

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

EXECUTIVE

10 JULY 2013 AT 6.30 PM

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

Members in attendance: Councillors Mr PR Batty, Mr R Mayne, Mr JS Moore and Mr K Morrell

Officers in attendance: Steve Atkinson, Bill Cullen, Edwina Grant, Rebecca Owen, Rob Parkinson, Helen Rishworth and Sally Smith

63 APOLOGIES

Apologies were submitted on behalf of Councillor Lynch.

64 MINUTES

On the motion of Councillor Bray, seconded by Councillor Bill, it was

RESOLVED – the minutes of the meeting held on 5 June be approved and signed by the Chairman.

65 DECLARATIONS OF INTEREST

No interests were declared at this stage.

66 MALLORY PARK NOISE CONTROL

The Executive received a report which provided the background to the issue of noise control at Mallory Park and also outlined the current position in order to reach a resolution. In presenting the report, the Chief Executive referred to the unique position of the venue in the village compared to other tracks around the country, the wish of the residents for the circuit to be a 'good neighbour' without the track having to close, the value of Mallory Park as a tourist venue and the duties placed upon the council with regard to protecting members of the public and their right to a quality of life.

It was reported that the management of Mallory Park had made a suggestion – a "best offer" – which had been put to the residents of the village for consultation. There was a high 52% response rate, and the majority did not accept the proposals (yet most also confirmed that they did not wish the track to close). Officers felt that to continue negotiations could lengthen the process which would not be fair on residents, yet considered that the matter could still be resolved amicably to the satisfaction of all parties.

During discussion, the following points were raised:

- Members were supportive of Mallory Park and did not wish it to close;
- Representations had been received from a few residents who felt that to enforce the 1985 notice would be too harsh. In response officers explained that this was the only statutory notice in place, therefore the only one that could be enforced;

- The Local Government Ombudsman's report into the matter was unlikely to be favourable towards the Council due to the length of time taken for the Council to investigate and enforce;
- A Member suggested procuring independent arbitration, but officers felt that this could only be successful if all parties were committed to it, and Members indicated they would not have been happy to delay action being taken further to allow for arbitration which wasn't guaranteed to be successful;
- Local industry, innovation and engineering should be supported, but not at the cost of residents' quality of life.

In concluding the debate it was explained that the action proposed was for historic breaches, and progress was required to be able to move forward. It was felt that the thriving business should be supported, but at acceptable noise levels, which was a difficult balance but it was felt that it was possible to achieve it.

The Leader of the Council thanked attendees for taking the time to express their views in the consultation and for attending the meeting.

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

RESOLVED –

- (i) the proposal from MPML/BARC, circulated to residents of Kirkby Mallory on 15 May 2013 be not supported;
- (ii) the current court case be pursued vigorously by the Officers of the Council on the terms of the 1985 Notice;
- (iii) subsequent to the successful conclusion of that case, the 1985 Notice be subject to continuing enforcement, but under the interpretation now understood by the Council, with the Council seeking an immediate injunction should there be further breaches identified;
- (iv) this position remains unless and until noise attenuation measures are introduced by MPML/BARC, with the necessary planning permissions, to reduce the noise and activity levels experienced by residents to the levels set out in the 1985 Notice as understood since January 2013;
- (v) MPML/BARC be encouraged to consider the practical potential and community benefits of significantly reducing the extent of the 'hairpin' element of the track.

67 EMPLOYMENT LAND AND PREMISES REVIEW

The Executive gave consideration to the Employment Land and Premises Study to be used to inform the Site Allocations and Development Management Policies DPD. At this juncture Cllr Cope declared for the purpose of openness and transparency that his employer, Sparkenhoe, was named in the report.

During discussion, the following points were raised:

- A member was pleased to see the site of Nailstone Colliery included in the report;
- It was suggested that the hosiery factory site in Barlestone should be removed;
- A site in Newbold Verdon which was currently being considered for conversion to starter units should be designated an employment site.

In response to the points raised, Members were informed that the hosiery factory site was a designated housing site, and that officers would report back on the Newbold Verdon and Barlestone sites. Following questions regarding categorisation of sites, it was explained that 'A' was high quality industrial, 'B' was fit for purpose but could be mixed/split use, and C was a lower quality employment area, which could also have alternative uses if proposed. It was agreed to send Members a copy of the complex pro-forma to assist with their understanding of the process.

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

RESOLVED – the Study be approved.

68 RURAL AREAS REVIEW

Members received the rural areas review 2012/13 which detailed services in the Borough's rural areas. Reference was made to the following:

- The Food Producers Guide;
- The Parish & Community Initiative Fund which had been maintained at £100,000 per year and had been of particular benefit to play areas in the rural areas;
- Parish Councils having benefited from the New Homes Bonus.

On the motion of Councillor Crooks, seconded by Councillor Bray it was

RESOLVED –

- (i) the report be noted and variety of services and activities provided in the rural areas be endorsed;
- (ii) a summary of the Rural Areas Review be send to all Members and to Parish Councils.

69 VCS HUB

A report was presented which outlined key progress in the establishment of a locality based Hinckley & Bosworth Voluntary and Community Sector (VCS) Hub, Forum and Commissioning Board. The importance of volunteers was highlighted and on the motion of Councillor Bill, seconded by Councillor Crooks, it was

RESOLVED – the progress on the formation of the Voluntary and Community Sector Hub for the Borough be noted and welcomed.

70 ENVIRONMENTAL HEALTH COMMERCIAL SERVICES ENFORCEMENT SERVICE DELIVERY PLAN 2013/14

Members received the Environmental Health Commercial Services Enforcement Service Delivery Plan 2013-14. The achievements were highlighted, particularly in light of the time taken up during the year with testing for horsemeat. The team were thanked for their hard work. It was moved by Councillor Gould, seconded by Councillor Bray, and

RESOLVED – the report be endorsed.

(The Meeting closed at 7.25 pm)

CHAIRMAN