

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

7th DECEMBER 2004 AT 6.30 P.M.

PRESENT: MR. B.H. EDWARDS - MAYOR
MR. J.C. BOWN - DEPUTY MAYOR

Mrs. M. Aldridge, Mr. M.O. Bevins, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. D.R. Bown, Mrs. R. Camamile, Mrs. C.M. Claridge, Mr. J.F. Collins, Mrs. M.A. Cook, Mr. W.J. Crooks, Mr. N.B.L. Davis, Mr. R.D. Ellis, Mrs. D. Finney, Mrs. S. Francks, Mr. R.J. Furniss, Mr. M.A. Hall, Mr. D.E. Hinton, Mr. K.A.J. Hunnybun, Mr. C.G. Joyce, Mr. M.R. Lay, Mr. K.W.P. Lynch, Ms. J.E. Price, Mrs. M.L. Sherwin, Mr. J.E. Stanley, Mr. D.W. Thorpe, Mr. K. Vessey, Mr. R. Ward and Mrs. R.W. Wright.

Officers in attendance: Mr. D. Bell, Mr. M. Brymer, Mr. P.F. Cash, Mr .B. Cullen, Mr. G.B. Gethin, Mr. S. Jones, Mr. S. Kohli, Mr. T.M. Prowse, Ms. B. Thomas and Mr. R.M. Tobin.

Also present was Mr. S. Atkinson, Chief Executive designate.

290 PRAYER

The Reverend Canon F.D. Jennings offered prayer.

291 APOLOGIES

Apologies for absence were submitted on behalf of Mrs. M.J. Crooks and Mrs. E.A. Spencer.

292 MINUTES (C43 & C44)

On the motion of Mr. Bevins, seconded by Mr. Collins, it was

RESOLVED - the minutes of the meetings held on 26th October and 10th November 2004 be confirmed and signed by the Mayor.

293 DECLARATIONS OF INTEREST

The following interests were declared at this stage in the items indicated:-

Mrs. R. Camamile - prejudicial interest in report number C48 as Vice Chairman of Care and Repair (West Leicestershire) Ltd.

Mrs. M.L. Sherwin - prejudicial interest in report number C53 as shareholder in Hinckley United Football Club.

Mr. J.E. Stanley - prejudicial interest in report number C53 as Vice President of Hinckley United Football Club and report number C54 through family ownership of property in development area.

294 A5 IMPROVEMENTS

Members were informed that the intended presentation by the Highways Agency was now likely to be given at a meeting of the Highways Forum to which all Councillors would be invited.

295 PETITION

On the motion of Mr. Thorpe, seconded by Mr. Bevins, a petition was referred to the Leisure Services Manager from the residents of Springfield Park calling for action to be taken against traffic and noise nuisance on the approach road to Wykin Park, Hinckley.

296 WASTE MINIMISATION AND RECYCLING - CARDBOARD AND PLASTICS BRING-SITES (C45)

Further to minute number 120, approval was sought to the provision of a network of cardboard and plastic bottle bring-sites across the Borough to enhance the current recycling services already provided.

Mrs. Cook entered the meeting at 6.45 p.m.

On the motion of Mr. Collins, seconded by Mr. Bevins, it was

RESOLVED -

- (i) the implementation of the enhanced bring-site scheme for cardboard and plastic bottles as outlined in Section 4 to the report of the Head of Environmental Services be supported;
- (ii) the supplementary budget of £50,000, approved by Council on 3rd August 2004, be utilised to fund the scheme for 2004/05;
- (iii) the increase in the annual revenue budget of £100,000, approved by Council on 3rd August 2004, be utilised to fund the scheme in future years; and
- (iv) the capital programme for 2004/05 be amended to include £50,000 for the purchase of recycling banks for the implementation of the scheme.

297 HINCKLEY AND BOSWORTH LOCAL STRATEGIC PARTNERSHIP

Proposals were submitted for the re-launch, and improvements to the operation, of the Local Strategic Partnership formerly known as Activ8 following discussions with the partners involved.

RESOLVED -

- (i) on the motion of Mrs. Claridge, seconded by Mr. Davis - the proposals set out in the report of the Corporate Planning Officer be approved for the re-launch, membership and new operational procedures for the Hinckley and Bosworth Local Strategic Partnership; and
- (ii) on the motion of Mr. Davis, seconded by Mr. Bevins - the Local Strategic Partnership be asked to consider the inclusion of an additional voluntary sector representative to be nominated by Age Concern.

298 SCHEDULE OF MEETINGS (C47)

To meet operational demands, it was moved by Mr. Bevins, seconded by Mrs. Claridge, and

RESOLVED - the meetings of Council due to take place on 18th January and 1st March be rescheduled for 1st February and 8th March 2005 respectively.

299 HOME IMPROVEMENT GRANTS FOR 2004/05 AND PRIVATE SECTOR RENEWAL POLICY FOR 2005/06 (C48)

Mrs. Camamile declared an interest in this item and withdrew from the meeting at 7.05 p.m.

Members were advised of the decisions of Cabinet to reduce the current year's budget and to adopt a new private sector housing renewal policy which, following call-in, had been referred to this meeting by the Scrutiny Commission.

Mr. Thorpe moved and Mrs. Wright seconded that

- (a) the current private sector renewal policy be continued until 1st April 2005 but spending on minor works grants be reduced by £100,000; and
- (b) the new private sector renewal policy for 2005/06 (attached to the report of the Head of Environmental Services and including a budget of £350,000 for home improvement grants) be adopted.

It was then moved by Mr. Lay and seconded by Mr. Bill that the decisions taken by Cabinet in relation to this be overturned.

Mr. Bevins left the meeting at 7.25 p.m., returning at 7.26 p.m.

Upon being put to a vote, recorded as follows, the amendment was declared LOST:-

For: Mr. Bill, Mr. D.R. Bown, Mr. J.C. Bown, Mr. Crooks, Mr. Ellis, Mrs. Finney, Mrs. Francks, Mr. Hunnybun, Mr. Joyce, Mr. Lay, Mr. Lynch, Mr. Stanley and Mr. Vessey (13)

Against: Mrs. Aldridge, Mr. Bevins, Mr. Boothby, Mrs. Claridge, Mr. Collins, Mrs. Cook, Mr. Davis, Mr. Furniss, Mr. Hall, Mr. Hinton, Ms. Price, Mrs. Sherwin, Mr. Thorpe, Mr. Ward and Mrs. Wright (15)

Abstention: Mr. Edwards (1)

Following a vote on the original motion, it was

RESOLVED -

- (i) the current private sector renewal policy be continued until 1st April 2005 but spending on minor works grants be reduced by £100,000; and
- (ii) the new private sector renewal policy for 2005/06 (attached to the report of the Head of Environmental Services and including a budget of £350,000 for home improvement grants) be adopted.

Mr. Furniss left the meeting at 7.38 p.m.

300 AMENDMENT OF FINANCIAL PROCEDURE RULES (C49)

Consideration was given to amendments to the financial procedure rules to accord with the contract procedure rules and to temporary arrangements for the placing of orders and payment of accounts. On the motion of Mr. Bevins, seconded by Mrs. Wright, it was

RESOLVED -

- (i) the decision to raise the level at which normal tendering of a contract is required to £40,001 (i.e. the level already set out in contract procedure rules) be reaffirmed;
- (ii) pages 154 and 172 of financial procedure rules be amended to read

LIMITS

- Up to £2,499
Obtain prices informally to demonstrate value for money
 - £2,500 - £9,999
Obtain two written quotations
 - £10,000 - £40,000
Obtain three written quotations based on a detailed specification
 - £40,001 and above
The normal tendering procedure set out in contract procedure rules applies
- (iii) the authorised limit for work, goods and services of the Head of Housing, the Head of Environmental Services, the Head of Property and the Acting Head of Planning and Leisure be increased from the current limit of up to £5,000 to that of over £5,000;
 - (iv) the authorised limit for the payment of accounts for the Head of Housing, the Head of Environmental Services, the Acting Head of Planning and Leisure and the Head of Property be increased from the current limit of £10,000 to that of over £10,000.

301 REVIEW OF FEES AND CHARGES 2005/06 (C50)

Following a review, a schedule of fees and charges was submitted including, where appropriate, decisions already taken by the Cabinet and recommendations of Special Expenses Area Committee.

Mr. Hunnybun left the meeting at 7.52 p.m. and returned at 7.56 p.m.

Mrs. Finney left the meeting at 7.54 p.m. and returned at 7.57 p.m.

On the motion of Mr. Bevins, seconded by Mrs. Wright, it was

RESOLVED - the fees and charges set out at Appendix A to the report of the Acting Head of Finance be approved subject to the 2005/06 charge for bulky item collection payable by clients in receipt of benefits being amended to £10.50.

302 LICENSING POLICY (C51)

Placed before Members were a Statement of Licensing Policy and a Special Policy on Cumulative Impact as recommended by the Licensing Committee. On the motion of Mr. Davis, seconded by Mr. Hall, it was

RESOLVED -

- (i) the Statement of Licensing Policy attached as Appendix A to the report of the Customer Services and Registration Manager be adopted with effect from 8th December 2004; and
- (ii) subject to there being no relevant adverse representations to the Final Special Saturation Policy, attached as appendix B to the report, the Policy be adopted with effect from 10th December 2004 and published as part of the Statement of Licensing policy.

303 LICENSING COMMITTEE - VICE CHAIRMAN (C52)

Following nominations submitted for a new office of Vice Chairman of the Licensing Committee and voted upon as indicated:-

Mr. N.B.L. Davis (proposed by Mr. Bevins, seconded by Mrs. Wright)
- 14 votes.

Mr. J.E. Stanley (proposed by Mr. Crooks, seconded by Mrs. Francks)
- 13 votes.

it was

RESOLVED - Mr. N.B.L. Davis be appointed Vice Chairman of the Licensing Committee.

304 ALL-WEATHER SPORTS FACILITY AT HINCKLEY UNITED FOOTBALL CLUB (C53)

Mrs. Sherwin and Mr. Stanley declared their interest in this item and withdrew from the meeting at 8.09 p.m.

A request was submitted from Hinckley United Football Club for financial support in connection with the proposed all-weather sports facility at the club's new Leicester Road site.

On the motion of Mrs. Claridge, seconded by Mr. Lay, it was

RESOLVED - a grant of £110,000 be made to Hinckley United Football Club for the provision of an all-weather sports facility at Leicester Road, Hinckley subject to the Club first entering into a legal agreement with the Council, the terms to be approved by Cabinet, relating to such matters as the financial requirements of the Council, community access, charging and future use of the facility (draft version of the Heads of Terms - Appendix 1 to the report of the Head of Property and Leisure Services).

Mr. Thorpe left the meeting at 8.20 p.m., at which time Mrs. Sherwin and Mr. Stanley returned.

305 MOTION IN ACCORDANCE WITH PROCEDURE RULE NO.12

On the motion of Mr. Crooks, seconded by Mr. Ellis, it was

RESOLVED - in view of there having been at least two instances of important items being tabled at Council recently, without the other political groups being afforded the opportunity among themselves of prior discussion and consideration, the officers be asked to review the access to information procedure rules and associated practices so as to protect all Members' rights and to seek to eliminate repeated occurrences.

306 MATTER FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr. Crooks, seconded by Mr. Ellis, it was

RESOLVED - in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remaining item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 12A of that Act.

307 BUS STATION REDEVELOPMENT (C54) (PARAGRAPH 12)

Mr. Stanley declared an interest in this item and left the meeting at 8.25 p.m.

Mr. N.G. Watkins, Solicitor, of Reed Smith was in attendance for this item.

Members were advised of the current position with this scheme and a way forward.

It was moved by Mr. Bevins and seconded by Mrs. Claridge that three months notice be given to Morrisons of the Council's intention to terminate the development agreement dated 8th August 2001 on the basis of a Planning Default.

Mr. Lynch then moved and Mrs. Francks seconded that consideration of this matter be deferred to a future meeting of the Council. This was put to a vote and declared LOST.

The original motion was then put to a vote, and it was

RESOLVED - three months notice be given to Morrisons of the Council's intention to terminate the development agreement dated 8th August 2001 on the basis of a Planning Default.

(The meeting closed at 8.49 p.m.)