

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

30 January 2024 AT 6.30 pm

PRESENT: CLLR SM GIBBENS - MAYOR
CLLR R WEBBER-JONES – DEPUTY MAYOR

Cllr CM Allen, Cllr RG Allen, Cllr MC Bools, Cllr SL Bray,
Cllr MB Cartwright, Cllr MA Cook, Cllr DS Cope, Cllr MJ Crooks,
Cllr WJ Crooks, Cllr REH Flemming, Cllr CE Green, Cllr C Harris,
Cllr L Hodgkins, Cllr E Hollick, Cllr C Lambert, Cllr KWP Lynch,
Cllr J Moore, Cllr LJ Mullaney, Cllr MT Mullaney,
Cllr A Pendlebury, Cllr M Simmons, Cllr H Smith, Cllr P Stead-
Davis, Cllr MJ Surtees, Cllr BE Sutton, Cllr BR Walker,
Cllr A Weightman and Cllr P Williams

Officers in attendance: Chris Brown, Bill Cullen, Simon D Jones, Julie Kenny, Rosemary Leach, Rebecca Owen, Lisa Rees, Caroline Roffey and Sharon Stacey

243. **Apologies**

Apologies for absence were submitted on behalf of Councillors Boothby, C Gibbens, Glenville and O'Shea.

244. **Minutes of the previous meeting**

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

RESOLVED – the minutes of the meeting held on 28 November be confirmed and signed by the Mayor.

245. **Declarations of interest**

No interests were declared.

246. **Mayor's Communications**

The Mayor presented long service awards to two members of staff who had worked for the council for over thirty years and a member of staff who had served the council for over forty years. He also updated members on recent events attended.

247. **Questions**

(a) From Councillor Boothby to the Executive member for Planning

Councillor Boothby had asked that the following question be put in his absence:

“Will the Executive member for Planning please confirm the number of planning applications at or beyond their decision date, the number of applications currently in hand awaiting validation, the current five year housing land supply figure for

this council and the average time over the last six months between receipt of an application to it being validated and visible on the planning portal?"

Response from Councillor Crooks:

"Thank you for your question, in response:

- Total number of applications pending consideration = 269
- Total number of applications pending consideration and over eight weeks since validation = 122 (note, this figure does not take account that a high number of these will have extensions of time agreed with the applicant)
- Total number of applications awaiting validation = 11
- Current five year housing land supply figure = 4.89 years as of 31 March 2022
- Average time for validation of applications in past 12 months = less than five working days (note, the question refers to receipt and validation, not all applications are valid on receipt, instead with requests for payment of the correct fee or required submission of relevant plans or documents needed before an application is valid)."

(b) From Councillor Boothby to the Executive member for Planning

Councillor Boothby had asked that the following question be put in his absence:

"What quality control and assurance processes are in place to ensure that documents are accurately uploaded to applications on the planning portal?"

Response from Councillor Crooks:

"Applications are validated by planning support staff and planning assistants who are trained on validation of planning applications. Recent training has been undertaken (December 2023) as a refresher on validation."

(c) From Councillor Boothby to the Executive member for Planning

Councillor Boothby had asked that the following question be put in his absence:

"In light of the recent report from Leicestershire County Council highlighting that HBBC is the only district in the county failing to meet its housing delivery targets, what steps are being considered and implemented to resolve this situation?"

Response from Councillor Crooks:

"We are not aware of any such report from the county council. However we assume that the question refers to the housing delivery test (HDT). The housing delivery test 2022 measurement was published on 19 December 2023 and is an annual measurement of housing delivery in the area of relevant plan-making authorities, looking back over the previous three financial years – 2019/20, 2020/21 and 2021/22. The council has a HDT figure of 89%, an increase from a previous figure of 86%, and is required to produce an action plan six months from the date of publication (June 2024). This has previously been undertaken in June 2022 following publication of the previous HDT results."

We are surprised that the county council would be commissioning such reports when their own record of delivery on the services they should be providing is so poor. With our roads crumbling, huge problems in SEND transport, bus services being slashed and total failure to deliver the fair funding they have campaigned for for over a decade, it might be advisable for them to put their own house in order.”

(d) From Councillor Sutton to the Executive member for Planning

“I was recently informed that the borough must allow a certain amount of self-build properties per annum for local people. Please confirm if this is correct and how many such properties have received planning permission and been completed in the last five years”.

Response from Councillor Crooks

“I can confirm that the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016 and the Levelling Up and Regeneration Act 2023) requires that we must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the Hinckley & Bosworth area in respect of each base period.

Under the Act, we are responsible for keeping a self-build and custom housebuilding register. The level of demand is established by reference to the number of entries added to our register during a base period (covering October to October each year). At the end of each base period, we have three years in which to permission and equivalent number of plots of land, which are for self-build and custom housebuilding as there are entries for that base period.

We have permitted nine dwellings for self-build or custom housebuilding up to 30 October 2022, however please note that we are yet to monitor the most recent base period of 31 October 2022 to 30 October 2023 which will be completed in the coming months in accordance with the Department for Levelling Up, Housing and Communities’ data return requests.”

By way of supplementary question, Councillor Sutton asked whether residents knew about the provision or whether it was used mostly by wealthy people from outside the borough. In response, Councillor Crooks shared the concern that residential development on previously undeveloped sites seemed to be undertaken by those from outside the borough.

(e) From Councillor Cook to the Executive member for Planning

“What is the current position of the updated local development plan and is the council aware of any issues that may delay its adoption?

Is there any information or actions which this council is awaiting from Leicestershire County Council to enable progress on the LDP? If so, please confirm what information or actions remain outstanding and when it was requested”.

Response from Councillor Crooks:

“The Local Development Scheme (LDS) has been updated and will be published online imminently. The LDS proposes the following next stages for the local plan:

- Completion of outstanding evidence December 2022 – February 2025
- Public consultation on draft plan (regulation 18) June – July 2024
- Public consultation on submission draft plan (regulation 19) January – February 2025
- Submission to Secretary of State (Regulation 22) by 30 June 2025
- Estimated date for examination September 2025 to November 2025
- Programmed date for adoption January / February 2026.

This council is engaged with Leicestershire County Council for a number of evidence documents, including the South Leicestershire Joint Transport Study. This work is ongoing and across two stages, with each stage to inform the regulation 18 and regulation 19 consultation documents as mentioned above.

The council has previously sought engagement with the county council on highways evidence to support the local plan as far back as 2018. This was hampered by the exorbitant cost proposals from the county council and the long length of time in order for them to undertake the work. This led to HBBC asking the Department for Levelling Up, Housing and Communities to assist intervening with the county council. I am pleased to report that joint evidence, as set out, is now underway.”

(f) From Councillor C Allen to the Leader of Council

“Will the Leader please confirm what discussions have taken place and plans agreed to manage the potential closure of the A5 over Easter, as part of the railway bridge works?

How will this be communicated to local residents and road users from further afield, given this work is scheduled for one of the busiest holiday periods?”

Response from Councillor Bray:

“Leicestershire County Council is the highways authority and National Highways manages trunk roads like the A5. I’ll be happy to refer Cllr Allen’s question to those authorities.

If/when we are made aware of closures for the work, we will share the information via our usual channels, including social media.

At present, if the A5 is closed at this location, traffic is re-routed via Nuneaton, not via Hinckley.”

248. Leader of the Council's Position Statement

In his position statement, the Leader referred to the current emergency in Ratby where residents had no gas supply and thanked officers, partners and the emergency services for their hard work to support residents. He also thanked officers for their work during and after the recent storms.

He also highlighted the forthcoming 50th anniversary celebrations of HBBC, spring and summer events, planning performance, funding from Sport England towards a solar project at Hinckley Leisure Centre, a community protection warning served on the developer of the Big Pit site due to ongoing issues of mud on the roads, the government finance settlement, transitional arrangements for the LLEP and health facilities in Hinckley.

249. Minutes of the Scrutiny Commission

The chair of the Scrutiny Commission presented the minutes of the meeting held on 14 December 2023.

250. Public Space Protection Order

Consideration was given to a report which proposed a new Public Space Protection Order (PSPO) which would cover the special expenses area of Hinckley and some parishes who had requested to be part of it. In response to a member's question, it was agreed that, in future, the Bridleways Association and British Carriage Driving Society would be consulted where the proposed PSPO included matters relating to horses. It was moved by Councillor Hodgkins, seconded by Councillor M Mullaney and

RESOLVED –

- (i) The Public Space Protection Order be approved, with the following three parts:
 - a. Part 1: Ban the use across the whole of the borough of consuming intoxicating substances or new psychoactive substances (legal highs) on public land. A person will commit an offence if they fail to surrender any alcohol when ordered to do so by an authorised officer on public land;
 - b. Part 2: Dog control issues on public land including a requirement to remove and correctly dispose of dog faeces, failing to put a dog on a lead when instructed to do so by an authorised officer, and the banning of dogs/requirement to have dogs on leads in specific locations detailed in the report;
 - c. Part 3: Green space issues relating to specific sites including the banning of fires and barbecues, restrict the use of remote controlled vehicles, aircraft and motorcycling, and failing to leave a park at closing time when requested to do so. Specific sites and restrictions are detailed in the report.

- (ii) Authority be delegated to the Head of Street Scene Services to implement the order in line with the consultation findings and the amendments set out in section 3 of the report.

251. **Proposed Amendments to Constitution**

Members received a report which sought approval to update the contract procedure rules and financial procedure rules to assist in delivery of the climate change strategy, and to include additional matters reserved for Council within the council's constitution. It was moved by Councillor Lynch, seconded by Councillor Bray and

RESOLVED –

- (i) Paragraphs 14 and 15 of the contract procedure rules (part 3i of the constitution) be updated as outlined in the report to support delivery of the climate change strategy;
- (ii) Paragraph 25.7 of the financial procedure rules (part 3h of the constitution) be updated as outlined in the report to correct a previous error;
- (iii) The Tourism Strategy and Climate Change & Biodiversity Strategy be added to the list of matters reserved for Council in paragraph 1.2 in part 2b of the constitution.

252. **Tourism Strategy 2024-28**

The Tourism Strategy was presented to Council. Members noted the economic value that tourism brought to the borough and expressed the need to encourage visitors to stay longer. The importance of engaging with the Canal & River Trust to encourage tourism was highlighted. It was moved by Councillor Bools, seconded by Councillor Bray and

RESOLVED – the Tourism Strategy 2024 to 2028 be adopted.

253. **Climate Change and Biodiversity Strategy**

Consideration was given to the updated Climate Change and Biodiversity Strategy 2024 to 2028. It was moved by Councillor Cartwright, seconded by Councillor Bray and

RESOLVED –

- (i) The achievements of the Climate Change Strategy 2022 – 2024 be acknowledged;
- (ii) The updated Climate Change and Biodiversity Strategy be approved.

254. Temporary accommodation challenges

Members were informed of the impact on the borough council as a result of the national crisis relating to homelessness and the requirement for a supplementary budget to meet the increased expenditure. In response to a member's question, it was confirmed that the additional financial pressure would fall on the council's general fund account. It was moved by Councillor M Mullaney, seconded by Councillor Bray and

RESOLVED –

- (i) The homelessness pressures being faced nationally and by this Council be noted;
- (ii) A supplementary expenditure budget of £600,000 to meet ongoing requirements in relation to the provision of temporary accommodation be approved;
- (iii) An increased income budget of £100,000 for additional housing benefit contributions be approved;
- (iv) Supplementary expenditure of £70,470 to cover rising demand for discretionary housing payments be approved;
- (v) The further work taking place to explore longer term temporary accommodation options be noted.

255. Leicester and Leicestershire Statement of Common Ground

The Leicester and Leicestershire Statement of Common Ground was presented. Whilst not happy about districts having to assist in meeting Leicester City's unmet need, it was acknowledged that there was no alternative and the agreement was required in order to progress the local plan. It was noted that all districts had now signed the agreement. It was moved by Councillor W Crooks, seconded by Councillor Bray and

RESOLVED –

- (i) The council becoming a signatory to the Leicester and Leicestershire Statement of Common Ground be approved;
- (ii) In becoming a signatory, it be noted that the following apply:
 - a. The council cannot progress its local plan within the current planning system without becoming a signatory;
 - b. The council is signing up to 102 dwellings per annum, not 187 dwellings per annum;
 - c. Leicester City's unmet need stands at approximately 18,700 dwellings from 2020 to 2036. This identified unmet need results from a total need of 39,421 dwellings to 2036. This identified unmet need results from a total need of 39,421 dwellings to 2036, a figure increased in 2020

through the government imposed uplift of 35% to the twenty largest cities, adding 9,712 dwellings or 607 to be delivered per annum to Leicester City's need.

256. Changes to council body membership

It was noted that the Chief Executive had authorised the following in-year changes to membership of council bodies in accordance with part 2(f) paragraph 3.2 of the constitution:

- Councillor C Allen to replace Councillor Harris on Audit Committee
- Councillor Harris to replace Councillor C Allen on Ethical Governance & Personnel Committee
- Councillor Simmons to replace Councillor Cook on Scrutiny Commission.

257. Motions received in accordance with Council Procedure Rule 17

Notice had been given of the following motion proposed by Councillor Cope and seconded by Councillor Cartwright:

“This council calls on the main service suppliers for water/sewage, electricity and gas, to assure this Council and the people we represent, that they as the suppliers to the borough and in fact beyond, have the resources and infrastructures in place to handle and effectively provide for not only the existing households and business premises, but also the ever increasing house builds being pressed upon us along with the huge warehouses and other business premises being put forward as a matter of urgency.

This should include statements and assurance in regard of the move towards electric vehicles, not only in private ownership, but the number of companies now operating electric delivery vehicles, and in the case of the water company the matter of discharges of raw sewage.”

During discussion it was suggested that the matter could be pursued by the Scrutiny Commission.

Councillor Cope and seven further councillors stood to request voting on the motion be recorded. The vote was taken as follows:

Councillors R Allen, Bools, Bray, Cartwright, Cook, Cope, M Crooks, W Crooks, Flemming, Gibbens, Green, Hodgkins, Hollick, Lambert, Lynch, Moore, L Mullaney, M Mullaney, Pendlebury, Simmons, Smith, Stead-Davis, Surtees, Sutton, Walker, Webber-Jones, Weightman and Williams voted FOR the motion (28);

Councillors C Allen and Harris abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the main service suppliers for water / sewage, electricity and gas be called upon to provide assurance that they have the resources and infrastructure in place to provide for existing households and business premises and future housing, warehousing and business developments.

(The Meeting closed at 8.24 pm)

MAYOR