

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

7 AUGUST 2018 AT 6.30 PM

PRESENT: MRS J KIRBY - MAYOR  
MR P WALLACE – DEPUTY MAYOR

Mr RG Allen, Mr PS Bessant, Mr SL Bray, Mr MB Cartwright,  
Mrs MA Cook, Mr DS Cope, Mrs GAW Cope, Mr WJ Crooks,  
Mr MA Hall, Mrs L Hodgkins, Mr E Hollick, Mr C Ladkin, Mr MR Lay,  
Mr KWP Lynch, Mr DW MacDonald, Mr K Morrell, Mr K Nichols,  
Mr M Nickerson, Mrs J Richards, Mr RB Roberts, Mrs H Smith,  
Mr BE Sutton, Miss DM Taylor, Mr R Ward and Mr HG Williams

Officers in attendance: Bill Cullen, Julie Kenny, Rebecca Owen and Ashley Wilson

141 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Bill, Boothby, Camamile, O'Shea, Surtees, Witherford and Wright.

142 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 12 June 2018 be confirmed and signed by the Mayor.

143 DECLARATIONS OF INTEREST

No interests were declared at this stage.

144 MAYOR'S COMMUNICATIONS

The Mayor referred to the recent death of a well-liked former councillor, Geoffrey Chapman, the sad passing of Isla Tansey and the #islastones events. She congratulated officers on an excellent Snapdragon festival and for the range of events throughout the borough, and on achieving the green flags for Hollycroft Park and Argents' Mead.

The Mayor announced her forthcoming charity sleep-out towards the end of September and informed Council of a letter from Twycross Zoo asking the Council to consider plastic pollution and reducing use of products containing palm oil. In relation to the latter, a member suggested inviting the zoo to speak at the annual rural conference.

145 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the Leader referred to the events around the death of Isla Tansey, the work of the Environmental Health Service, the Snapdragon festival, and Leicestershire County Council's proposals in relation to the future of local government in the county and the East Midlands.

146 MINUTES OF THE SCRUTINY COMMISSION

The chairman of the Scrutiny Commission presented the minutes of the meetings on 24 May and 10 July, for information.

147 ANNUAL REVIEW OF CONSTITUTION

Consideration was given to the annual review of the constitution and recommended amendments, including changes to the financial procedure rules. In moving the report, the Executive member stated that he supported the comments of the Scrutiny Commission relating to consulting ward members on disposals, which was seconded by Councillor Hall.

In response to a member's concern about the change to disposal limits, it was noted that the financial procedure rules referred to only taking action in accordance with the Asset Management Strategy, which allayed that concern. Members were also reassured that decisions made by the Executive under the financial procedure rules would be subject to the same call-in procedures as any other Executive decision.

In relation to consultation on variations to section 106 agreements (part 2(f) paragraph 8.2 of the constitution), an amendment was moved by Councillor Crooks and seconded by Councillor Bray that consultation take place with the chairman of the Planning Committee and relevant ward councillor(s). This amendment was accepted by the mover and seconder of the original motion.

It was also requested that the reference in the Asset Strategy and Regeneration Group to consulting ward councillors be amended from "may also take place" to "will also take place". This was agreed.

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

RESOLVED – The updated constitution be agreed with the following amendments:

- (i) The Asset Strategy and Regeneration Group terms of reference be amended to include the wording "Further consultation will also take place with relevant ward members as appropriate";
- (ii) Paragraph 8.2 of part 2(f) of the constitution be amended to include consultation with the chairman of the Planning Committee and relevant ward councillor(s) in relation to variations of section 106 agreements.

148 MOTION FROM COUNCILLOR WITHERFORD, SECONDED BY COUNCILLOR HODGKINS

Councillor Witherford had provided notice of the following motion, but in her absence it was moved by Councillor Hodgkins and seconded by Councillor Mrs Cope that:

"Upskirting is an intrusive, vile crime against women and girls.

Members are asked to show support for an amendment to the Sexual Offences Act to make upskirting a specific offence that will allow police to prosecute those who commit this vile crime. A Private Member's Bill is being debated in Parliament and hopefully once the technicalities have been resolved, this will be incorporated into the Act.

Whilst I am aware that since the obstruction to this amendment on 15 June and the subsequent presentation on 6 July, this proposal will have moved on and could, hopefully, have received approval, however this is the first opportunity we have for this Council to show its support."

Councillor Hodgkins provided an update on action since the motion was submitted.

Councillor MacDonald proposed that the wording should be more inclusive and not refer only to women and girls. This amendment was agreed by the mover and seconder of the motion and it was subsequently

RESOLVED – the following motion be agreed:

“Upskirting is an intrusive, vile crime.

Council supports an amendment to the Sexual Offences Act to make upskirting a specific offence that will allow police to prosecute those who commit this vile crime.”

149 MOTION FROM COUNCILLOR HALL, SECONDED BY COUNCILLOR MORRELL

Councillor Hall, seconded by Councillor Morrell, proposed the following motion (as amended in the supplementary agenda):

“On 29 June Leicestershire County Council’s Leader issued a statement in which he asserted that:

‘The time has come to explore having a new council for Leicestershire’

On 6 July 2018 Leicestershire County Council Cabinet met to consider a report on local government reform in Leicestershire. The Cabinet endorsed LCC undertaking work to develop a Strategic Alliance for the East Midlands (involving County and City Councils), and to develop a unitary structure for local government in Leicestershire. I understand that similar proposals have also been made in Nottinghamshire and Derbyshire.

Following the announcement to the press on 29 June I issued the following statement:

‘The proposals for a single unitary Council for Leicestershire by Leicestershire County Councillors are a County Council view of how to improve local government. This proposal will however be of concern to HBBC employees as well as residents of Hinckley and Bosworth and I believe this is the wrong option for our area. HBBC employs local people, providing local services to their own communities, and they take pride in what they do. If we lose that local interest then we also lose that commitment to better services.

Councillors are also proud to work with their local communities and know that they can try to resolve residents’ issues with a small and dedicated team, who know their area and want to help. It will be a concern to some that this local provision of services could be lost.

As Leader at HBBC I have worked hard with all Councillors, officers and partner agencies to balance the needs of the community with the ability of the Council to deliver. We have done a fantastic job, improving services, investing in our communities, and reducing costs. We are planning thoughtfully for economic growth, for housing, and to support the most vulnerable in our communities.

Council Leaders across Leicestershire will have their own views on how best to improve local government, but for me a strong borough council should continue to be at the heart of delivering and improving the services we provide, and I will do my best to deliver that for local people.’

Leicestershire County Council Cabinet has produced a timetable for bringing forward their plans, including a time allocation for this authority, and others, to be consulted on

their proposals. It is clear from their plans that LCC have a view that this Council, along with others, should be scrapped, and that we should not be included in any strategic alliance.

There have been statements pointing out that residents of this borough would not benefit from such a unitary authority, due to our current low level of council tax. Also having a county based unitary would make Leicestershire one of the largest unitary councils in the country and arguably even more remote from our communities.

Part of the proposal by LCC would be for Leicestershire's towns, including Hinckley, to have their own town councils, with parish councils taking on more responsibilities. This is a matter for our residents to decide, not for those at County Hall.

If, as is claimed, the system of local government is broken, then we do need to consider ways of how this potentially can be fixed. I do not believe that the County Council proposals will deliver the best for our residents and any work to develop a new model needs to build on the excellent collaborative arrangements already in place with districts and involve all councils and a wider discussion across the East Midlands about the options available.

These options could include:-

- Forming a combined authority/strategic alliance including districts within the East Midlands
- Stronger partnerships and collaborative arrangements between existing councils
- Council mergers at district or county level
- A range of possible unitary structures
- Creating new town councils.

Council therefore resolves that:

- 1) This Council does not believe that it is in the best interests of borough residents to scrap HBBC in favour of a unitary council for Leicestershire;
- 2) This Council will undertake a survey to consult with Hinckley residents to see if they are in favour of the introduction of a town council. If so, we commit to a full governance review to enable its introduction;
- 3) This Council will work with all other Leicestershire authorities to evaluate a range of options on how best to deliver local government services in Leicestershire;
- 4) This Council will work with other East Midlands councils to consider the options for a combined authority / strategic alliance and to determine what powers this would seek."

During discussion on the motion, the following points were raised:

- The remoteness of the county council from residents
- The importance of local people providing local services
- The need for funding for social care to be addressed nationally
- The short term fix proposed by Leicestershire County Council being unrealistic against its significant financial and service challenges
- The difficulty that smaller parish councils would have if additional duties were passed onto them from the county council
- The unrealistic savings projection by the county council
- The need for a cross-party statement to represent a cross-party view
- The need to tell people the implications of having a town council if consulting on the proposal.

Councillor Bray along with five other members requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Allen, Bessant, Bray, Cartwright, Cook, DS Cope, GAW Cope, Crooks, Hall, Hodgkins, Hollick, Kirby, Ladkin, Lay, Lynch, MacDonald, Morrell, Nichols, Nickerson, Roberts, Smith, Sutton, Taylor, Wallace, Ward and Williams voted FOR the motion (26);

Councillor Richards abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED –

- (i) This Council does not believe that it is in the best interests of borough residents to scrap HBBC in favour of a unitary council for Leicestershire;
- (ii) This Council will undertake a survey to consult with Hinckley residents to see if they are in favour of the introduction of a town council. If so, we commit to a full governance review to enable its introduction;
- (iii) This Council will work with all other Leicestershire authorities to evaluate a range of options on how best to delivery local government services in Leicestershire;
- (iv) This Council will work with other East Midlands councils to consider the options for a combined authority / strategic alliance and to determine what powers this would seek;
- (v) A joint statement be prepared and agreed by group leaders on this matter.

(The Meeting closed at 7.42 pm)

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MAYOR