

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

7 DECEMBER 2017 AT 6.30 PM

PRESENT: MR LJP O'SHEA - MAYOR  
MRS J KIRBY – DEPUTY MAYOR

Mr RG Allen, Mr PS Bessant, Mr DC Bill MBE, Mr CW Boothby,  
Mr SL Bray, Mrs R Camamile, Mr MB Cartwright, Mrs MA Cook,  
Mr WJ Crooks, Mr MA Hall, Mrs L Hodgkins, Mr E Hollick, Mr C Ladkin,  
Mr MR Lay, Mr K Morrell, Mr K Nichols, Mr M Nickerson,  
Mr RB Roberts, Mrs MJ Surtees, Mr BE Sutton, Miss DM Taylor,  
Mr P Wallace, Mr R Ward and Mr HG Williams

Officers in attendance: Bill Cullen, Nadeem Din, Paul Grundy, Julie Kenny, Rebecca Owen, Rob Parkinson, Aftab Razzaq, Kirstie Rea, Sharon Stacey and Jo Wykes

246 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Mrs Cope, Mr Cope, Lynch, MacDonald, Richards, Smith, Witherford and Wright.

247 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 5 September 2017 be approved and signed by the Mayor.

248 DECLARATIONS OF INTEREST

No interests were declared at this stage.

249 MAYOR'S COMMUNICATIONS

The Mayor presented a community award to Elaine Sharp of Ratby who had supported the community on various bodies and had undertaken voluntary work over many years.

250 LEADER OF THE COUNCIL'S POSITION STATEMENT

In presenting his position statement, the Leader referred to the items on the agenda, his commitment to officers of the council and his recent appointment to the board of the Leicester and Leicestershire Economic Partnership. He also congratulated Denise Larrad on her regional Unsung Hero award and wished her well in the national final on 17 December. Councillors Bray and Lay echoed these sentiments. Councillor Cartwright asked that the Mayor write to Denise to congratulate her and wish her luck for the finals.

251 MINUTES OF THE SCRUTINY COMMISSION

Councillor Lay presented the minutes of the Scrutiny Commission meeting on 9 October.

252 PETITION AGAINST DEVELOPMENT ON THE SITE OF THE BIG PIT

A petition in relation to the site known as the "Big Pit" off Ashby Road, Hinckley, was brought to Council in accordance with the petitions scheme. It was noted that the petition had been submitted to the Development Management team as an objection to planning

application 17/00765/FUL but, as it didn't relate to that application nor the merits thereof but to the principle of development, which had already been established via a previous appeal inspector's decision, it could not be accepted as part of that consultation and was passed to Democratic Services for consideration under the petitions scheme.

The petition organiser presented the petition to Council and discussion ensued in relation to the following points:

- The environmental asset which some members felt the site represented
- The history of the pit as mineral springs
- The flood risk in the area which would allegedly be worsened by the proposed development
- The alleged factual errors in the officer's report to Planning Committee which should be reviewed.

A member also asked for clarification on why the petition had not been considered to be valid for consideration as part of the consultation upon the planning application.

Councillor Bill, seconded by Councillor Bray, proposed that a working group be set up to look into the points raised to be able to inform the debate at the Planning Committee where the application, which members had been minded to refuse at the last meeting, would be brought back for decision. Upon being put to the vote, the motion was CARRIED as the motion for debate.

A member suggested that it would be absurd to hold a working group to look into a matter which was not relevant to the current planning application. It was also suggested that members on the working group should not then sit on Planning Committee due to the risk of appearing to have predetermined the application.

Councillor Lay requested that the working group be set up as a scrutiny group. Councillors Bill and Bray, as movers of the substantive motion, were happy with this suggestion and it was subsequently

RESOLVED – A scrutiny group be set up to explore concerns raised to assist the Planning Committee in its deliberations, acknowledging that members of the group should not sit on the Planning Committee when this matter is considered.

## 253 MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 17

Councillor Lay, seconded by Councillor Crooks, presented the following motion which was printed in the agenda:

"Hinckley & Bosworth Borough Council notes that:

- Most workers employed by local authorities including HBBC are paid using nationally agreed rates of pay referred to as NJC rates
- Basic pay for local government workers on NJC scales has fallen by 21% since 2010 in real terms due to the government's public sector pay policy
- Local government workers covered by NJC scales also had a three-year pay freeze from 2010-2012
- Local terms and conditions of many local government NJC employees have also been cut, impacting on their overall earnings
- NJC pay is the lowest in the public sector

- Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
- There are growing equal and fair pay risks resulting from this situation.

This council therefore supports the NJC pay claim for 2018, submitted by the local government employee unions; UNISON, GMB and Unite on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

This council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review. Without extra funding, measures to address pay restraint will not be possible.

This council therefore resolves to:

- Call immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review
- Meet with local NJC union representatives to convey support for the pay claim and the pay spine review.”

In presenting his motion, Councillor Lay praised staff and referred to pay increases being frozen or very low for at least seven years.

Councillor Hall agreed with the sentiment but felt that the wording should be amended to deal with the matter locally rather than making representations to the government. He explained that over the last two years, the minimum pay had increased by 6.5% and the current employers offer that had been issued earlier in the week was recommending a 2% increase for all staff and a greater increase for the lowest paid. He also felt that changes to taxation had benefitted lower paid staff. He proposed an amendment to the motion which was not accepted in accordance with council procedure rule 17.3.

An amendment was proposed by Councillor Bray and supported by both Councillors Lay and Crooks as mover and seconder of the original motion that the motion be delegated to Councillors Crooks, Hall and Lay to agree on a form of wording which included the original motion and incorporated relevant parts of Councillor Hall’s suggestion. It was agreed that this would be agreed as soon as possible.

RESOLVED – the motion be supported with the agreement of the exact wording delegated to Councillors Crooks, Hall and Lay.

## 254 HOMELESS REDUCTION ACT AND FLEXIBLE HOMELESSNESS GRANT

Council was advised of new duties arising from the Homelessness Reduction Act 2017 and potential implications for the council and of DCLG funding through a flexible homelessness grant and new burdens funding.

During discussion, a report was requested on rollout of universal credit and implications of this. In response, it was noted that this was scheduled for Finance & Performance Scrutiny in early 2018. Members also queried whether the resources requested would be adequate to support the new duties under the Homelessness Reduction Act.

Whilst not directly relating to the report, discussion ensued on affordable housing including ensuring viability, the need for developers to have a social landlord on board at the time of the application being submitted and exemption sites.

It was moved by Councillor Wallace, seconded by Councillor Allen and

RESOLVED –

- (i) The new statutory responsibilities of the Homelessness Reduction Act and the implications of these for the council be noted;
- (ii) Supplementary income and expenditure budgets of £118,078 for 2017/18 and £123,129 for 2018/19 (based on the funding awarded by central government for the flexible homelessness grant and new burdens money) be approved.

255 DIRECTIONS FOR GROWTH - ISSUES SCOPE AND OPTIONS LOCAL PLAN REVIEW, LOCAL DEVELOPMENT SCHEME AND STATEMENT OF COMMUNITY INVOLVEMENT

Members gave consideration to the directions for growth – local plan review, the local development scheme and the statement of community involvement. During discussion, the following points were made:

- The need to engage with parishes and parish councils. In response it was stated that discussions had already started with parish councils
- The importance of maintaining a five year land supply, particularly in avoiding speculative applications
- The problem of including minimum numbers of housing required as advised by government, but no maximum
- The number of housing developments given planning permission but not being built, and the number of empty homes
- The importance of developing the right type of houses
- The need to distribute the consultation as widely as possible.

Some members felt that garden villages were not appropriate, whilst others felt they were preferable to sustainable urban extensions (SUEs). A member expressed concern that there did not appear to be any progress relating to delivery of the SUEs and suggested that the Scrutiny Commission be asked to review progress on them. The chairman of the Scrutiny Commission agreed to take this on board.

It was moved by Councillor Surtees and seconded by Councillor Hall that the recommendations within the report be approved. Councillor Bray along with four other councillors requested that voting on this motion be recorded. The vote was taken as follows:

Councillors Allen, Bessant, Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, Roberts, Surtees, Sutton, Wallace, Ward and Williams voted FOR the motion (16);

Councillors Bill, Bray, Cartwright, Crooks, Hodgkins, Hollick, Nichols and Taylor voted AGAINST the motion (8).

Councillors Lay and O'Shea abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED –

- (i) The Directions for growth – local plan review, revised statement of community involvement and revised local development scheme documents be endorsed;
- (ii) The undertaking of a period of consultation on the Directions for growth – local plan review, revised statement of community involvement and revised local development scheme documents be approved;
- (iii) Authority be delegated to the Director (Environment & Planning) in liaison with the relevant Executive member to make minor drafting / presentational changes to the documents in order to assist with clarification and/or explanation prior to it being published for consultation;
- (iv) Authority be delegated to the Director (Environment & Planning) in liaison with the relevant Executive member to amend the local development scheme timetable as required.

256 STRATEGIC GROWTH PLAN

The strategic growth plan for Leicester and Leicestershire was presented to Council. It was noted that the document had been drafted in collaboration with all Leicestershire authorities and the Leicestershire Enterprise Partnership.

In response to a member's question, it was stated that members had been consulted on this via a number of meetings of the Planning Policy Member Working Group, to which all members had been invited and had received agendas. During discussion on the report, reference was made to:

- The 750 acre freight depot planned for the edge of Blaby District, bordering Burbage Common, to be considered as a national infrastructure scheme
- The lack of belief that the infrastructure would be in place to support the plan
- The lack of certainty over where the A46 expressway will be
- The risk of lack of consultation responses if the document is set at too high a level.

It was emphasised that the purpose of this report was to agree the document for consultation, not to agree the adoption of its content. It was moved by Councillor Surtees and seconded by Councillor Hall that the recommendations within the report be approved.

Councillor Bray and four other councillors requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Allen, Bessant, Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, Roberts, Surtees, Sutton, Wallace, Ward and Williams voted FOR the motion (16);

Councillors Bill, Bray, Cartwright, Crooks, Hodgkins, Hollick, Nichols and Taylor voted AGAINST the motion (8).

Councillors Lay and O'Shea abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED –

- (i) The process undertaken for preparation of the draft strategic growth plan for Leicester and Leicestershire be noted and endorsed;
- (ii) It be noted that the consultation draft plan had been endorsed by the Members' Advisory Group;
- (iii) The consultation process and timetable be approved;
- (iv) A further report be brought back to Council to consider the consultation responses and approve the final version of the plan.

257 HERITAGE STRATEGY

The heritage strategy 2018 – 2023 was presented to Council. Members thanked the author for his hard work.

At this stage, Councillor Bessant declared that he had recently moved into a property that was identified in the strategy and stated that he would not vote on the item due to having a personal interest.

It was moved by Councillor Surtees, seconded by Councillor Hall and

RESOLVED – the heritage strategy and accompanying background and action plan be adopted.

258 REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES

The recommendations of the Independent Remuneration Panel on members' allowances was presented to Council.

Councillor Hall proposed an alternative scheme as set out in the supplementary agenda which supported adoption of some of the panel's recommendations but amended others. The key changes were highlighted as:

- The scheme would cover 2018/19 and 2019/20 but not 2020/21
- The Leader's allowance would be increased above that recommended by the panel, but the Leader would not be entitled to a second SRA (the same would apply to the Deputy Leader in relation to a second SRA)
- The allowance for the chairman of the Appeals Panel and Ethical Governance & Personnel Committee would not be increased to reflect the lack of frequency of the meetings
- The allowance for the chairman of the Licensing and Licensing (Regulatory) Committee would be decreased to reflect the lack of frequency of the meetings
- The allowance for the chairman of the Planning Committee would be increased above that recommended by the panel to reflect the frequency of the meetings, the number of associated meetings and the amount of preparatory work required
- The entitlement to 1.5 SRAs for any member (with the exception of the Leader and Deputy Leader) instead of the one SRA recommended by the panel
- The reduction of 0.5 of an Executive member's SRA for a Leader / Deputy Leader not taking on a portfolio

- A recommendation to the Member Development Group to consider recommending to the panel the adoption of attendance allowances for some meetings that meet regularly such as licensing hearings and planning committee site visits and to consider incentives for paperless working
- The panel be requested to meeting in July 2018 to consider any recommendations of the member development group for implementation in 2019 and four-yearly thereafter with any changes to the scheme of allowances arising from the panel being considered for implementation for the new Council (to remove the discomfort felt by members in considering their own allowances)
- Annual increases in line with officer pay awards in between recommendations from the panel.

Some members felt that any review of allowances should be deferred until a settlement for staff pay had been agreed and that the percentage increase that was recommended was unfair compared to that offered to staff. However other members noted the difficulty in attracting councillors, the amount of time spent on council work which was barely financially recognised at present and the lack of increases between 2005 and 2015.

Councillor Sutton seconded the motion proposed.

Councillor Cartwright and four other councillors requested that voting on this motion be recorded. The vote was taken as follows:

Councillors Allen, Bessant, Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, Roberts, Surtees, Sutton, Wallace and Ward voted FOR the motion (15);

Councillors Bill, Bray, Cartwright, Crooks, Hodgkins, Hollick, Lay, Nichols, Taylor and Williams voted AGAINST the motion (10);

Councillor O'Shea abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED –

(i) the scheme of members' allowances be amended as follows:

(a) The following allowances be implemented for the ensuing two years:

Role	Current allowance (£)	Proposed allowance 2018/19 (£)	Proposed allowance 2019/20 (£)
Basic allowance	4,000	4,800	5,280
Mayor	8,000	8,000	8,000
Deputy Mayor	3,000	3,000	3,000
Leader of the Council	10,000	15,300	16,830
Deputy Leader	0	7,500	8,250
Member of the Executive	5,500	6,600	7,260

Opposition Leader(s)	3,500	4,200	4,620
Appeals Panel chairman	2,500	2,500	2,500
Audit Committee chairman	2,500	4,200	4,620
Ethical Governance & Personnel Committee chairman	2,500	2,500	2,500
Finance & Performance Committee chairman	2,500	3,000	3,300
Licensing & Regulatory Committees chairman	3,500	2,500	2,500
Planning Committee chairman	3,500	5,000	5,500
Scrutiny Commission chairman	3,500	4,200	4,620

- (b) Paragraph 5 of the scheme of members' allowances be amended to specify that the basic allowance also covers the use of members' own telephone (including mobile), IT, printer, paper and consumables;
- (c) Paragraph 6.3 of the scheme be amended to read "other than the Leader and Deputy Leader, one special responsibility allowance (SRA) will be paid to a member in full with any second SRA paid at 50% (with the highest being paid in full)";
- (d) It be specified within the scheme that the Leader and Deputy Leader's SRA includes holding an executive portfolio in addition to the responsibility of Leader / Deputy Leader. Where the Leader / Deputy Leader does not hold an executive portfolio, the allowance will be reduced by 50% of an Executive member's SRA;
- (e) It be specified in the scheme that, should the number of members of the Executive increase, the overall allowance for Executive members will remain the same (at six members) and be split equally;
- (f) An allowance of 5p per mile be provided for carrying a passenger;
- (g) Paragraph 8.2 of the scheme be amended to require prior agreement for taxi journeys wherever possible and that, where possible, taxis should be used only to link members with the nearest convenient public transport;



- (h) Paragraph 8.4 of the scheme be amended to refer to payment of mileage and expenses to the Mayor and Deputy Mayor whilst on civic duties as specified in the guidance for mayoral expenditure;
- (ii) The scheme shall have effect from 15 May 2018;
- (iii) The Member Development Group be asked to consider adopting a two-tier scheme of allowances linked to development and to consider introducing attendance allowances for attendance at those meetings that require a greater time commitment, for example members who engage in pre-planning meetings, planning committee site visits, licensing hearings and appeals panels;
- (iv) The Independent Remuneration Panel be requested to meet in July 2019 to consider any recommendations of the Member Development Group for implementation in 2019 and four yearly thereafter (unless requested by Council to meet at any point in the intervening period), with increases in line with officer pay awards in May of each intervening year.

#### 259 APPOINTMENTS TO COUNCIL BODIES

It was noted that the Chief Executive had exercised his delegated authority in appointing Councillor MacDonald to Audit Committee, Finance & Performance Scrutiny and the Scrutiny Commission.

#### 260 APPOINTMENT TO OUTSIDE BODY - COMMUNITY SAFETY PARTNERSHIP

It was moved by Councillor Hall, seconded by Councillor Allen and

RESOLVED – Councillor Wallace be appointed to the Community Safety Partnership for the remainder of the municipal year.

#### 261 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Lay seconded by Councillor Allen, 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.

#### 262 INVESTMENT

Council gave consideration to an investment opportunity. It was moved by Councillor Surtees, seconded by Councillor Bray and

RESOLVED – the recommendations contained within the report be approved.

#### 263 PARTNERSHIP SUPPORT

A report which proposed negotiations on a contract was presented to Council. The risks arising from not coming to an agreement were highlighted and legal advice in relation to the likelihood of successfully challenging the matter was outlined.

Councillor Hall, seconded by Councillor Bessant, proposed that negotiations be entered into.

Councillor Bray suggested that the matter be deferred for further legal advice in order to ensure the best position for the Council. Councillor Hall withdrew his previous proposal and moved that the matter be deferred. It was seconded by Councillor Bray and

RESOLVED – the matter be deferred.

(The Meeting closed at 9.26 pm)

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MAYOR