

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

2 OCTOBER 2018 AT 6.30 PM

PRESENT: MRS J KIRBY - MAYOR  
MR P WALLACE – 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 DS Cope, Mrs GAW Cope, Mr WJ Crooks, Mr MA Hall, Mr E Hollick,  
Mr C Ladkin, Mr MR Lay, Mr KWP Lynch, Mr DW MacDonald,  
Mr K Morrell, Mr K Nichols, Mr M Nickerson, Mr LJP O'Shea,  
Mr BE Sutton, Miss DM Taylor, Mr R Ward, Mr HG Williams,  
Ms BM Witherford and Ms AV Wright

Officers in attendance: Bill Cullen, Julie Kenny, Rebecca Owen, Rob Parkinson, Sharon Stacey and Ashley Wilson

195 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Hodgkins, Richards, Roberts, Smith and Surtees.

196 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 7 August 2018 be confirmed and signed by the Mayor.

197 DECLARATIONS OF INTEREST

Councillors Bill, Bray, Crooks, O'Shea and Wright declared non-pecuniary interests in agenda item 12 "Unitary proposals for Leicestershire and plan for East Midlands Strategic Alliance" as members of Leicestershire County Council.

198 MAYOR'S COMMUNICATIONS

The Mayor informed Council of recent engagements and forthcoming events.

199 QUESTIONS

- (a) Question from Councillor Cartwright to the Executive member for culture, sport & leisure, communications & partnerships

"WW1 Silhouette Memorial to Fallen Troops

The 6ft aluminium Tommy Silhouettes have been purchased by cities around the world. But for hundreds of British Councils it seems honouring those who made the ultimate sacrifice is not a priority.

Former head of the Army Lord Dannatt personally wrote to 433 local Council leaders asking them to support the charity campaign. At the time of me writing this question to Council only 160 councils had agreed to make a £750.00 donation to buy one of the silhouettes to display in their town or city for the centenary of the end of the war.

Did Lord Dannatt write to Hinckley & Bosworth Borough Council?

Has Hinckley & Bosworth Borough Council purchased any WW1 silhouettes?"

Response from Councillor Cook:

"Thank you for your question

This Council has, and always will, honour those who serve today, those who fought, the many who died in conflict, and those who survive as veterans of our armed forces, and merchant navy.

General the Lord Dannatt GCB CBE MC DL, writing as Patron of "There But Not There", The 2018 Armistice project for the Charity Remembered, sent an e-mail to the Leader of the Council in late June.

The e-mail set out the campaign objectives of 'There but not There', described simply as:

- To commemorate the Fallen, highlighting the sacrifices made by so many through Tommy installations across the country
- To educate all, particularly our younger generation, to help them understand why and how 888,246 British and Commonwealth service personnel lost their lives
- To help heal those suffering from the hidden wounds of post-traumatic stress disorder and other legacies of recent combat operations, by raising funds for our beneficiary charities

The e-mail also offered support and advice for those wanting to purchase Tommies for their own installations.

I am very pleased to inform you and fellow Councillors that we have recently purchased two 6ft aluminium Tommy Silhouettes for installation at Hinckley War Memorial. One has been funded by our Economic Regeneration Team and the other has been kindly funded by volunteers from Hinckley Past & Present.

These two silhouettes will be installed within the Hinckley War Memorial setting during the month of October, in readiness for Remembrance Sunday.

We have also written to all parish councils giving information about the silhouettes and the charities that a purchase will help to support, suggesting that parishes may be able to raise the funds to purchase a silhouette for installation in their town or village.

These silhouettes compliment a number of initiatives which aim to ensure our War Memorials are looking their best allowing us to mark the 100 year Anniversary of the end of WW1.

We hope that you and other Members support and welcome our positive approach."

(b) Question from Councillor Cartwright to the Leader of the Council:

"Would the leader of the Council please explain to me and all other members how he believes the Scrutiny function of Hinckley & Bosworth Borough Council works?"

Response from Councillor Hall:

“The formal bodies of the overview & scrutiny function operate in accordance with the council’s constitution as outlined in part 2e (responsibility for functions – overview & scrutiny) and part 3g (overview & scrutiny procedure rules).

The constitution gives a wide range of powers to the scrutiny function, not just to review performance and decisions but to be able to have a say in determining policy.

Amongst other things, overview and scrutiny is able to review proposals before they come to Council and to influence policy through its own recommendations. There are specific processes, such as budget setting, where Scrutiny can play an important part in shaping policy, where the responsibility is defined as follows:

*The Executive's initial proposal shall be referred to Scrutiny Commission or to Finance & Performance Scrutiny. At the end of the consultation period, the Executive will draw up firm proposals having regard to the consultation responses. If the Scrutiny Commission or Finance & Performance Scrutiny wishes to respond to the Executive in that consultation process then it may do so. As the Scrutiny Commission and Finance & Performance Scrutiny have responsibility for fixing their own work programme and those of any scrutiny panels, it is open to the Commission (directly or through a panel) to investigate, research or report in detail with policy recommendations before the end of the consultation period. The Executive will take any response from the Scrutiny Commission or Finance & Performance Committee Scrutiny or a panel into account in drawing up firm proposals for submission to Council, and its report to Council will reflect the comments made by consultees and the Executive’s response.*

Members make a range of decisions including, as we see in our agenda this evening, decisions to support a recommendation, suggestions of additional comments to be included in the final recommendation to Council, or neutral feedback simply noting the report. Personally I do not find a decision to simply note the report particularly helpful when the report under consideration has significant policy impacts, because it implies that scrutiny members have no views to express, when I know that is not always the case. I have noticed recently that it is being used less frequently and I hope that will continue.

I’m sure that there is far more work that Scrutiny could undertake within its remit, which may require more panels and meetings, which could be introduced if that is the wish of members of the scrutiny committee.”

By way of supplementary question, Councillor Cartwright asked where it stated that the Leader could influence the scrutiny process and referred to a particular matter, suggesting that the Leader or an officer had lied or the Leader had misrepresented an officer. In response to the first part of the supplementary question raised, the Leader confirmed that the constitution did not specifically say the Leader could influence the scrutiny process. In response to the second part of the supplementary question, the Leader did not provide a response as the matter raised did not constitute a supplementary question.

200 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the Leader referred to the success of the Snapdragon festival and achievement of the RSPCA Stray Dog Footprint gold standard and congratulated officers involved. He mentioned the recent opening of the extension to Barlestone Village Hall, the consideration of the MIRA application by the Planning Committee, and agenda items for the evening.

201 MINUTES OF THE SCRUTINY COMMISSION

The minutes of the Scrutiny Commission were received for information. It was noted that an error on the list of substitutes had been corrected.

202 THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018

Members were informed of a new licensing regime for animal activities and a proposed new charging scheme for such licences. In response to a comment about the zoo not being mentioned, it was noted that this was covered by separate legislation.

A member asked whether increased licence fees would in turn increase boarding fees and lead to owners leaving dogs home alone instead of boarding. Officers agreed to look into this and respond outside of the meeting. Another member asked about the appeals process if the operator did not agree with a risk rating and again it was agreed that this would be circulated following the meeting.

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

RESOLVED – the new regime and charging scheme be approved.

203 COUNCIL TAX CARE LEAVERS DISCOUNT

Consideration was given to the recommendation to introduce a care leaver's discount for council tax and to reduce to nil the amount of council tax payable by young people leaving care from 1 April 2019 as permitted by section 13A of the Local Government Finance Act 1992.

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

RESOLVED –

- (i) The Care Leavers Council Tax Relief policy be approved;
- (ii) A local council tax discount be awarded to this class of charge payers to reduce their council tax bill to nil.

204 UNITARY PROPOSALS FOR LEICESTERSHIRE AND PLANS FOR EAST MIDLANDS STRATEGIC ALLIANCE

Council was updated on the recent announcement by Leicestershire County Council (LCC) regarding its decision to develop proposals for a unitary structure of local government in Leicestershire, and for the creation of an East Midlands Strategic Alliance. In presenting the report, Councillor Hall updated members on the outcome of the survey that had been undertaken with residents, with 85% of respondents indicating they would support retaining the borough council. He also updated on responses to options for a town council for Hinckley. Councillor Hall, seconded by Councillor Morrell, moved the

recommendations in the officer's report along with two additional points which had been circulated to members before the meeting:

- "2.8 This Council should take all necessary steps to become a unitary borough council for the Hinckley & Bosworth area;
- 2.9 A timetable covering the steps required to move to unitary status, and the key issues to be resolved, be brought to the next Council meeting".

In moving the above, Councillor Hall made a further amendment to 2.8, which was supported by Councillor Morrell:

- "2.8 This Council should review all necessary steps to become a unitary borough council for the Hinckley & Bosworth area".

A member urged caution about moving to unitary status as the biggest costs currently experienced by unitary authorities, such as social care, would be imposed on HBBC. It was also suggested that it was better for the districts to continue collaboratively.

An amendment was moved by Councillor Lay and seconded by Councillor Camamile that 2.8 should read:

- "2.8 This Council should explore and appraise the potential for a unitary borough council for the Hinckley & Bosworth area".

Following further discussion, the amendment was accepted by the mover and seconder of the original motion, who also agreed that paragraph 2.9, which they had proposed early in the debate, be removed.

Upon being put to the vote, the motion was CARRIED and it was

RESOLVED –

- (i) The decision of LCC for a unitary structure of local government in Leicestershire and its timetable for formally consulting and considering its proposal be noted;
- (ii) The initial appraisal of a range of options that have been investigated with the support of specialist consultants be noted;
- (iii) A request to East Midlands Councils and LCC that consideration be given to the review of options for establishing a strategic body for the East Midlands that could be responsible for the strategic commissioning of social care, public health, transport and education, be endorsed;
- (iv) It be reaffirmed that this Council does not believe that it is in the best interests of the borough's residents to scrap Hinckley & Bosworth Borough Council in favour of a unitary council for Leicestershire;
- (v) The outcome of the borough-wide survey on residents' views on retaining the borough council and on options for a town council for Hinckley be noted;

- (vi) A timetable for reporting on the outcomes of LCC's stakeholder engagements exercise and its Cabinet's decision on its preferred option be agreed;
- (vii) A review be undertaken in conjunction with other Leicestershire districts over the potential for direct local delivery of a range of services currently provided by LCC;
- (viii) This Council explores and appraises the potential for a unitary borough council for the Hinckley & Bosworth area.

205 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, 5 and 10 of Part I of Schedule 12A of that Act.

206 FUTURE LEP GEOGRAPHY

Consideration was given to the recent government guidance on the future of local economic partnerships and implications of this. It was moved by Councillor Hall, seconded by Councillor Ladkin and

RESOLVED – the recommendations contained within the report be approved.

(The Meeting closed at 7.45 pm)

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MAYOR