

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

11 SEPTEMBER 2007 AT 6.30 P.M.

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

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

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

Officers in attendance: Mr. S. Atkinson, Mr. Michael Brymer, Mr. B. Cullen, Mr. M. Evans, Miss L. Horton, Mr. S. Jones, Mr. D. Jinks, Mr. S. Kohli, Mr. R. Palmer, Mrs. P.I. Pitt and Mr. T.M. Prowse.

206 PRAYER

The Reverend Dr. Robert Stephen offered prayer.

207 APOLOGIES

Apologies for absence were submitted on behalf of Mr. M.B. Cartwright, Mr. D.M. Gould, Mr. P.A.S. & Mrs. A. Hall, Mr. C.J. Joyce, Mr. C. Ladkin, Mr. K. Nichols and Mr. L.J.P. O'Shea.

208 MINUTES (C25)

It was moved by Mr. Crooks, seconded by Mr. Bill and

RESOLVED – the minutes of the meeting held on 7 August 2007 be confirmed and signed by the Mayor.

At this juncture the Mayor welcomed members of the Peer Review Team, namely David Armin, Martin Connor, Huw Isaacs, Eamon Lally and Carol Woods, to the meeting.

209 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

The Mayor indicated that, as had been previously circulated to Members, he had agreed to take as a late item a report on Hinckley Leisure Centre Feasibility Study. Additionally, the presentation on the relocation of the Council Offices (notice of which had again been notified to Members) would not now take place but instead a report on this was being circulated at the meeting for Members' consideration. The two items would be considered

together, preceded by an introductory presentation from Sanjiv Kohli (Head of Finance & ICT) on the Capital programme.

210 DECLARATIONS OF INTEREST

Mr. Cope declared a personal interest in report no. C50.

Mr. McClure entered the meeting at 6.35 p.m.

211 MAYOR'S COMMUNICATIONS

The Mayor referred to the success of Mr. Cope in having a book of poems published and paid tribute to Mrs. Jackie Payne for her assistance in helping to raise £452 for the Mayor's chosen charities.

The Mayor then reminded Members of forthcoming events, as follows:-

A cyclists' service at St. Mary's Church, Hinckley at 3 p.m. on 16 September 2007.

The rescheduled Proms in the Park Concert, also on 16 September 2007.

A quiz at Hinckley United Football Club on 18 October 2007.

212 MINUTES OF SCRUTINY COMMISSION MEETING 19 JULY 2007 (C26)

In his presentation of these the Commission Chairman highlighted the attendance of the Leader of the Council at a very useful question and answer session at that meeting, the forthcoming submission of CPA recategorisation and the results of the Citizens Panel March 2007 Survey.

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

RESOLVED – the minutes of the Scrutiny Commission meeting held on 19 July 2007 be noted.

213 POSITION STATEMENT BY THE LEADER OF THE COUNCIL

Presented to the meeting was an update of the Council's achievements and the Administration's priorities over the coming weeks. The Leader referred to the removal of the Sunnyside project from the current Programme and on the need at tonight's meeting for decisions to be taken with regard to the Council Offices and the Leisure Centre.

The Position Statement was followed by an overview of the capital programme by the Head of Finance & ICT. Reference was made to the review of priority projects at cross-party workshops and the need for sustainability and affordability of projects. Following his presentation the Head of Finance & ICT was questioned at length by Members on costs incurred in the Sunnyside project and Leisure Centre funding. The Head of Finance & ICT reminded Members that an estimates book, which outlined details of the current capital programme and how monies were allocated, had been circulated in May. Further copies were available but it was intended that

when the capital programme was revised a further report would be provided to the Council.

214 FUTURE OF THE COUNCIL OFFICES, ARGENTS MEAD (C35)

Members received an update on this, together with a copy of the presentation detailing the findings of the Donaldson's report which had taken place at the Scrutiny Commission meeting on 6 September. Also circulated at the meeting were recommendations proposed by the Administration additional to those set out in the report of Head of Finance & ICT. An extensive debate followed, during which calls were again made by some Members for more information on the likely costs of refurbishment.

It was moved by Mr. Bill, seconded by Mr. Bray, as follows:-

- (i) the Donaldson's report and recommendations of the Scrutiny Commission, together with details of the presentation be noted;
- (ii) the Council Offices remain on their current site in Argents Mead;
- (iii) £2 million be allocated to the capital programme for the period 2007/08 to 2010/11 in order to provide initial funding for essential works and refurbishment to extend the life of the building towards 2028.

and following a show of hands with 13 Members in favour of the motion and 12 against, the motion was CARRIED. It was thereupon

RESOLVED – the three aforementioned recommendations be approved.

215 HINCKLEY LEISURE CENTRE FEASIBILITY STUDY (C34)

The findings of the Mace Ltd study, having been presented to and supported by the Scrutiny Commission on 6 September 2007, the Council was called upon to agree the strategic way forward as to the future development of the Leisure Centre. For clarification Members were advised that the current preferred site was opposite Hinckley United Football Club, not adjacent. Some concerns were raised with regard to the proposed location but it was emphasised that at present all options were being explored.

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

RESOLVED –

- (i) that Council reaffirm the A47, Leicester Road (north-east side of the A47, opposite Hinckley United Football Club) as its preferred location for a new leisure centre;
- (ii) that the strategic direction of this project, as detailed in section 5 of the report of the Head of Culture & Development be endorsed; and
- (iii) the establishment of a cross-party working group to oversee the development of this project be endorsed.

Mrs. Aldridge, Dr. Moore and Ms. Moore left the meeting at 8.44 p.m. and Mr. Boothby at 8.45 p.m.

216 HIGH HEDGES LEGISLATION (C27)

In consequence of part 8 of the Anti-social Behaviour Act 2003, Council was called upon to agree the delegation of powers to authorise officers to enter land in order to deal with complaints and enquiries relating to high hedges and to administer and decide complaints relating to these. Although concerns were expressed that the fee for dealing with high hedge applications was high at £350, it was pointed out that such fee had already been agreed by Council and was set out in the Council's fees and charges.

Dr. Moore returned at 8.47 p.m. and Ms. Moore at 8.48 p.m.

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

RESOLVED -

the report be endorsed and the Constitution amended authorising the delegation of functions for dealing with complaints and enquiries relating to high hedges from the Council to the Chief Executive and Head of Culture & Development, by the addition of

“to determine complaints received under the provisions of the High Hedges Regulations 2005, specifying remedial action required to resolve complaints received under the High Hedges Regulations 2005, specifying remedial action required to resolve the complaints in accordance with the national guidance and initiating enforcement action if necessary; and to authorise officers to enter land in order to deal with complaints and enquiries relating to high hedges as defined by paragraph 8 of the Anti-social Behaviour Act 2003”.

217 USE OF RESOURCES SELF-ASSESSMENT 2007 (C28)

Presented to Members was the self-assessment submission relating to the above. The Council's overall use of resources judgement for the 2006 assessment was level 2, i.e. “adequate performance” but the aim this year was to improve the overall score to level 3, i.e. “performing well”.

Mr. Ward left the meeting at 8.50 p.m.

It was moved by Mr. Wright, seconded by Mrs. Francks, and

RESOLVED – the Council's self-assessment submission for 2007 be agreed for presentation to the Executive.

218 RETAIL CAPACITY STUDY (C29)

The Council was provided with the findings of this study, which had been undertaken by Roger Tym and Partners. The purpose of the study was to assess the role and contribution that the Hinckley urban area could make to the future retail needs.

Mr. Ward returned to the meeting at 8.54 p.m. and left at 8.55 p.m.

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

RESOLVED – the Retail Capacity Study be adopted and used as an evidence document for the emerging Local Development Framework and as evidence for determining planning applications.

219 LOCAL DEVELOPMENT FRAMEWORK: HINCKLEY TOWN CENTRE AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENT – PREFERRED OPTIONS CONSULTATIONS (C30)

In consequence of the Town & Country Planning Regulations (Local Development) (England) 2004 and the Local Development Scheme, Members were informed of the need to consult upon the above. Whilst Members' attendance at a planned workshop was encouraged, it was pointed out that the proposed date of this (27 September 2007) coincided with a previously-scheduled (but earlier) meeting.

Mr. Ward returned to the meeting at 8.58 p.m.

Discussions then followed on the preferred option for the redevelopment, following which it was moved by Mr. Cope, seconded by Mrs. Francks, and

RESOLVED – approval be given to the undertaking of a 6 week period of consultation from 24 September to 5 November 2007 inclusive on the preferred options document for the Hinckley Town Centre Area Action Plan and sustainability appraisal

and moved by Mr. Bill, seconded by Mr. Wright, and

RESOLVED – the preferred option for redevelopment be option 1 (to refurbish the existing Council Offices at Argents Mead).

220 LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY PREFERRED OPTIONS (C31)

Circulated at the meeting were addendums to pages 25 and 26 of the report of the Deputy Chief Executive and approval sought to the following:-

- The Core Strategy Preferred Options and Sustainability Appraisal in accordance with the Town & Country Planning Regulations (Local Development) (England) 2004 and the Local Development Scheme
- The recent completed studies on Direction for Growth and Hinckley Core Strategy Transport Review.

It was moved by Mr. Cope, seconded by Mrs. Francks, and

RESOLVED – subject to the addendums now circulated agreement be given to

- (i) The undertaking of a six-week period of consultation on the Core Strategy Preferred Options document and Sustainability Appraisal from 24 September 2007 until 5 November 2007 inclusive.
- (ii) The Directions for Growth Study (2007) and Hinckley Core Strategy Transport Review (2007) as evidence base for the Core Strategy Preferred Options.

221 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr. Bray, seconded by Mr. Bill, it was

RESOLVED – in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the remaining items of business on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A of that Act indicated alongside each item.

Mr. Batty left the meeting at 9.00 p.m.

222 FUTURE PROVISION OF DSO SERVICES (C32) (PARAGRAPHS 3 AND 10)

Messrs. Cort and Ward left the meeting at 9.03 p.m., at which time Mr. Batty returned.

Following consideration and support by the Scrutiny Commission on 6 September 2007 Council was requested to approve the provision of the above until at least September 2017, subject to a re-tendering exercise in 2010 for the kerbside recyclables collection service. Approval was also sought to the recently-produced Action Plan.

Mr. Ward returned at 9.05 p.m.

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

RESOLVED – the recommendations set out in the report of the Head of Health & Environment be approved.

Mr. Lay left the meeting at 9.20 p.m., returning at 9.22 p.m.

At 9.25 p.m. all officers present withdrew from the meeting with the exception of the Chief Executive and the Corporate Governance Officer.

223 SENIOR MANAGEMENT REVIEW (C33) (PARAGRAPHS 1, 2 AND 10)

In presenting this report, which had been endorsed by the Personnel Committee on 5 September 2007, Mr. Bill indicated the need to confirm the appointment of the Council's Section 151 and Monitoring Officers. In addition to those posts set out in the report of the Chief Executive, Members were

appraised of the principles forming the basis for these proposals and were informed of discussions with staff and Unison, the latter having sought some clarification which the Chief Executive would address, but not objecting to the proposals. The timing, content and intent of the proposals, which would have the benefit of streamlining the current management structure, would ensure that the Council could maintain its current high level of performance and save a minimum of £100,000 per annum for reinvestment to improve capacity in other areas of the authority's activities.

At this juncture Mr. Lay declared a personal interest as a member of Unison.

224 MOTION IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO. 9 (EXTENSION TO LENGTH OF TIME OF MEETING)

The time now being 9.30 p.m., it was moved by Mr. Lay, seconded by Mr. Wright, and

RESOLVED – this meeting now continue.

It was then moved by Mr. Bill, seconded by Mr. Bray, and

RESOLVED – subject to the addition of the appointment of Louisa Horton as Monitoring Officer and Sanjiv Kohli as Section 151 Officer, the following recommendations be agreed:

- (i) the revised structure set out in Appendix C be adopted for implementation no later than April 2008;
- (ii) the existing posts of Heads of Service, Law and Governance Manager, Deputy Head of Finance & ICT and Corporate Performance and Scrutiny Manager be removed from the establishment;
- (iii) the Council endorse the management principles set out in Appendix A of the report;
- (iv) the following appointments be confirmed/agreed:

Deputy Chief Executive	Bill Cullen
Director of Community Services	Trevor Prowse
Director of Finance	Sanjiv Kohli
Head of Corporate & Scrutiny Services	Louisa Horton
Head of Income & Benefits	Belle Imison

- (v) authority be delegated to the Chief Executive to make the following appointments, subject to a further report to Personnel Committee on final costs/savings and job descriptions

Housing Services Manager  
Development Services Manager  
Head of Business Services  
Heads of Service (2) – Community Services

- (vi) the necessary revisions to the Constitution be put to the Council for adoption in due course; and
- (vii) an independent review be undertaken of the salary of the Chief Executive.

(The meeting closed at 9.46 p.m.)