

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

21 JULY 2015 AT 6.30 PM

PRESENT: MRS J RICHARDS - MAYOR  
MR RG ALLEN – DEPUTY MAYOR

Mr Bessant, Mr DC Bill MBE, Mr CW Boothby, Mr SL Bray,  
Mrs R Camamile, Mr MB Cartwright, Mrs MA Cook, Mr DS Cope,  
Mrs GAW Cope, Mr WJ Crooks, Mr MA Hall, Mrs L Hodgkins,  
Mr E Hollick, Mrs J Kirby, Mr C Ladkin, Mr KWP Lynch, Mr K Morrell,  
Mr K Nichols, Mr M Nickerson, Mr LJP O'Shea, Mr SL Rooney,  
Mrs H Smith, Mrs MJ Surtees, Mr BE Sutton, Miss DM Taylor,  
Mr P Wallace, Mr R Ward, Mr HG Williams, Ms BM Witherford and  
Ms AV Wright

Officers in attendance: Steve Atkinson, Bill Cullen, Malcolm Evans, Julie Kenny, Sanjiv Kohli, Rebecca Owen, Rob Parkinson and Katherine Plummer

66 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Lay and Roberts.

67 MINUTES OF THE PREVIOUS MEETINGS

It was moved by Councillor Nichols, seconded by Councillor Bill and

RESOLVED – the minutes of the meetings held on 17 March and 19 May 2015 be confirmed and signed by the Mayor.

68 DECLARATIONS OF INTEREST

The Chief Executive advised members that they did not need to declare an interest in the item on Members' Allowances.

The Chief Executive, Section 151 Officer and Monitoring Officer declared personal interests in agenda item 17 – Standing Order Regulations: Statutory posts.

69 MAYOR'S COMMUNICATIONS

The Mayor spoke about the engagements she had attended during a very busy first two months. She gave dates for a charity curry night on 17 August and a charity masked ball on 31 October. The Mayor also paid tribute to the Queen for, on 9 September, becoming the longest reigning British monarch.

70 QUESTIONS

The following questions were asked and responses provided under Council Procedure Rule 11.1:

Questions received under Council Procedure Rule number 11.1:

(a) Question from Councillor Witherford to the Executive Member for Finance

“Pre May 2015 the Conservative Group circulated their key pledges to local residents, one of which was to “protect the Council’s finances by reducing its debt

burden". Your implication was that the previous administration had left the Borough Council with an unsustainable multi-million pound debt. After two months in administration, are you still of this opinion? Should this still be your belief, in the interest of transparency can you detail the areas of your concern and advise when we can expect to see the "sound fiscal plan" that was promised as a matter of urgency which would, in your opinion, restore this authority to a sound financial position".

Response from Councillor Surtees

"Can I thank Cllr Witherford for her question, as it gives me the opportunity to clarify the position of the Conservative Administration, having now taken control of the Council. As we said in our election manifesto, we were concerned as to the sustainability of the Council's finances. There were two main areas of concern, firstly the high level of debt to which it had committed itself in recent years, and secondly the suggestion in a report to Council in March 2015 that the council's reserves could be depleted.

Whilst recognising that the level of HRA borrowing is capped by Government, and that the terms of the PSLB loans are very favourable, although with high costs for early exit, most people will be baffled as to why the previous administration opted not to pay anything back in the first seven years. The result is significantly larger repayments in years 8 to 30 and will lead to additional interest charges. There have been regular additions to borrowing for capital developments and more is still needed both to fund the current capital programme and to support the council's new Development Company in its start-up phase.

In March the council identified required savings and additional funding requirements to meet its medium term budget and agreed to spend reserves rather than making a tough decision over the funding of the green waste collection service.

We have engaged in detailed dialogue with senior officers within the council since we took control to protect our finances, reduce our debt and interest payments. We are reassured by the financial management exercised by officers.

This involves detailed analysis which we are undertaking with officers, which will address some very complex and challenging issues. The outcomes of this analysis – our "sound fiscal plan" – will be incorporated into a revised Medium Term Financial Strategy, which we will submit to Council in November of this year".

(b) Question from Councillor Bray to the Leader of the Council

"With the Conservative Group having spent the past few years opposing the Crescent development, voting against it in Council meetings and even writing to Sainsbury's to pour scorn on the scheme, can I take it, in light of members of the new administration lining up for photo opportunities, that the Conservative administration has had a change of heart?"

Response from Councillor Hall

"Ten years ago, a Conservative Administration produced the Hinckley Regeneration Masterplan. This was reported in the Hinckley Times in 2005 and again two weeks ago.

Along with development of the Atkins building and new council offices, there were plans for a cinema and supermarket on the bus station site, and a new leisure centre on Argents Mead. These were all part of a plan to improve prosperity and quality of life for people in Hinckley.

The current Conservative Administration sees the Crescent as a part of that plan, and very much as work in progress, which will benefit from our commitment to complete the regeneration. Cllr Bray should therefore not take this as a change of heart, and when he and his colleagues want to discuss the merits of regeneration schemes that we bring forward, I will not take that as his group now opposing the regeneration of Hinckley”.

#### 71 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the Leader of the Council referred to expenses he had claimed in the course of his recent duties as Leader, his appreciation for the work of officers in supporting the new Council and positive discussions held on planning matters and combined authorities.

#### 72 FINANCIAL OUTTURN 2014-15

Council received the draft financial outturn for 2014/15. During discussion it was noted that there were challenging times ahead due to cuts in Government and County Council funding. It was moved by Councillor Surtees, seconded by Councillor Camamile and

##### RESOLVED –

- (i) the draft General Fund Outturn for 2014/15 be endorsed;
- (ii) the transfer to earmarked reserves outlined in the report be approved;
- (iii) the revenue carry forwards of expenditure and income to 2015/16 be approved;
- (iv) the draft Housing Revenue and Housing Repairs Account outturn for 2014/15 and transfers to/from balances be approved;
- (v) the draft General Capital Programme outturn for the General Fund and Housing Revenue Account for 2014/15 be endorsed;
- (vi) the capital schemes and funding be approved for inclusion in the 2015/16 Capital Programme;
- (vii) the draft Capital Programme outturn for the General Fund and Housing Revenue Account for 2014/15 be endorsed;
- (viii) the capital carry forwards to 2015/16 be approved;
- (ix) the outturn for the Leicestershire Revenues and Benefits Partnership for 2014/15 be noted.

#### 73 FUNDING FOR UPGRADING THE HOUSING ASSET MANAGEMENT SOFTWARE

Council received a report on funding for upgrading the Housing Asset Management software. It was moved by Councillor Boothby, seconded by Councillor O'Shea and

RESOLVED –

- (i) Option 3 set out in the report be approved;
- (ii) a supplementary capital budget of £35,800 and an annual revenue budget of £5,000 be approved.

74 PLANNING APPEALS - SUPPLEMENTARY BUDGET

A report was presented which sought a supplementary budget to defend planning appeals. It was moved by Councillor Hall, seconded by Councillor Ward and

RESOLVED –

- (i) the provision of a supplementary budget of £100,000 to fund costs associated with defending planning appeals be approved for the current financial year;
- (ii) any underspend on this budget in year be carried forward to 2016/17 if required or returned to the appeals reserve to act as a future contingency.

75 MARKET BOSWORTH NEIGHBOURHOOD PLAN

Council gave consideration to the modifications to the Market Bosworth Neighbourhood Plan as recommended by the Independent Examiner. Members thanked officers for their hard work in bringing this forward. It was moved by Councillor Hall, seconded by Councillor Cook and

RESOLVED –

- (i) the recommendation of the Examiner be approved and officers be authorised to take the plan forward for referendum as set out in the Neighbourhood Planning (General) Regulations 2012;
- (ii) the making of the Neighbourhood Plan as part of the statutory development plan in accordance with the requirements of S38A (4) of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, subject to a majority vote in favour at the referendum, be approved.

76 COMBINED AUTHORITY OPTIONS

Authority was sought from Council for continuing discussions with regard to membership of combined authorities in Leicester and Leicestershire and in the West Midlands, and with regard to submission to become a member of the Coventry and Warwickshire Local Enterprise Partnership. It was moved by Councillor Hall, seconded by Councillor Sutton and

RESOLVED –

- (i) The indicative timescales relating to the formation of Combined Authorities for Leicester and Leicestershire and, in some form, for authorities in Coventry / Warwickshire and the wider West Midlands, be noted;
- (ii) The Chief Executive and Leader be authorised to continue discussions with the relevant bodies to explore these options further, on the basis of the Council ultimately being a member of two Combined Authorities;
- (iii) In furtherance of (ii) above, the Council seeks membership of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP), in addition to its existing membership of the Leicester and Leicestershire Local Enterprise Partnership (LLEP).

77 APPROPRIATION OF LAND AT THE FORMER HINCKLEY BUS STATION

Council gave consideration to a recommendation to appropriate land at the former Hinckley Bus Station under section 122 of the Local Government Act 1972 to hold the land for planning purpose to support the redevelopment of Hinckley Town Centre and to enable section 237 of the Town and Country Planning Act 1990 to be relied upon. It was moved by Councillor Wright, seconded by Councillor Hall and

RESOLVED – the appropriation of the land shown on the plan appended to the report in accordance with Section 122 of the Local Government Act 1972 from commercial to planning purposes be approved.

78 PAY POLICY STATEMENT

Members were presented with a report on the proposed HBBC Pay Policy Statement for 2015/16 which was required to be approved annually. It was moved by Councillor Wright, seconded by Councillor Morrell and

RESOLVED – the HBBC Pay Policy Statement for 2015/16 be approved.

79 STANDING ORDER REGULATIONS: STATUTORY POSTS

A report was presented to Council which suggested amendments to the Constitution in relation to statutory posts in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. It was moved by Councillor Wright, seconded by Councillor Smith and

RESOLVED –

- (i) Amendments to the Constitution as set out in the appendix to the report be approved;
- (ii) Delegated authority be given to the Ethical Governance and Personnel Committee to consider and approve more detailed disciplinary and dismissal procedures for the Head of Paid Service, Monitoring Officer and Chief Finance Officer, incorporating the requirements of the regulations and consultation.

80 MEMBERS' ALLOWANCES

Members were presented with the recommendations of the Independent Remuneration Panel in relation to members' allowances, which had been deferred at the December meeting of Council. It was moved by Councillor Wright, seconded by Councillor Surtees and by majority vote

**RESOLVED** – the recommendations of the Independent Panel be approved as follows:

- (i) The basic allowance be increased from £3,275 to £4,000 per annum;
- (ii) The allowances for the Mayor and Deputy remain unchanged;
- (iii) The Special Responsibility Allowances be increased as follows:

Role	previous allowance (£)	new allowance (£)
Leader of the Council	7,640	10,000
Member of the Executive	4,095	5,500
Opposition Leader(s)	2,455	3,500
Licensing & Regulatory Committees Chairman	2,455	3,500
Planning Committee Chairman	2,455	3,500
Scrutiny Commission Chairman	2,455	3,500
Finance, Audit & Performance Committee Chairman	1,644.95	3,500
Appeals Panel Chairman	1,644.95	2,500
Ethical Governance & Personnel Committee Chairman	1,644.95	2,500

- (iv) The travel allowances be aligned to HMRC rates of 45p per mile;
- (v) The Independent Remuneration Panel continue to meet on an annual basis (unless requested by Council to review the Scheme at any point within the ensuing 12 months) in accordance with recommendation of Internal Audit to give consideration to the Members' Allowance Scheme.

Councillors Bill, Bray, Cartwright, D Cope, G Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols, Taylor and Witherford wished it to be recorded that they voted against the recommendation.

## 81 APPOINTMENT TO CHARITIES

The terms of office being due for renewal, it was

**RESOLVED** –

- (i) Mrs Ann Wright be re-appointed to Hinckley JCC Foundation for a term of office expiring in June 2018;

- (ii) Councillors Ladkin and Roberts be appointed to Poors Platt Charity, Barwell.

82 URGENT ITEM: MOTION

The Mayor had accepted a motion which was deemed urgent due to the consultation period ending prior to the next meeting of Council.

It was moved by Councillor Bill and seconded by Councillor Bray that:

“This authority believes that public services should be administered as closely as possible to local people and it therefore resolves to inform the Ministry of Justice that it objects to the proposed closure of the Hinckley Magistrates Court and that a cross party working group is established to pursue the matter and its implications”.

In advance of the meeting, Councillor O’Shea, seconded by Councillor Boothby, submitted the following amendment:

“This authority believes that public services should be administered as closely as possible to local people and it therefore resolves to:

- Form a working party, with representation from all political parties, to prepare a response to the recently announced Ministry of Justice consultation on Magistrates Courts;
- That the above working party will identify possible impacts on those attending Magistrates Courts if the Hinckley Court is selected for closure.
- That the working party will produce suggestions for how this Council could support the Ministry of Justice if the local court building is chosen for closure”.

The amendment was accepted by the mover and seconder of the original motion and following a vote it was

RESOLVED –

- (i) A working party with representation from all political parties be formed to prepare a response to the Ministry of Justice consultation on Magistrates Courts;
- (ii) Possible impacts on those attending the Magistrates Courts if the Hinckley Court is selected for closure be identified;
- (iii) Suggestions be produced for how this Council could support the Ministry of Justice if the local court building is chosen for closure.

83 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Allen seconded by Councillor Ladkin, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

84 DRY RECYCLING CONTRACT

Council received a report on the dry recycling collection contract. It was moved by Councillor Nickerson, seconded by Councillor Bessant and

RESOLVED – the recommendations contained within the report be approved.

(The Meeting closed at 7.30 pm)

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MAYOR