporary accommodation.

The proposed additional delegation to the Head of Strategic and Private Sector Housing to enter into management agreements under the Social Letting Service and make decisions regarding the revocation, renewal, variation or transfer of Agreements, is necessary to reflect the new rent and repairs management services that the Social Letting Service is due to provide for private landlords.

Implementation Timetable including Future Decisions and Scrutiny

The Leader may amend the size and composition of the Cabinet and the scheme of delegation relating to Executive functions at any time during the year. The Chief Executive will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

Report Implications

Financial Implications

There are no financial implications associated with the changes to the delegation of Executive functions.

Risk Management

No specific risks have been identified in connection with this report.

Background Papers: None

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DECISION OF THE LEADER – *Flu* March 2019

Purpose of Decision

To review the allocation of Executive functions in accordance with section 9E of the Local Government Act 2000.

Decision

That the amendments to the delegation of Executive functions to officers as attached in the appendix and set out in red to this decision be made.

Reason

To ensure that the allocation of Executive Functions meets the requirements of the Council in terms of effective decision making.

Background

Section 9E of the Local Government Act 2000 (as amended) ('the 2000 Act') gives authority to the Leader of the Council to arrange for Executive functions to be discharged by:

- himself or herself;
- the Cabinet;
- another member of the Cabinet;
- a committee of the Cabinet;
- an area committee, or
- an officer of the Council.

Councillor Jonathan Morgan was appointed as Leader of the Council on 6th November 2017 for the remainder of the Council Term to 2018/19.

The Council's Constitution requires that any decision to change the allocation of Executive functions is reported for information to the next available meeting of the Council. In this particular case, it is anticipated that the matter will be reported to Council on 25th March 2019.

Proposals

Chapter 8.2 of the Constitution sets out the delegations of Council functions to officers.

Chapter 8.3 of the Constitution sets out the delegations of Executive Functions to officers. Under this chapter the Head of Landlord Services and Head of Strategic and Private Sector Housing have delegated powers.

The majority of changes proposed are either to bring consistency with other sections of the scheme of delegation, update terminology, reflect changes in legislation and the current Enforcement Policy, or to delete reference to strategies that no longer exist such as the Older Persons Housing Strategy.

The proposed change to delegation number 21 is considered necessary to reflect the intention to use properties for longer term lets rather than temporary accommodation.

The proposed additional delegation to enter into management agreements under the Social Letting Service and make decisions regarding the revocation, renewal, variation or transfer of Agreements, is necessary to reflect the new rent and repairs management services that the Social Letting Service is due to provide for private landlords.

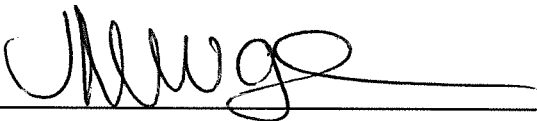
Financial Implications

None

Risk Management

No specific risks have been identified in connection with this decision.

Signed:



Councillor Jonathan Morgan, Leader of the Council

Date:

7/3/19

Officer to Contact:

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Democratic Services Manager
(01509) 634785
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Key Decision:

No

Background Papers:

None

Delegation to the Head of Landlord Services

1. To make amendments to the Tenancy Policy in response to future legislative changes, changes at local or regional level, or government guidance, in consultation with the relevant, Lead Member, and the Head of Strategic and Private Sector Housing
2. To issue a Community Protection Notice (CPN).
3. To serve a notice or carry out work to remedy a breach of a CPN.
4. To issue fixed penalty notices for failure to comply with a CPN.
5. To make, vary or discharge a Public Spaces Protection Order (PSPO) affecting only one or two wards.
6. To impose a requirement in breach of a prohibition under a PSPO.
7. To issue fixed penalty notices for the offence of failure to comply with a requirement in breach of a prohibition under a PSPO.
8. To issue, cancel or vary a closure notice covering a period of up to 24 hours, in consultation with the Head of Strategic Support.
9. To apply for a closure order, in consultation with the Head of Strategic Support.
10. To enforce a closure order, in consultation with the Head of Strategic Support.
11. To apply for reimbursement of costs in respect of costs incurred in clearing, securing or maintaining premises subject to a closure order, in consultation with the Head of Strategic Support.
12. To serve notice and commence possession proceedings for serious offences or breach of prohibitions or anti-social behaviour or causing nuisance and annoyance or for offences connected with a riot.

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Delegation to the Head of Strategic and Private Sector Housing

Strategic Housing Functions

1. 1. To determine and make decisions under Part 6 and Part 7 of the Housing Act 1996.
2. To determine and make decisions under the Homelessness Act 2002.
3. To determine and make decisions under the Homeless Reduction Act 2017
4. To determine homelessness applications.
 2. To determine all applications for allocations and manage the housing register in accordance with the Council's policies.
 3. To make nominations to Registered Providers or other approved providers.

Deleted: registered social landlords

4. To undertake emergency re-housing of homeless households in accordance with the Council's statutory duties.
5. To serve notices and take the necessary Court action to evict homeless households from emergency and temporary accommodation when a duty has ended.
6. To vary the proportion of allocations to statutorily homeless households, in consultation with relevant Lead Member, to reflect any changes in the supply of and demand for housing.
7. To apply approved local lettings policies in consultation with the relevant Lead Member and to approve the right of applicants to appeal about the policies or allocations which are made under the policies.
8. To enter into short term letting arrangements of property suitable for persons on the waiting list.
9. To make selective one-off payments to private landlords or mortgagees if it is considered that such payments can avoid higher bed and breakfast and other costs to the Council within budget limits and up to a maximum of £50,000 per annum.
10. To make minor amendments to the Homelessness Strategy and Action Plan in consultation with the relevant Lead Member.
11. To consider and determine appeals against the Council's refusal to include an applicant on the housing register
12. To consider and determine appeals against any Council decision relating to homelessness.
- 13.
14. To make minor changes to the Local Lettings Policy for first lettings on Registered Provider new housing developments and for market opportunity schemes, in consultation with the relevant Lead Member.
15. To make amendments to the Housing Asset Management Strategy in response to future legislative changes, changes at local or regional level, or in government guidance, in consultation with the relevant Lead Member.
16. To make amendments to the Allocations Policy in response to future legislative changes, changes at local or regional level, or government guidance, in consultation with the relevant Lead Member.
17. To make amendments to the Tenancy Policy in response to future legislative changes, changes at local or regional level, or government guidance, in consultation with the relevant, Lead Member, and Head of Landlord Services.
18. To make minor amendments which make no significant difference to service provision, in consultation with the relevant Lead Member.
19. To update the Housing Strategy action plan on an annual basis subject to there being no financial or human resource implications arising from the proposals, in consultation with the relevant Lead Member,
20. To acquire additional properties for rent via the HRA where approved funding exists within the Capital Plan for the relevant financial year, and where any property acquired is subject to a condition survey, an

Deleted: To make amendments to the Older Persons Housing Strategy and Action Plan in response to future legislative changes, changes at local or regional level, or government guidance, in consultation with the relevant Lead Member.

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independent valuation, standard legal checks, and meets identified housing needs.

Private Sector Housing

21. To enter into lease agreements of up to five years under the private sector leasing scheme and make decisions regarding the revocation, renewal, variation or transfer of agreements.
22. To determine mandatory and discretionary disabled facilities grant applications.
23. To reclaim disabled facilities grants and determine cases where the repayment should be waived in accordance with The Housing Grants, Construction and Regeneration Act 1996 and the Disabled Facilities Grant (Conditions Relating to Approval or Payment of Grant) General Consent 2008.
24. To determine Home Repair Grant applications for dealing with serious disrepair in properties.
25. To determine Home Safety Grant and ECO Top Up Grant applications.
26. To determine Partnership Grants subject to budget availability and qualifying criteria.
27. To increase maximum grant thresholds for Home Repair Assistance Grants and Partnership Grants, subject to budget availability, in consultation with the relevant Lead Member.
28. To enter into nomination rights agreements following the award of Partnership Grants.
29. To issue rent deposit guarantees in accordance with the approved scheme.
30. To take action in respect of the repair, closing or demolition of dwellings that are hazardous or otherwise in a state of disrepair, the designation and treatment of clearance and renewal areas, the abatement of overcrowding and the prevention of harassment or unlawful eviction of residential occupiers.
31. To undertake emergency action to private unoccupied premises under section 29 of the Local Government (Miscellaneous Provisions) Act 1982.
32. To take appropriate remedial action for the enforcement of housing standards by the service of notices and orders under Part 1 of the Housing Act 2004.
33. To manage, under Part 2 of the Housing Act 2004, the licensing of houses in multiple occupation.
34. To take action under Part 3 of the Housing Act 2004 in respect of the selective licensing of dwellings.
35. To take action under Part 4 of the Housing Act 2004 in respect of the management of empty dwellings.
36. To serve notices requiring abatement of overcrowding of dwellings.
37. To authorise officers to enter premises under section 239 of the Housing Act 2004 and require documents to be produced under section 235 of the Housing Act 2004.

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38. To exercise powers, including powers of entry, powers to investigate offences, to recover costs, to serve notices and to issue fixed penalty notices under the following legislation, as amended from time to time:
- A Local Government Miscellaneous Provisions Act 1976
 - B Local Government Miscellaneous Provisions Act 1982
 - C Housing Act 2004
 - C Regulation of Investigatory Powers Act 2000
 - D Criminal Justice and Public Order Act 1994
 - E Prevention of Damage by Pests Act 1949
 - F Public Health Acts 1936, 1961 and 1984
 - G Environmental Protection Act 1990
 - H Building Act 1984
 - I Caravan Sites Act 1968
 - J Caravan Sites and Control of Development Act 1960
 - K Mobile Homes Act 1983
 - L Mobile Homes Act 2013.
39. To update the Empty Homes Strategy Action Plan on an annual basis subject to there being no financial or human resource implications arising from the proposals, in consultation with the relevant Lead Member.
40. To update the Private Sector Housing Grants Policy on an annual basis subject to there being no financial or human resource implications arising from the proposals, in consultation with the relevant Lead Member.
41. To implement the requirements of the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 and take any necessary action required under the Enterprise and Regulatory Reform Act 2013.
42. To implement the requirements of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015
43. Any function under Part 2 of the Housing and Planning Act 2016 relating to rogue landlords
44. Any function under Part 2 of the Housing and Planning Act 2016 relating to Civil Penalties and Banning Orders
44. Any function under Part 5 of the Housing and Planning Act 2016 relating to rogue landlords
45. Any function under Part 7 of the Housing and Planning Act 2016 relating to compulsory purchase
46. To update the Private Sector Housing Enforcement Policy on an annual basis or more frequently as changes in legislation occur subject to there being no financial or human resource implications arising from the proposals, in consultation with the relevant Lead Member
47. To make amendments to Nomination Agreements in place between Charnwood Borough Council and Registered Providers, including releasing properties from such agreements.

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Other

48. To arrange burials in accordance with the Public Health (Control of Diseases) Act 1984.
49. To issue a Community Protection Notice (CPN).
50. To serve a notice or carry out work to remedy a breach of a CPN.⁵¹
To issue fixed penalty notices for failure to comply with a CPN.

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52. To issue, cancel or vary a closure notice covering a period of up to 24 hours, in consultation with the Head of Strategic Support.
53. To apply for a closure order, in consultation with the Head of Strategic Support.
54. To enforce a closure order, in consultation with the Head of Strategic Support.
55. To apply for reimbursement of costs in respect of costs incurred in clearing, securing or maintaining premises subject to a closure order, in consultation with the Head of Strategic Support.
56. To enter into management agreements under the Social Letting Service and make decisions regarding the revocation, renewal, variation or transfer of Agreements