

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

12th DECEMBER 2006 AT 6.30 P.M.

PRESENT: MRS. M.L. SHERWIN - MAYOR
MR. K.W.P. LYNCH - DEPUTY MAYOR

Mrs. M. Aldridge, Mr. M.O. Bevins, Mr. C.W. Boothby, Mr. D.R. Bown, Mr. J.C. Bown, Mrs. R. Camamile, Mrs. C.M. Claridge, Mr. J.F. Collins, Mrs. M.A. Cook, Mrs. M.J. Crooks, Mr. W.J. Crooks, Mr. N.B.L. Davis, Mr. B.H. Edwards, 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. M.R. Lay, Mr. J.E. Stanley, Mr. D.W. Thorpe, Mr. R. Ward and Mrs. R.W. Wright.

Also in attendance: Mr. R. Birch, Chairman of the Standards Committee.

Officers in attendance: Mr. S. Atkinson, Mr. Mark Brymer, Mr. P.F. Cash, Mr. B. Cullen, Mr. S. Kohli, Miss L. Horton, Mrs. P.I. Pitt, Mr. T.M. Prowse and Mrs. J. Puffett.

374 PRAYER

The Reverend Dr. Robert Stephen of St. Catherine's Church, Burbage offered prayer.

375 WELCOME

The Mayor extended a warm welcome to a party of pupils and a teacher from Redmoor High School and to Mr. Birch.

376 APOLOGIES

Apologies for absence were submitted on behalf of Mr. P.R. Batty, Mr. D.C. Bill, Mr. C.G. Joyce, Ms. J.E. Price, Mrs. E.A. Spencer and Mr. K. Vessey.

377 MINUTES (C31)

It was moved by Mr. Bevins, seconded by Mr. Boothby, and

RESOLVED – the minutes of the meeting held on 31st October 2006 be confirmed and signed by the Chairman.

378 DECLARATIONS OF INTEREST

Mr. N.B.L. Davis declared personal, non-prejudicial interests as follows:-

Report no. C33 as a business mentor in activities supported by the LeicesterShire Economic Partnership.

Report no. C34 as Chairman of the Licensing/Regulatory Committees.

Report no. C37 as the Conservative party representative on the Standards Committee.

379 MAYOR'S COMMUNICATIONS

The Mayor reminded Members that the Civic Carol Service was to be held at 6 p.m. on 14th December 2006 at St. Catherine's Church, Burbage.

Reference was also made to the Carols round the tree event in Burbage on 22nd December 2006.

The Mayor then invited Mrs. Wright to speak briefly in connection with the award by the Regional Association of Town Centre Managers to this Council in recognition of enhancing retail trade with its display of Christmas lights.

380 QUESTIONS

The following questions and replies were received in accordance with Council Procedure Rule 11.1

(a) Question raised by Mrs. S. Francks and addressed to Mr. M. O. Bevins

"Do the administration believe that the money spent on using external consultants is value for money when some areas of supposedly missing expertise previously existed with officers made redundant/retired by this administration?"

Reply given by Mr. M.O. Bevins

"Can I thank Cllr Mrs. Francks for her question and refer her to the consideration given to the issue of the employment of Consultants by the Finance and Audit Services Select Committee on 23rd October 2006. As Cllr Mrs. Francks may be aware, the Select Committee accepted the conclusions given in that report, which I repeat for clarity:

That consultants have been and are used in the following circumstances

- a) To carry out a one-off piece of work where there is either a lack of skills or expertise within the in-house resources or insufficient capacity to carry out the work in the timescales required
- b) To provide a service that is specialist in nature and is not in sufficient demand to justify the employment of an in house specialist

Can I advise Cllr Mrs. Francks that, of the £291,000 works covered in the report to the Select Committee, well over half (£199,000) was covered by three projects for which in house expertise did not exist, even before the staffing changes, and one ongoing requirement, which is particularly specialist:

- £114,000 - ICT Contract Consultancy for the renewal of the ICT contract, the outcome of which saved considerably on the earlier estimates for the costs of renewal. This process of evaluation involved all three political groups
- £22,000 – Town Centre Masterplan, as it was not feasible or practical to employ such expertise directly within the Council
- £48,000 – Sustainability Assessment/Landscape assessment, the work involved being of too specialist a nature to support direct employment by the Council
- £15,000 – Advising on complex Planning Applications

The remaining items were essentially incurred under (b) above, where the work was not of a sufficient quantity.

In the light of this information I concur with the conclusions of the Select Committee.”

(b) Question raised by Mrs. S. Francks and addressed to Mrs. R.W. Wright

“Can Council confirm that section 106 developer contributions collected from developments in Barwell and planned for spend during 2007-2010 will be transferred to the proposed Barwell Parish Council, should it be elected next year.”

Response from Mrs. R. W. Wright

“Developer contributions secured through the planning process are held by this Council, the agreements themselves usually specify when the monies are due from the developer. The release of the monies to the Council from the developer is normally dictated within the 106 agreement usually triggered by different stages of construction or commencement / completion of works.

The Green Space Strategy identifies where the contributions are to be spent and account for the vast majority of section 106 contributions. When a scheme to be funded or part funded by contributions is about to start this normally triggers the release of funds often to Parish Councils if they are responsible for the scheme.

The responsibility for ensuring that developer contributions are used correctly and in accordance with the 106 agreements which form part of the Planning Approval is with the Borough Council.

In response to your question this Council will continue to make the developer contributions available to Parish Councils and others in accordance with the conditions laid down in the individual agreements. In this respect if Barwell does become a Parish Council next year then the same procedure will apply to Barwell.

I am sure Councillor Francks will agree that Barwell has, in the past three years, benefited by 106 contributions negotiated by this Council, especially in relation to new play areas.”

Following a supplementary question from Mrs. Francks, Mrs. Wright undertook to respond to Mrs. Francks in writing with regard to parish involvement in the allocation of Section 106 monies.

(c) Question raised by Mrs. S. Francks and addressed to Mr. M.A. Hall

“I have repeatedly been asked by members of the public if Hinckley and Bosworth Borough Council intend to “chip” the black refuse collection wheelie bins with the intention of charges based on weight. Can the Portfolio Holder confirm if indeed this is planned or has been discussed at Cabinet?”

Response from Mr. M.A. Hall

“I would like to thank Councillor Mrs Francks for her question and provide the following information.

Members are advised that this Authority has no plans at the present time to “chip” the black refuse collection wheelie bins with the intention of charges based on weight, nor has the matter been discussed at Cabinet.”

(d) Question raised by Mrs. M. Aldridge and addressed to Mr. M.A. Hall

“Can the Portfolio Holder for Health and Environment please confirm as Christmas approaches what arrangements will be put in place this year for the collection of the inevitable additional cardboard and plastic refuse accumulated by households over the festive period, and how any proposed special arrangements will be communicated to the residents?”

Response from Mr. M.A. Hall

“I would like to thank Councillor Mrs Aldridge for her question and provide the following information.

We are of course very proud of our performance on recycling, which currently stands at in excess of 40%, and would encourage everyone to recycle as much of the card, plastic, and glass bottles as possible throughout the year. We are constantly investigating ways to improve the options available.

In respect of card and plastics:-

- We now have 32 bring sites (out of a total of 44) at which the public can recycle plastic bottles. These sites include all of the major supermarkets in the area.
- We now have 8 bring sites which will accept mixed paper and cardboard. Residents will be able to recycle “grey” cardboard at all paper bank sites from January 2007.
- From 1st February 2007, residents will be able to add “grey” cardboard to their garden waste for collection. As members are aware we shall again be suspending the garden waste service between 14th December 2006 and 31st January 2007 The “grey” card can also therefore be stored in the brown bin until collections resume in February.
- Plastic bottles and card can also be recycled at any of the Recycling and Household Waste Sites operated by Leicestershire County Council.

I would encourage the public to make full use of the above services over the festive period to help us to reduce the amount of waste that we have to send to landfill, and therefore continue to keep the Council Tax low. Arrangements have been made to increase the frequency of collection from bring sites over this period.

As regards communication:-

The information about the Council’s current recycling initiatives is contained in a leaflet, which has been produced and delivered to every house in the Borough. Furthermore, use will be made of the Council’s website and the media to further promote the services on offer.

In summary:

Residents of the area can recycle plastic bottles through the network of bring sites available, many of which are located at the premises from which the bottles were purchased. They can recycle “grey” card at any of the mixed card and paper bring sites or can store it in their brown bin ready for the first

collection of mixed garden waste and card in February. They can also recycle these products at Recycling and Household Waste Sites.

Members will be interested to know that the estimated cost for the Recycling and Refuse Service is £41.82 per household for 2006/07; a reduction as compared with £42.53 for 2005/06. Thus, our recycling performance continues to be exemplary whilst the cost of the service is contained, assisting us to meet two of our key objectives of increasing our recycling rate and controlling the Council Tax level. This cost compares favourably with other top performing Councils for recycling, whose costs are far in excess of ours, e.g. Daventry's cost for 2005/06 was £65.69, and Harborough was £64.13.

Members will also be reassured to know that we acknowledge that there is an increase in the amount of non-recyclable refuse produced around Christmas and New Year and we will again be increasing the frequency of collection of the black refuse bins whilst the garden waste service is suspended.

This means that everyone in the Borough will have their black bin emptied every week between the 14th December and 31st January, (with the exception of those due a collection on 26th and 27th December).

Finally, I can reassure Members that I will continue working with Officers to investigate options to further improve the recycling and composting performance. However, any proposals that I bring before you for consideration will need to meet the two objectives of improving the Council's recycling performance whilst containing the cost of the service to a reasonable level."

In response to a supplementary question from Mrs. Aldridge, Mr. Hall indicated that this Council was looking into waste minimization schemes but that guidance would continue to be provided to residents as to items which could be recycled.

(e) Question raised by Mr. D.R. Bown and addressed to Mrs. R. W. Wright

"How much of the Council's resources have been spent on Christmas lights for this year (2006)?"

Reply given by Mrs. R. W. Wright

"£33,730 Hinckley & Market Bosworth and £3,340 Barwell as per set budgets. In addition there are Health & Safety works that the Council will have to carry out as per a new code of practice, recently introduced by Leicestershire County Council. These are currently under discussion and are estimated to be an additional £3,000."

In response to a supplementary question from Mr. D.R. Bown, Mrs. Wright undertook to convey to him in writing further information on Christmas lighting provision within Earl Shilton.

(f) Question raised by Mr. D.R. Bown and addressed to Mrs. R. W. Wright

"Which areas of the Borough was the spending involved, and the amounts paid to each area?"

Reply given by Mrs. R. W. Wright

“Hinckley, Barwell and Market Bosworth.”

(g) Question raised by Mr. D.R. Bown and addressed to Mrs. R. W. Wright

“Was the spending from the general fund revenue or the special expense fund?”

Reply given by Mrs. R. W. Wright

“General Fund.”

(h) Question raised by Mrs. C.M. Claridge and addressed to Mr. R. Ward

“In the years 01/02/03 there was a transfer of £400,000 from the Revenue Budget to the Capital Budget. This year there has been extra interest earned, which has been paid into the Revenue Budget of £500,000. Could I have details of what this extra £900,000 in the Revenue Budget has been spent on?”

Reply given by Mr. R. Ward

“During the years in question a proportion of the Council’s capital expenditure was financed directly from revenue via contributions to and from a General Capital Reserve. The sums involved were £298,000 in 2001/02 and £307,000 in 2002/03. This was a blanket contribution to partially fund the Council’s Capital Programme and it is not therefore attributable to any specific project.

As regards the question of investment income, any interest earned on investments is credited en bloc to the Revenue Account and used to support the Council Tax generally. Again, this cannot be allocated to particular projects or services. A provision of £703,690 was made in the 2006/07 Revenue Budget for such interest.”

Following a supplementary question from Mrs. Claridge regarding fiscal control, Mr. Ward responded that he would need further clarification from Mrs. Claridge before supplying the information she sought.

381 MINUTES OF SCRUTINY COMMISSION MEETING – 19th OCTOBER 2006 (C32)

The Chairman of the Commission, in presenting these, referred to the ongoing review of the Community Safety Partnership and in response to a Member’s question, indicated that the possible provision of CCTV would be examined as part of this multi-party review and, subject to the findings, be encompassed in the final recommendations of the Scrutiny Commission.

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

RESOLVED – the minutes of the Scrutiny Commission meeting held on 19th October 2006 be received.

382 SUB-REGIONAL EMPLOYMENT LAND STUDY (C33)

In advising Members of the outcome of this recent study for Leicestershire the Portfolio Holder for Strategic Planning and Housing referred to the implications of the findings for this Council.

Mr. Crooks left the meeting at 6.51 p.m. returning at 6.53 p.m.

It was moved by Mr. Thorpe, seconded by Mr. Bevins, and

RESOLVED – the findings contained in the report of the Deputy Chief Executive be noted.

383 STATEMENT OF PRINCIPLES GAMBLING ACT 2005 (C34)

The Council was called upon to consider the Gambling Policy (Statement of Principles) in consequence of the recent consultation exercise and to adopt this, as now amended. Concerns were again raised with regard to the presence of category D gaming machines at dog tracks to which children had access and which could be perceived as introducing children to gambling.

It was moved by Mr. Hall, seconded by Mr. Davis, and

RESOLVED – the Gambling Policy (Statement of Principles) attached to the report of the Head of Health and Environment be adopted with effect from 3rd January 2007 and should the legislation subsequently change representations be made to address the concerns now raised with regard to the protection of children on particular categories of premises.

384 CONSTITUTION (C35)

Formal approval was sought to revisions to the Constitution to incorporate and consolidate changes since December 2005. The revised version also reflected organisational changes within the Authority and corrected inconsistencies in the current document.

The Chief Executive acknowledged that the Members' Allowance Scheme contained within the Constitution would be reviewed by March 2007, i.e. before the end of the current financial year.

Discussion arose with regard to the calling for a recorded vote at Planning Committee meetings and to the provision which already existed for both members of the Committee and the Head of Culture and Development (should there be potential to act against officer advice) to call for this. An amendment was then moved by Mr. D.R. Bown and seconded by Mr. Ellis that, should the Head of Culture and Development consider it necessary to call for a recorded vote he/she first seek the authority of the Planning Committee Chairman, thus confirming the practice which had existed since the last revision. Upon being put to a vote this amendment was declared CARRIED. It was moved by Mr. Davis, seconded by Mr. Bevins and

RESOLVED –

- i) subject to the foregoing amendment the revised constitution be effective from 13th December 2006; and
- ii) future reviews be considered immediately after each annual Council meeting, with the first taking place in May 2007, following consideration by the Standards Committee and the Scrutiny Commission.

385 GEORGE NEEDHAM CHARITY – APPOINTMENT OF TRUSTEE

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

RESOLVED – the appointment of Mrs. M.A. Cook to fill the current vacancy on the above for a four year period ending in May 2010 be confirmed.

386 PROPOSED CHANGES TO LOCAL BUS SERVICES (C36)

Submitted to Members were details of the above, intended by the County Council to improve services overall and at the same time improve cost effectiveness.

Members welcomed this consultation on the proposed changes and the Deputy Chief Executive undertook to urge the County Council to continue to provide as much notice as possible of any proposed alterations to such services in order to consider these in a timely manner and respond accordingly.

Concerns being expressed over the departure of the last bus services serving Hinckley and the rural areas Members were of the view that the County Council should be requested to monitor and keep under review the demand by local people.

Further concerns were raised regarding the removal of Sunday and Bank Holiday services within Burbage and the view expressed that the County Council should be requested to reconsider the potential before re-introducing such service.

387 MATTER FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr. Bevins, seconded by Mr. Davis, 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 paragraphs 1 and 10 of Part I of Schedule 12A of that Act.

388 INDEPENDENT MEMBERSHIP OF STANDARDS COMMITTEE (C37)

This report, presented by the Chairman of the Standards Committee, sought Council approval to the appointment of a replacement and an additional independent member to serve on the Standards Committee. It was moved by Mr. Davis, seconded by Mr. Ward and

RESOLVED – Messrs. A.B.G. Stokes and M.D. Clarricoats be appointed to serve as replacement and additional member of the Standards Committee respectively with effect from 13th December 2006 and the Constitution be amended to provide that the Standards Committee be now comprised of 3 independent members (together with 3 elected and 2 parish representatives as now) with effect from 13th December 2006.

(The meeting closed at 7.42 p.m.)