

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

22 MAY 2007 AT 6.30 P.M.

PRESENT: MR. K.W.P. LYNCH - MAYOR  
MR. J.G. BANNISTER - DEPUTY MAYOR

Mrs. M. Aldridge, Mr. P.F. Bessant, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. J.C. Bown, Mr. S.L. Bray, Mrs. R. Camamile, Mr. M.B. Cartwright, Mr. D.S. Cope, Mr. J.D. Cort, Mr. W.J. Crooks, Mrs. S. Francks, Mr. D.M. Gould, Mrs. A. Hall, Mr. P. Hall, Mr. D.W. Inman, Mr. C.G. Joyce, Mr. C. Ladkin, Mr. M.R. Lay, Mr. R. Mayne, Mr. T. McClure, Ms. W.A. Moore, Mr. K. Morrell, Mr. K. Nichols, Mrs. J. Richards, Mr. A.J. Smith, Mr. B.E. Sutton, Mr. R. Ward and Mr. D.O. Wright.

Also in attendance: Messrs. R. Birch and M.D. Clarricoats, Independent members of the Standards Committee.

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

13 PRAYER

The Reverend Cannon F.D. Jennings offered prayer.

At this juncture the Mayor requested that throughout all Council meetings Members exercised good behaviour and respect for fellow-councillors.

14 APOLOGIES

Apologies for absence were submitted on behalf of Messrs. P.R. Batty and L.R.P O'Shea and Dr. J.R. Moore.

15 MINUTES

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

RESOLVED – the minutes of the meetings held on 27 February and 13 March 2007 be confirmed and signed by the Mayor.

16 DECLARATIONS OF INTEREST

Mrs. Richards declared a personal, non-prejudicial interest in report no. C5 as secretary of Earl Shilton Constitutional Club.

17 MAYOR'S COMMUNICATIONS

The Mayor indicated that there would be collecting tins placed in the reception area for those wishing to contribute to the Madeline McCann Fund. Members were unanimous in their support for Mr. and Mrs. McCann and expressed their wish for Madeline's safe return.

Additionally the Mayor announced that he understood that an invitation to Twycross Zoo on 13 July 2007 would be extended to all Members in due course.

18 MINUTES OF SCRUTINY COMMISSION MEETINGS 22 MARCH AND 19 APRIL 2007 (C3&C4)

Mr. Lay, Chairman of the Commission, in presenting these indicated that the Commission was to receive a final report following the review of poverty in the Borough. Additionally Mr. Lay highlighted the concerns of the Commission with regard to the gypsy and traveller sites on the edge of neighbouring authorities using facilities provided by this Borough. In connection with this item the Chief Executive undertook to endeavour to produce an up-to-date map indicating such sites.

It was moved by Mr. Lay, seconded by Mrs. Camamile and

RESOLVED – the minutes of the Scrutiny Commission meetings held on 22 March and 19 April 2007 be received.

19 MOTION IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12

It was moved by Mr. Bill, seconded by Mr. Bray that

To consider the following motion, notice of which has been received from Mr DC Bill in accordance with Council Procedure Rule Number 12.

This Council recognises the vital community facility that the remaining post office network provides across Hinckley & Bosworth.

Accordingly the Council:

- (i) endorses the Hinckley Times campaign to keep the Hinckley Post Office in its present position in Station Road;
- (ii) asks the Chief Executive, at the earliest opportunity, to make appropriate representation in conjunction with other cities and towns nationwide who face similar problems; and
- (iii) urges HM Government to think again about its plans for post office closures.

Following an extensive debate, during which the Mayor stressed that it was not the intention of this Council to vilify W.H. Smith the motion was unanimously CARRIED.

20 GAMBLING ACT 2005 FEES (CA5)

Following consideration and approval by the Licensing Committee, Scrutiny Commission and Cabinet, Council was called upon to agree a proposed fee structure under the above legislation. It was emphasised that the proposed fees were based on a cost-recovery basis only.

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

RESOLVED – the fee structure shown at appendix A to the report of the Head of Health and Environment for premises licences under the Gambling Act 2005 be agreed.

The matter having been raised earlier in the meeting, the Mayor read out that part of the Constitution (item 14.9 of part 4) which set out the right of reply to a motion.

21 CIVIL PARKING ENFORCEMENT – FURTHER APPROVALS (C6)

Further to minute no. 527 of 27 February 2007 approval was sought to the delegation of authority between Leicestershire County Council and Hinckley & Bosworth Borough Council regarding off and on-street Civil Parking Enforcement. It was emphasised that these arrangements, which would become effective in July 2007, would be widely publicised. On the motion of Mrs. Francks, seconded by Mr. Crooks it was

RESOLVED –

- (i) this Council accepts delegated authority from Leicestershire County Council for the Civil Parking Enforcement function in respect of on-street parking, from a date to be determined by the Head of Health and Environment and that this be an Executive function; and
- (ii) the authority for discharging the Council's off-street parking notice processing function be delegated to the Executive of Leicestershire County Council from a date to be determined by the Head of Health and Environment.

22 ADOPTION OF NEW CODE OF CONDUCT FOR MEMBERS (C7)

In accordance with Section 57 of the Local Government Act 2000 the Council was called upon to adopt the Code of Conduct which was required to be observed by Members of this Council and others specified in the Code. This Code would be placed in the Council's Constitution.

It was moved by Mr. Wright, seconded by Mr. Lay and

RESOLVED –

- (i) the new Code of Conduct be adopted with effect from 22 May 2007; and

- (ii) this Code replace that adopted by the Council on 1 February 2005 and contained in part 5 of the Constitution.

## 23 CONSTITUTION (C8)

In consequence of changes to the organisation, committee titles and legislation since the last review in December 2006 formal approval was sought to revisions to the Constitution and on the motion of Mr. Wright, seconded by Ms. Moore it was

### RESOLVED –

- (i) taking into account the changes highlighted under ‘background’ to the report of the Chief Executive the revised Constitution, to be effective from 23 May 2007, be approved; and
- (ii) the incorporation of the revised Code of Conduct into the Constitution be agreed.

## 24 STRATEGIC MANAGEMENT ASSETS

Further to minute no. 533 of 27 February 2007 Members considered proposals for the implementation of policy frameworks for the effective strategic management and use of the Council’s assets. On the motion of Mr. Bill, seconded by Mr. Bray it was

### RESOLVED – this Council agrees as follows:

- (i) to note the compilation of the register of Council-owned assets;
- (ii) a cross party member working group (political ratio 4:2:1) be established to consider the register in detail, in relation to the strategic aims and objectives of the Council, and make recommendations to a future meeting on the effective management and use of assets by this Council; and
- (iii) any immediate decisions on individual assets be supported by evidence which meets the requirements of the Audit Commission ‘use of resources’ criteria.

A further recommendation was proposed by Mr. Bray and seconded by Mr. McClure on the basis of representations from the public during the election period, the need to retain sufficient off-street parking to support first phase town centre regeneration and the wider community contribution of the asset, as follows:-

‘That the Mount Road car park and adjacent land in the ownership of the Council be retained in Council ownership and not disposed of as part of any strategic approach to asset management and use’.

Upon this being put to a vote, recorded as follows, the motion was declared CARRIED.

For: Mr. Bannister, Mr. Bill, Mr. Bray, Mr. Cope, Mr. Crooks, Mrs. Francks, Mr. Gould, Mrs. Hall, Mr. Hall, Mr. Inman, Mr. Joyce, Mr. Mayne, Mr. McClure, Ms. Moore, Mr. Nichols, Mr. Smith and Mr. Wright (17)

Abstentions: Mrs. Aldridge, Mr. Bessant, Mr. Boothby, Mr. Bown, Mrs. Camamile, Mr. Cartwright, Mr. Cort, Mr. Ladkin, Mr. Lay, Mr. Morrell, Mrs. Richards, Mr. Sutton and Mr. Ward (13).

(The meeting closed at 7.55 p.m.)