

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

EXECUTIVE

16 APRIL 2014 AT 6.30 PM

PRESENT: Mr SL Bray - Chairman
Mr DC Bill MBE – Vice-Chairman
Mr WJ Crooks, Mr DM Gould, Mr MT Mullaney and Ms BM Witherford

Members in attendance: Councillors Mr PR Batty

Officers in attendance: Steve Atkinson, Rebecca Owen, Rob Parkinson and Shilpa Thakrar

510 APOLOGIES

Apologies were submitted on behalf of Councillors Cope and Lynch.

511 DECLARATIONS OF INTEREST

No interests were declared at this stage.

512 OMBUDSMAN REPORT - MALLORY PARK

The Chief Executive presented the report and updated councillors and members of the public present on recent progress towards an agreement. He reported on a meeting, convened by and held with a small group of residents, RML and Council officers, with Cllr Gould also present, the previous day during which a proposal was made which must now be considered, as would any further proposals which had been suggested, and as such it would be inappropriate to discuss the detail of a proposed Notice at this meeting. He reiterated that the topic under debate would be the Local Government Ombudsman's report only, and the recommendations relating to that.

During his presentation, the Chief Executive acknowledged that the above would mean that a Notice could not be served immediately but that the reasons for this were in the interest of all involved. It was therefore suggested that a further meeting of the Executive would need to be convened to make that decision at a later date. Should no further proposals come forward, it was stated that this meeting would take place no later than the end of May. In any event, a 'backstop' meeting date with RML and residents had been set for 6 May. It was also confirmed that the independent legal advice recommended in the Ombudsman's report had been sought and received, but was privileged information to the Council.

A member expressed concern about the final cost to the public purse taking into account compensation recommended by the Ombudsman, and in response it was stated that this figure could be around £50,000 in total. It was also explained that the costs of £23,000 (within that £50,000) due to the Authority from the previous operator would not be forthcoming due to that company going into liquidation.

A member who had attended the meeting with residents the previous day felt that it had been a positive and productive meeting and confirmed that officers and members wished to bring the matter to a conclusion as soon as possible.

It was moved by Councillor Gould, seconded by Councillor Crooks and unanimously

RESOLVED –

- (i) the report and recommendations of the Local Government Ombudsman be accepted;
- (ii) it be noted that the independent legal advice recommended by the Ombudsman had been commissioned and received;
- (iii) the Chief Executive be instructed to action the recommendations contained in paragraph 74 of the Ombudsman's report immediately, with the exception of the immediate service of a Statutory Notice, whilst further urgent discussions continued between residents, RML and the Council;
- (iv) a further extraordinary meeting of the Executive be convened to consider any final proposals and agree the content of a Statutory Notice no later than the end of May 2014;
- (v) the request for an additional payment to residents be noted and considered at that extraordinary meeting.

(The Meeting closed at 6.53 pm)

CHAIRMAN