

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

27 NOVEMBER 2018 AT 6.30 PM

PRESENT: MRS J KIRBY - MAYOR

Mr RG Allen, Mr PS Bessant, Mr DC Bill MBE, 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, Mr RB Roberts, Mrs H Smith,  
Mrs MJ Surtees, Mr BE Sutton, Mr R Ward, Mr HG Williams and  
Ms BM Witherford

Officers in attendance: Ilyas Bham, Bill Cullen, Malcolm Evans, Rob Foers, Simon D Jones, Julie Kenny, Rebecca Owen, Rob Parkinson, Jacqueline Puffett, Kirstie Rea, Nicola Smith and Sharon Stacey

286 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Boothby, Camamile, O'Shea, Richards, Wallace and Wright. It was noted that Councillor Taylor would be arriving late to the meeting.

287 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 2 October 2018 be confirmed and signed by the Mayor.

288 DECLARATIONS OF INTEREST

Councillors Bray, Crooks, Hall, Hollick and Lynch declared a non-pecuniary interest in agenda item 15 "Review of the Developing Communities Fund" as parish councillors.

289 MAYOR'S COMMUNICATIONS

The Mayor spoke about recent events including the Remembrance events which were very well attended, Alternativity, the Christmas lights switch-on in Hinckley, the local democracy event, her carol service and the sports awards where the authority had put forward another winner for the East Midlands Unsung Hero award.

290 QUESTIONS

Question from Councillor Cartwright to the Executive member for Planning:

"I am sure you are aware of the recent events at the Klondyke and have seen my aerial photographs showing dumping of soil. Officers have been advised by the person responsible for this that the waste is coming from Glenfield Hospital, this is very serious indeed. Officers have reported this to the Environmental Agency and the Envirocrime section along with the instruction for this transfer of waste without the relevant licences and monitoring in place.

Would the Planning and enforcement executive member please advise members as to the current situation at the next full Council. I appreciate more will have come to light between me pencilling the question and the council date.

Furthermore as part of the CPO process that is still live, test digs for contamination were promised not just on this part of the Klondyke but all other plots whereby tipping has occurred. A further request for a contamination report was proposed at full Council and unanimously agreed by members. Would the Executive member for Planning, not the leader of the borough council, please update on the progress of this report.”

Response from Councillor Allen:

“I thank Cllr Cartwright for his question. As he is aware I attended a meeting with him and fellow borough and county ward members along with representatives of Groby Parish Council last Monday where officers updated their actions on the current incident of materials being brought onto part of the Klondyke site. I can confirm that officers continue to liaise with the Environment Agency as the responsible enforcement agency, as to their determination as to any waste offences that may be occurring. Officers have and will continue to update all parties on the outcomes from the EAs investigations and the enforcement actions on the other sites as discussed. Members will be aware of the necessity for appropriate confidentiality in matters which could potentially result in formal legal actions by an enforcement agency. Further activity over the last weekend is currently being investigated by officers.

He will also be aware that the December 2013 report to council regarding the compulsory purchase of land at the Klondyke was not progressed as advised by the previous Chief Executive in 2015. Officers have not identified further commitments given at Council. Following more recent requests from the Groby Parish Council and a Steering Group meeting (which he chairs) in November 2017 and January 2018, officers agreed to seek to determine the contamination and remediation costs for the site as part of the consideration for new proposals for the site being requested by that group. Officers are awaiting details of those proposals prior to seeking estimates for these costs as part of a consideration for a new Compulsory Purchase Order by the Council as requested by the Group. I can confirm that officers continue the offer to work with the consultants appointed by Groby Parish Council to develop these proposals. I am pleased to hear however that it is anticipated that these proposals will be submitted to the Council shortly. I look forward to seeing them so that they can assist to bring a report to Council at the earliest opportunity.”

As a supplementary question, Councillor Cartwright asked whether the Executive member would support him in compiling a file of information for the Environment Agency, to which Councillor Allen agreed.

291 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the Leader of the Council referred to the work of the A5 Partnership, the Strategic Growth Plan and Midlands Connect, the removal of the HRA borrowing cap, the rural conference, the young people’s democracy event, the national perspective around county councils’ unitary proposals and Remembrance services around the borough.

292 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES RENEWAL

Consideration was given to the Gambling Policy (Statement of Principles) in light of the recent consultation exercise. It was moved by Councillor Morrell, seconded by Councillor Allen and

RESOLVED – the Gambling Policy (Statement of Principles) be adopted.

293 HOUSING STRATEGY 2018 - 2021

The Housing Strategy 2018-2023 was presented to Council. Discussion ensued on the ambitious strategy and the role that the council could take in enabling and facilitating new affordable homes and supporting those in need working with external bodies. It was moved by Councillor Hall, seconded by Councillor Ward and

RESOLVED – the Housing Strategy 2018-2023 be approved.

294 HRA INVESTMENT PLAN

Members gave consideration to the HRA investment plan which demonstrated how the council would secure 100% decent homes standard by 2021 and the proposal to purchase 11 two-bedroomed properties on the Middlefield development. A member queried a previous government proposal that authorities would have to sell high value voids, and in response members were assured that the green paper had removed this proposal.

Councillor Lay left the meeting at 7.37pm.

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

RESOLVED –

- (i) The HRA investment plan be approved;
- (ii) The purchase of 11 two-bedroomed properties on the Middlefield development for up to £1.2m be approved;
- (iii) Authority be delegated to the S151 officer, Executive member for Housing & Community Safety and Executive member for Corporate & Member Services to agree the final cost of purchase of the properties to a maximum variation of £200,000.

295 CULTURAL STRATEGY

The Cultural Strategy 2018-2023 was presented to Council. Officers were thanked for the wide range of cultural and leisure events provided for the community and the importance of continuation of the non-statutory service was emphasised. It was moved by Councillor Cook, seconded by Councillor Allen and

RESOLVED –

- (i) The Cultural Strategy 2018-2023 be adopted;
- (ii) The achievements made during the previous strategy be acknowledged.

296 NEW DIRECTIONS FOR GROWTH - FURTHER OPTIONS CONSULTATION LOCAL PLAN REVIEW

Council gave consideration to the New Directions for Growth – Further Options Consultation Local Plan Review. During discussion, reference was made to:

- The opportunities of exploring development interest from the west and north of the borough
- The monopoly held by a small number of large developers
- The costs of clearing brownfield sites in preparation for development
- The use of the term “train station” in the document – it was requested that this be amended to “railway station”
- The need to consult residents in particular areas before allocating the area for housing growth
- The possible difficulties of parish councils in responding to consultations due to timing of their meetings
- Concern about the development of agricultural land
- The opportunities provided by garden villages
- The need to put houses where infrastructure was already available.

Officers explained that the Strategic Housing and Employment Land Availability Assessment (SHELAA) had shown where sites had been put forward by interested land owners and developers and that a standard, high level assessment needed to be carried out on these sites but did not mean that the site was automatically allocated. It was emphasised that it was for the council to allocate the sites it wished to put forward but a robust case was required in order to defend appeals.

It was moved by Councillor Surtees and seconded by Councillor Allen that the recommendations within the report be accepted.

Councillor Bill along with six other councillors requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Allen, Bessant, Cook, Hall, Kirby, Ladkin, MacDonald, Morrell, Nickerson, Roberts, Smith, Surtees, Sutton, Ward and Williams voted FOR the motion (15);

Councillors Bill, Bray, Cartwright, D Cope; G Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols and Witherford voted AGAINST the motion (11).

The motion was therefore declared CARRIED and it was

#### RESOLVED –

- (i) The New Directions for Growth – local plan review consultation document be approved;
- (ii) The undertaking of a six-week period of consultation on the new directions for growth – local plan review document during January and February 2019 (exact dates to be determined) be agreed;
- (iii) Authority be delegated to the Head of 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.

## 297 LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN

Members gave consideration to the revised Leicester & Leicestershire Strategic Growth Plan (SGP). During discussion, members referred to:

- A recent Leicester Mercury article which proposed 5,000 new houses along the A5 corridor – it was clarified that the term “A5 improvement corridor” referred to

infrastructure improvements required along the A5 to accommodate existing growth. It was requested that the authority's representative on the Members' Advisory Group make representations against this

- The issue of warehousing growth and impact of industrial development
- The need for a safeguarded area to prevent building up to the A5 to allow for infrastructure improvements
- The need to endorse the strategy to enable HBBC to continue to progress its local plan in a timely manner
- The need for investment in rail services
- The proposed rail freight terminal not being part of this document.

The views of the Scrutiny Commission were reiterated in relation to the rumoured link from the M69 or M1 to the A46 and the potentially devastating impact the location could have and members were reminded of a previous motion to Council which made representations that "The A46 Expressway, if delivered, should only connect to the M69 by way of a dedicated route from the A46 southbound to the M69 and from the M69 northbound to the A46. It is not required to support growth in the Hinckley & Bosworth area and should not connect to any existing junctions of the M69". Members were reassured that, as these proposals did not form part of the SGP document, should they come forward there would be opportunity to input into them at that stage. Council was also reminded that the Scrutiny Commission had agreed to invite a representative of Midland Connect to its meeting in spring 2019.

The recommendations in the report were moved by Councillor Surtees and seconded by Councillor Allen.

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

Councillors Allen, Bessant, Cook, Hall, Kirby, Ladkin, MacDonald, Morrell, Nickerson, Roberts, Smith, Surtees, Sutton, Ward and Williams voted FOR the motion (15);

Councillors Bill, Bray, Cartwright, D Cope; G Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols and Witherford voted AGAINST the motion (11).

The motion was therefore declared CARRIED and it was

#### RESOLVED –

- (i) The Strategic Growth Plan (SGP) "*Leicester and Leicestershire 2050: our vision for growth*" be approved;
- (ii) Authority be delegated to the Chief Executive, following consultation with the Leader of Council and the Joint Strategic Planning Manager, to agree, prior to publication, any final minor amendments to the SGP which do not significantly change the overall content or purpose of the document;
- (iii) The concerns raised at the Scrutiny Commission regarding the potential connection of the A46 to the M69 due to the potentially devastating impact this could have on the locality be endorsed;
- (iv) It be noted that the SGP did not include the proposed strategic rail freight proposal at junction 2 of the M69.

298 REVIEW OF THE DEVELOPING COMMUNITIES FUND

Members reviewed the operation of the Developing Communities Fund including the eligibility of projects, the evaluation criteria and process, governance and the allocation of funding to be made available for the future. A member suggested that parish teams required more support but that they needed to have a clear idea of the scheme including costings and timescales prior to applying.

A member queried the progress of the equivalent fund for the Hinckley area and in response it was explained that £300k had been set aside but a mechanism for allocation was being drawn up.

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

RESOLVED – the continuing programme as detailed in the report be approved.

299 INTERIM POLLING PLACE AND DISTRICT REVIEW 2018

Consideration was given to the interim polling place & district review 2018. It was moved by Councillor Ladkin, seconded by Councillor Allen and

RESOLVED – the polling district and polling place review be approved.

300 CONSTITUTION UPDATE

Members considered a proposed amendment to the council's constitution to streamline the process for proceeding to the referendum stage and making of Neighbourhood Development Plans. It was moved by Councillor Ladkin, seconded by Councillor Allen and

RESOLVED – the constitution be amended as follows:

- (i) Part 2b, paragraph 1.5: removal of the second bullet point which reserves for Council “approval for proceeding to referendum stage and for making of Neighbourhood Development Plans”;
- (ii) Part 2f, paragraph 6.2 (Director of Environment & Planning) under the first section ‘Planning’: insert a new bullet point “approval for proceeding to referendum stage and for making of Neighbourhood Development Plans in consultation with the relevant Executive member and ward member(s)”.

301 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Crooks seconded by Councillor Hall, 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.

Councillor Bray wished it to be recorded that his group did not support the motion to move into private session as they felt it was in the public interest that this matter be disclosed.

302 BLOCK C REVIEW

Consideration was given to a report which recommended marketing Block C of the Crescent. Members were reminded that the council had purchased Block C to ensure the scheme remained viable and had intended to sell the site once the development was completed and that the units would benefit from being owned by a specialist commercial entity.

At this juncture, it having reached 9.30pm, it was moved by Councillor Hall, seconded by Councillor Allen and

RESOLVED – the meeting be permitted to continue after 9.30pm to conclusion of business to be transacted.

In returning to the discussion on Block C, members were reassured that Cineworld had signed a 25 year lease so would continue to operate on the site irrespective of who owned the site, and moreover the company had confirmed that they were trading well. Furthermore, it was felt that the running of retail centres was not the core business of the council and more specialist companies, who had experience of running retail and entertainment centres, would be sought through the sale. Reassurance was provided that the sale would not diminish the council's commitment to Hinckley town centre.

It was moved by Councillor Ladkin and seconded by Councillor Allen that option 3 be the preferred option.

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

Councillors Allen, Bessant, Cook, Hall, Kirby, Ladkin, MacDonald, Morrell, Nickerson, Roberts, Smith, Surtees, Sutton, Ward and Williams voted FOR the motion (15);

Councillors Bill, Bray, Cartwright, D Cope; G Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols and Witherford voted AGAINST the motion (11).

The motion was therefore declared CARRIED and it was

RESOLVED – Option 3 be approved for the marketing and sale of Block C and use of the receipt to fund new projects in the borough.

Members were reminded that the report, having been taken in private session, remained private due to the need to protect the authority's commercial interests as there was detailed financial information contained within the report. In response to concerns that the disclosure of the resolution was in the public interest and would not normally be clearly stated in the minutes when resolved in private session, the Leader agreed that a press release would be issued the same week to ensure the decision was publicly available.

(The Meeting closed at 9.40 pm)

---

MAYOR