

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
26 JANUARY 2010 AT 6.30 P.M.

PRESENT: MR. K. NICHOLS - MAYOR
MRS. S. FRANCKS - DEPUTY MAYOR

Mr. J. G. Bannister, 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. W. J. Crooks, Mr. D. M. Gould, Mrs. A. Hall, Mr. P. A. S. Hall, Mr. D. W. Inman, Mr. C. G. Joyce, Mr. C. Ladkin, Mr. M. R. Lay, Mr. K. W. P. Lynch, Mr. R. Mayne, Ms. W. A. Moore, Mr. K. Morrell, Mr L. J. P. O'Shea, Mr. A. J. Smith, Mrs. S. Sprason, Mr. B. E. Sutton, Mr. R. Ward, Ms. B. M. Witherford and Mr. D. O. Wright.

Officers in attendance: Mr. S. J. Atkinson, Mr. A. Bottomley, Mr. B. Cullen, Mr. S. Kohli, Mrs. P. I. Pitt, Mr T. M. Prowse and Mrs. J. Puffett.

379 PRAYER

The Reverend John Hall offered prayer.

380 APOLOGIES

Apologies for absence were submitted on behalf of Mrs. M. Aldridge, Mr. P. R. Batty, Mr. P. S. Bessant, Dr. J. R. Moore and Mrs J. Richards.

381 MINUTES (C45)

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

RESOLVED - the minutes of the meeting held on 15 December 2009 be confirmed and signed by the Mayor.

382 DECLARATIONS OF INTEREST

In view of the various references to the County Council on this evening's agenda it was agreed to note that Mr. Bill, Mr. Bray, Mrs Camomile, Mr. Lynch and Mr. Wright were members of that Authority.

383 MAYOR'S COMMUNICATIONS

The Mayor referred to the recent production of Mother Goose at the Concordia Theatre, which had been attended by all but one of the civic representatives within the County.

Reference was made to a visit to two 100 year old ladies and the Mayor indicated that if anyone knew of others attaining this age he would be happy to visit them. It was pointed out that this Sunday would be the final service conducted by the Reverend Canon B. Davis before his retirement and it was agreed that the Chief Executive write to Reverend Davis on behalf of the Council to wish him well.

384 PETITIONS

In accordance with Council Procedure Rule 10.11 Mr. Smith presented a petition on behalf of Burbage residents objecting to a proposed housing development in Britannia Road. It was agreed that this be forwarded to Planning Officers.

385 QUESTIONS

(a) Question raised by Mrs. S. Sprason and addressed to Mr. S. L. Bray

“In a response to a question put to Cllr Bray on the 15th September 2009 I was assured that the traveller community did not receive preferential planning treatment. The unauthorised site at Copt Oak Road in Markfield was raised as an example, following a meeting with officers no action is being taken proving that in fact this authority does have a policy of positive discrimination towards the traveller community. Why was Cllr Bray unaware of this?”

Response from Mr. S.L. Bray

“I am somewhat puzzled by Councillor Sprason’s question. I thought that my answer on 15 September 2009 was clear.

I am aware that Councillor Sprason met with the Director of Community and Planning Services, who, I understand, explained in some detail this authority’s approach to enforcement generally and the specific issues in relation to travellers. To say that no action is being taken is quite clearly wrong and other Members will be aware of the enforcement action which has been taken in respect of several sites in the Borough.”

(b) Question raised by Mr. R. Ward and addressed to Mr. S. L. Bray

“Given public concern about the issue of what seems to be the ever increasing number of powers allowing various local authority workers to enter people’s homes without a warrant or police escort, would the Leader of the Council inform members how many employees of this council are authorised to enter private addresses in this manner and will he assure councillors that proper vetting and supervision is in place in respect of any employee of Hinckley and Bosworth Borough Council who discharges any powers of this type?”

“Response from Mr. S.L. Bray

“As of 2 October 2009 there were 32 Council officers granted the power to enter private premises (not necessarily dwellings) without a warrant. The powers were not exercised between April 2008 and March 2009.

The powers would most likely be used by Environmental Health Officers although Planning Officers, Licensing Officers and Housing Officers also have powers under certain Acts.

All officers of the Council participate in Personal Development Appraisals on a regular basis, where their performance and training needs are discussed. Through this process, any concerns around the discharge of any enforcement duties are discussed and appropriate training organised.”

In response to a supplementary question from Mr. Ward, Mr. Bray indicated that only in exceptional circumstances (but generally with 24 hours notice) would officers (eg from environmental health) enter private properties without a warrant. Mr Bray agreed to arrange for all members to be circulated with further details as to instances, numbers etc, of officers authorised to enter private premises.

(c) Question raised by Mr. R. Ward and addressed to Mr. R. Maine

“With nearly every senior planning officer either having left or soon to be leaving the employment of the authority would the Chairman of the Planning Committee agree that to lose one senior planning officer may be regarded as unfortunate but losing four is careless to say the least?”

What assurances is the Chairman able to give that the Council’s vital planning service is able to overcome the loss of so much invaluable experience and expertise particularly given the importance of the work currently being undertaken in respect of the Core Strategy and delivering the Local Development Framework?”

Response from Mr. R. Mayne

“Councillor Ward is fully aware of the current economic crisis facing the whole country and the reduced levels of development.

As a consequence, this authority has received less planning applications recently. I can confirm that one voluntary redundancy has been accepted from a Senior Planning Officer in response to this downturn in demand for the service.

Councillor Ward is also fully aware that the Council has approved a Senior Management Review which will be implemented from April 2010. That Review has resulted in one member of the Strategic Leadership Board leaving the authority with effect from 31 March 2010. At that point, the Planning Service will come under the management of one of the Deputy Chief Executives who is a qualified Town Planner.

It is also correct that two other Senior Planning Officers will have left the authority by the end of February 2010 to take up posts with other authorities. One of these posts has already been filled and the other will be recruited to in the near future.

In summary, I am satisfied that the steps already taken to manage the finances of this authority and, at the same time, provide the “vital planning service” are appropriate and that the officers appointed to the senior roles will prove to be worthy successors to those who they replace and will be supported by the excellent staff within the planning service.

Finally, I have to question Councillor Ward's motive for bringing this item to Council. He is fully conversant with the position in this Council and must be aware of the pressures and uncertainty currently faced by officers. I do not consider that his question is conducive to maintaining the morale of our existing staff or building up the morale of incoming staff, who are, of course, vital to maintaining and improving on the excellent standards we have set for ourselves."

In response to a supplementary question from Mr. Ward Mr. Mayne indicated that at public meetings relating to the Local Development Framework the Head of Planning would be in attendance.

(d) Question raised by Mrs S. Sprason and addressed to Mr. D. C. Bill

"With regard to Anti-Social Behaviour being the responsibility of the Community Safety Team to tackle, would the leader inform this Council how many officers in the Community Safety Team have had training in Safeguarding Adults, Hate Crime, Case File Management, Evidence Gathering and How to complete forms in the years 2006, 2007, 2008 & 2009"?

Response from Mr. D.C. Bill

"May I thank Councillor Sprason for her question. A report into this issue and Community Safety as a whole is in the process of being prepared for a future Scrutiny Commission, of which Councillor Sprason is a member. I would not wish to pre-empt the Commission's deliberations by issuing a response regarding an area which is a limited, but important part of the reports scope."

In response to a supplementary question from Mrs. Sprason Mr. Bill stated that a comprehensive report would be taken to the Scrutiny Commission and that strenuous efforts were being made to rebuild the confidence of the residents of Barwell.

(e) Question raised by Mrs. S. Sprason and addressed to Mr. S.L. Bray

"The Leader of the Council was quoted in the local press saying "it is appalling that the main shopping street has been left untreated" Will the Leader inform this Council where the 10 tonnes of salt and the further 6 tonnes of grit given to this Authority free of charge by the County Council to keep the town centre, including Castle Street, clear of snow and ice was used?"

Response from Mr. S.L. Bray

"Castle Street is part of the public Highway and as such responsibility for gritting and maintenance is Leicestershire County Council and not Hinckley and Bosworth Borough Council so I suggest that Mrs Sprason directs her concerns to County Hall.

HBBC contacted LCC for additional salt for gritting purposes on receipt of complaints from residents. When this was (eventually) agreed to, HBBC provided its own frontline staff (free of charge) to provide gritting support in Hinckley Town Centre. This resource could have been used to deliver other critical frontline services (refuse / recycling collections) but because of the precarious weather conditions prioritised gritting of the Town Centre.”

In responding to a supplementary question from Mrs Sprason, Mr. Bray reiterated that gritting of a public highway was a County Council function.

386 LEADER 'S POSITION STATEMENT

In presenting this, the Leader highlighted:-

- The recent devastation in Haiti and the efforts being made by professionals and volunteers to assist in the rescue missions. The Council's website contained details for those wishing to make a donation to the cause.
- Recent issues considered by the Executive relating to the formation of an Older Person's Strategy, Final Draft Budget for 2010/11 and the Purchase of New Grounds Maintenance Equipment.
- The excellent efforts of staff in helping to deal with and maintain services during the severe weather conditions in early January.
- Continuing work by this Council and partners to reduce anti-social behaviour and protect vulnerable people within the community.
- The success of local sportsmen/women in the 2009 Leicester Mercury Sports Awards.

387 MINUTES OF SCRUTINY COMMISSION MEETING - 3 DECEMBER 2009 (C46)

Mr. Lay, in presenting these, referred to progress in developing a Credit Union and the possibility of extending such a facility borough-wide. Further, Mr. Lay highlighted progress against the Anti-Poverty Strategy and Action Plan and so far as housing issues were concerned referred to the Council's interaction with registered social landlords and the forthcoming review of affordable housing within the Local Development Framework.

388 MEDIUM TERM FINANCIAL STRATEGY 2009/10 TO 2012/13 (C47)

Copies of the presentation by the Executive Member for Finance were circulated to Members at the meeting. This Strategy, revised since last approved by Council in April 2009, had been fully scrutinised and endorsed by the Finance and Audit Services Select Committee, members of Scrutiny Commission and the Executive and was now presented to the Council for approval. Members were reminded that this robust document set out clearly the Council's financial position over a 4-year period.

In the light of possible significant reductions in Central Government funding through the Revenue Support Grant 3 different levels of funding support from Central Government had been assumed, ranging from a standstill best case position to an annual minus 5% worst case reduction in the financial settlement for each of the 3 years of the next Comprehensive Spending Review.

Messrs. Bray and Bown left the meeting at 7.20 pm, returning at 7.22 pm and 7.23 pm respectively.

Some concerns were raised as to the financial viability of the Greenfields project and particularly whether the tendered prices would be within the budgeted costs but the Executive Member for Finance assured that the prices would be within the budgeted amount and stressed in addition that this scheme would enhance well-being by the provision of quality sustainable development units. Concerns were also expressed regarding on-going revenue support to the Hinckley Club for Young People, which it was emphasised was a Borough resource and as part of the MyPlace agreement had been fully supported previously by Members.

For clarification the Executive Member for Finance explained that with regard to concessionary travel this Council might have to meet a shortfall of £215,000, being the difference between the assumed cost in 2010/11 of £965,000 and a grant of £750,000 (although the outcome of the recent consultation being undertaken by CLG was outstanding). Allowances for the effect of this on the base budget had been taken into account.

Messrs. Smith and Gould left the meeting at 7.50 pm, returning at 7.52 pm and 7.53 pm respectively. Mrs Sprason left at 7.53 pm, returning at 7.58 pm.

On the motion of Mr. Lynch, seconded by Mr. Bray and following a show of hands with 16 Members voting for the recommendation, 8 voting against and 3 abstaining it was

RESOLVED - the Medium Term Financial Strategy for the period 2009/10 to 2012/13 be approved.

389 STAFFING AND MANAGEMENT RESTRUCTURE 2009/10 AND 2010/11 (C48)

Mr. Boothby left the meeting at 8.00 pm.

Further to minute no. 204 of 15 September 2009 Members were reminded of the cost of the recent 2009/10 staffing restructure and the management restructure effective from 2010/11 and their approval sought for the funding of these from the General Fund and Housing Revenue Account Revenue Balances rather than through Capital Funding.

It was emphasised that approval was sought only to fund the net cost of the restructure from the General Fund and Housing Revenue Account Balances in 2009/10. From 2010/11 the cost of restructure would be funded from the on-going savings realised, which were monitored on a quarterly basis and would be implemented in the 2010/11 base budgets.

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

RESOLVED - approval be given to the cost of restructure being funded from the General Fund and Housing Revenue Account Revenue Balances, as appropriate, and as summarised in the report of the Director of Finance.

390 CONSTITUTION - RESIDUAL ISSUES (C49)

It was announced that this item had been withdrawn from this evening's agenda to allow for further consideration.

391 REPRESENTATION ON OUTSIDE BODIES

Mr. Crooks gave a brief outline of the workings of the Leicestershire Rural Partnership Group and the Local Government Association Rural Commission. It was agreed that a copy of this presentation be circulated to all Members.

The Council then received a copy of the Minutes of the Hinckley Highways Forum meeting held on 5 December 2009. It was agreed that in future copies of the minutes of meetings of that Forum be circulated to all Members of this Council.

392 CALENDAR OF MEETINGS - MAY 2010 TO MAY 2011 (C51)

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

RESOLVED - this be approved.

393 COUNCIL MEETING SCHEDULED FOR 9 MARCH 2010

Since there was a Council meeting scheduled for Thursday 25 February 2010 it was moved by Mr. Bray, seconded by Mr. Bill and

RESOLVED - the Council meeting scheduled for 9 March 2010 be cancelled.

394 MOTIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 13

At this juncture the Mayor drew Members' attention to a statement from David Sprason CC, Leicestershire County Council Cabinet Leader Member for Adult Social Care and Health relating to the public consultation on elderly person's homes, which was attached to this evening's Supplementary Agenda.

(a) Motion from Mr. D. M. Gould

"This Council deeply regrets the uncertainty that will now be felt by residents and their families caused by the proposal of the County Council to consider the selling off or closure of The Limes and Harvey House. On behalf of the communities affected it instructs its officers to draw attention to assurances given only two years ago, investments made in modernisation and the vital role played by these elderly people's homes in the community".

Mrs Francks left the meeting at 8.25 pm.

Whilst recognising the future need for fewer local authority homes with people choosing to remain in their own homes for longer Members were fully supportive of this Motion and generally of the view that The Limes and Harvey House should be kept open. Further, the point was made that representation to this end should be made during the forthcoming consultation period.

Mrs Francks returned to the meeting at 8.28 pm.

Messrs. Ladkin and O'Shea left the meeting at 8.31 pm and 8.32 pm respectively, both returning at 8.35 pm.

On a show of hands, with no-one voting against, it was agreed that the aforementioned motion from Mr. Gould, seconded by Mr. Wright, be supported.

(b) Motion from Mr. D. W. Inman

"In accordance with its strategy on poverty, this Council is concerned about the effect of the current difficult winter on older residents in the Borough whose incomes fall below the official poverty level of £164 a week.

To this end Council asks that:-

1. All Council officers and partners exercise extreme care to ensure that isolated pensioners do not suffer from hypothermia or other medical conditions made worse by the cold weather, due to lack of money to provide effective heating,
2. The Leader of the Council writes to the Government asking them to extend the heating allowances paid to older people so that those on low incomes as well as those on benefits may be better able to meet higher fuel bills,
3. The Council makes representations to all energy providers asking them to review all instances where older people are required to pay by pre-payment meters, to review all existing schemes for reducing energy payments for older people with a view to making such schemes more widely available, and to give more publicity to reduced payment scheme that are available for older people."

Members were fully supportive of this Motion, whilst being agreed that meters for energy consumption did not represent good value for money. Additionally it was suggested that the wording of the first strand of the motion should be expanded and that any alternative wording be agreed between Messrs. Inman and Sutton and the Chief Executive at the end of the meeting.

It was unanimously agreed that subject to the rewording of the first line of the Motion proposed by Mr. Inman and seconded by Mr. Bannister this be fully supported

The meeting closed at 8.50 pm

Subsequent to the meeting, and following agreement by Messrs. Inman, Sutton and the Chief Executive, the wording of the first clause of Motion (b) now reads as follows:-

“All Council Officers and Partners exercise extreme care and those in the community who have regular contact with isolated homes (such as postal and milk delivery workers) be encouraged to exercise the same care, to ensure that isolated pensioners do not suffer from hypothermia or other medical conditions made worse by the cold weather, due to lack of money in effective heating.”