

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

1st FEBRUARY 2005 AT 6.45 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. D.S. Cope, Mrs. M.J. Crooks, 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, Mr. J.E. Stanley, Mr. D.W. Thorpe, Mr. R. Ward and Mrs. R.W. Wright.

Officers in attendance: Mr. K.G. Bray, Mr. B. Cullen, Mr. G.B. Gethin, Mr. H.M. Massie, Mr. S. Kohli, Mr. T.M. Prowse, Ms. B. Thomas and Mr. R.M. Tobin.

Also present were Mr. S. Atkinson, Chief Executive designate, and Mr. P. Cooper, Consultant.

Prior to the start of the formal meeting, Canon F.D. Jennings, Mayor's Chaplain, led a ceremony in the annexe to the Council Chamber to commemorate the 60th Anniversary of the liberation of the Auschwitz concentration camp. This included a message from the Rabbi of the Leicester Jewish congregation, readings, and the lighting of candles accompanied by a flute solo. A tribute was also paid by Mrs. Aldridge.

375 APOLOGIES

Apologies for absence were submitted on behalf of Mr. P.T. Andrews, Mrs. M.L. Sherwin, Mrs. E.A. Spencer and Mr. K. Vessey.

376 MINUTES (C55)

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

RESOLVED - the minutes of the meeting held on 7th December 2004 be confirmed and signed by the Mayor.

377 DECLARATIONS OF INTEREST

No interests were declared at this stage.

378 COMMUNICATION

A presentation was made by Mr. Bevins, on behalf of the Council, to Mr. K. Nichols who had retired from his post as Environmental Health Manager (Commercial) after 36 years' employment by the Borough Council and former Urban District Council and appreciation of his service and best wishes were conveyed to him.

379 QUESTION

The following question and reply were received in accordance with Council Procedure Rule 11.2.

Question raised by Mrs. Francks and addressed to Mrs. Claridge

"It was reported in the local press that during the Christmas holidays rubbish had been deposited outside the gates at the Barwell refuse site. The Leader of the Council claimed at the time that it was waste from local public houses and restaurants, dumped by 'cowboys' for £100 per trip.

The waste that a good many other people and I witnessed there was ordinary household waste, something confirmed by both the site operator and County Council.

With hindsight would the Leader wish to change her views on this and could Council please clarify what action has been, and will be, taken to identify the offenders and to stop such actions occurring in the future?"

Reply given by Mrs. Claridge

"I do not wish to change my views on the refuse that I witnessed outside the gate of Barwell Household Waste and Recycling Site.

This Council takes the issue of fly tipping extremely seriously. Officers in the Environmental Services Department investigate all incidents of which they become aware to attempt to establish who is responsible and take the appropriate action, which could include prosecution and a fine of up to £20,000 or 2 years imprisonment or both if an individual is convicted.

In respect of the tipping at the Barwell site, this was dealt with by the operator and Leicestershire County Council, who did not request any assistance."

380 GENERAL FUND REVENUE BUDGET 2005/06 (REVISED C56)

Consideration was given to the proposed budget for 2005/06 developed in accordance with the agreed strategy and prepared taking into account the capital and housing revenue account budgets. Mr. Bevins made special reference to paragraph 3.86 and 3.87 of the report and drew Members' attention to the issues surrounding the renewal of the existing I.T. contract. He stated that due to a number of reasons, officers are currently negotiating an extension with the existing contractor and therefore substantial costs of tendering will fall into the 2006/07 financial year.

Mr. Thorpe entered the meeting at 7.13 p.m.

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

RESOLVED -

- (i) the General Fund service expenditure shown in Table 1 of revised report C56 of the Acting Head of Finance, including the growth items listed at Appendix A thereto, be approved;
- (ii) the Special Expenses area expenditure shown in Table 2 of that report be approved;
- (iii) the proposed Borough-wide average Band D council tax outlined in paragraph 3.16.2 of that report be approved; and

- (iv) the policy to utilise the Collection Fund surplus to set up a reserve to assist in meeting future pension fund contributions outlined in paragraph 3.12.2 be approved.

381 HOUSING REVENUE ACCOUNT ESTIMATES 2005/06 (C57)

Details were submitted of the revised budget for 2004/05 and the proposed budget for 2005/06 including the recommended level of rent increases.

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

RESOLVED -

- (i) dwelling rent increases for 2005/06 be set in accordance with the process prescribed by the government for rent restructuring, which assumes a basic increase of 4.03% before adjustments specific to individual dwellings, and the budgets presented in appendices A, B and C to the report of the Acting Head of Finance be approved; and
- (ii) an increase of 4.0% be applied to all private sector charges for 'piper rental' and 'central control connection'.

382 CAPITAL PROGRAMME 2004/08 (C58)

Placed before the Council was the proposed capital programme through to 2007/08.

The following Members were absent from the meeting for the periods indicated:-

Mr. Furniss 7.51 to 7.56 p.m.
Mrs. Finney 7.51 to 7.57 p.m.
Mr. Stanley 7.56 to 7.58 p.m.

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

RESOLVED - the proposed capital programme be approved.

383 FREEDOM OF INFORMATION POLICY (C59)

Further to minute number 322, a document was presented outlining the Authority's commitment and approach to the Freedom of Information Act 2000 and which Cabinet had recommended be adopted. On the motion of Mr Bevins, seconded by Mr. Ellis, it was

RESOLVED - the Freedom of Information Policy attached to the report of the Director of Resources be adopted with effect from 16th December 2004.

384 COUNCIL CONSTITUTION (C60)

A number of revised documents and other variations to the Constitution were submitted following their consideration by the Constitution Working Party. It was moved by Mrs. Claridge and seconded by Mr. Collins that

- (a) the format of the Constitution be amended to allow all officer delegation to be identified in part 3; and

- (b) the revisions and amendments set out in the report of the Director of Resources be approved.

Mr. D.R. Bown moved, and Mr. D.C. Bill seconded, that the following amendments be made to Appendix 3:-

Paragraph 4. Formal Meetings

Insertion of additional sub paragraph (6) to read

'The Chairman of a meeting has a role to play in maintaining the high standards laid down in the Constitution and associated Codes of Conduct and Protocols'.

Paragraph 5. Resolving Conflict

The substitution of the word 'might' for the word 'should' in sub-paragraph (2).

Upon being put to a vote, the amendment was declared CARRIED.

Voting then took place on the substantive motion and it was

RESOLVED -

- (i) the format of the Constitution be amended to allow all officer delegation to be identified in Part 3; and
- (ii) the following attached to, or referred to in, the report of the Director of Resources be approved:-

a revised Members' Code of Conduct (Appendix 1)
a revised protocol on Member/Officer Relations (Appendix 2)
a revised Protocol for Members' Conduct (Appendix 3 as amended above)
a new Gifts and Hospitality Protocol (Appendix 4)
revised Financial Procedure Rules (Appendix 6)
revised Budget and Policy Framework Rules (Appendix 7)
amendments to the Contract Procedure Rules as set out in the report of the Director of Resources
minor amendments recommended in that report.

385 CALENDAR OF MEETINGS (C61)

Consideration was given to the dates of meetings for the period May 2005 to May 2006. It was moved by Mrs. Claridge and seconded by Mr. Furniss that the schedule submitted be approved. Mr. Hinton then moved, and Mr. Ellis seconded, that the meeting of the Planning and Regulatory Committee scheduled for 3rd January be held instead on 10th January 2006. This amendment was put to a vote and declared CARRIED. Voting then took place on the substantive motion and it was

RESOLVED - the schedule attached to the report of the Director of Resources, as amended above, be adopted.

(The meeting closed at 8.25 p.m.)