

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

30 AUGUST 2011 AT 6.30 PM

PRESENT: MR R MAYNE - MAYOR  
MR MB CARTWRIGHT - DEPUTY MAYOR

Mr R Allen, Mr JG Bannister, Mr PR Batty, Mr PS Bessant, Mr DC Bill, Mr CW Boothby, Mr SL Bray, Mrs R Camamile, Mrs T Chastney, Mr DS Cope, Mr WJ Crooks, Mr DM Gould, Mrs A Hall, Mr PAS Hall, Mr MS Hulbert, Mr DW Inman, Mr C Ladkin, Mr MR Lay, Mr KWP Lynch, Mr J Moore, Mr K Morrell, Mr T Mullaney, Mr K Nichols, Mrs J Richards, Mrs H Smith, Mrs S Sprason, Mr BE Sutton, Miss DM Taylor, Mr R Ward and Ms BM Witherford.

Officers in attendance: Mr S Atkinson, Mr D Bunker, Mr B Cullen, Mr M Evans, Miss L Horton, Mr S Kohli, Miss R Owen and Mr S Wood.

117 PRAYER

Prayer was offered by Canon David Jennings.

118 APOLOGIES

Apologies for absence were submitted on behalf of Mrs L Hodgkins and Mr LJP O'Shea.

Members sent their best wishes to Mrs Hodgkins who was in hospital after breaking her hip.

119 MINUTES (C13)

On the motion of Mr Lynch, seconded by Mr Nichols it was

RESOLVED – the minutes of the meeting held on 5 July 2011 be confirmed and signed by the Mayor.

120 ITEMS OF URGENT BUSINESS

The Mayor referred to the two items of additional business listed in the Supplementary Agenda which, by reason of special circumstances, would be taken as matters of urgency at the meeting. He agreed to take them at this point in the proceedings as follows:

- a) Appointment to vacancy on Planning Committee

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

RESOLVED – Mrs Hodgkins be appointed to the vacancy on Planning Committee.

- b) Appointment of Governor of George Elliot Hospital

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

RESOLVED – Mr Mayne be appointed as a Governor of George Elliot Hospital.

121 DECLARATIONS OF INTEREST

No interests were declared at this stage.

122 MAYOR'S COMMUNICATIONS

The Mayor referred to the recent Youth Exchange which saw young people from France, Germany and Poland visiting the Borough, staying at the George Ward Centre. Thanks were extended to the Centre and to the Cultural Services Team for their hard work to make the exchange a success.

The Mayor also reported on a visit from representatives of Hinckley's twin town in Germany, Herford.

123 PETITIONS RECEIVED IN ACCORDANCE WITH THE COUNCIL'S PETITIONS SCHEME

It was noted that a petition had been received which met the criteria for consideration by Council (minute 127 below refers).

124 QUESTIONS

- a) Question asked by Councillor DM Taylor and addressed to the Leader of the Council

"Would the Leader update the Council on the latest shop vacancy rates in Hinckley Town Centre?"

Response from Councillor SL Bray

"Thank you Councillor Taylor for your questions on vacancy rates in Hinckley Town Centre.

I can inform you that the vacancy rate in the Town Centre currently stands at 13.8% which compares favourably with the national average of 14.5%.

In the prime retail area of the Town Centre (ie Castle Street and Britannia Centre) the vacancy rate is only 3.9% - representing five units, of which three are sold but remain empty. Regent Street however continues to struggle with a vacancy rate of 24%.

The Town Centre Partnership have recently been consulting with businesses over potential improvements to Regent Street to help improve this situation. I'm pleased to inform you that the Council's three retail units on Church Walk / Castle Street are 100% let."

b) Question asked by Councillor MS Hulbert and addressed to Councillor DC Bill

"Could the Executive member for Community Safety and Partnerships tell the Council his views on why Hinckley and Bosworth hasn't suffered from the terrible riots that we have seen in other towns and cities across England?"

Response from Councillor DC Bill

"It is a credit to the citizens of the Borough and particularly our young people that there has been no experience of riots in this area such as was seen in key cities across the country and closer to home in Leicester and Birmingham.

The Police have confirmed that of the arrests that have been made (of which there have been many), 75% of people arrested resided in Leicester and 25% are from elsewhere in the county. We are not aware of anyone from the Borough. Of those arrested, the majority (254) were aged 16-18 years old and 151 were aged 19-21 years old.

One can speculate on a range of underlying reasons why people engaged and didn't engage in the riots. One thing is clear from the Police intelligence that it was not linked to gangs.

We know there is very positive work underway within the district in engaging young people through sport and physical activity and Members will be considering a report on this on tonight's Council agenda. There is also very positive work underway in our priority neighbourhoods through Neighbourhood Action Teams, and the Local Strategic Partnership has established an Employment and Skills Task Group to create better pathways to employment and training for young people within the Borough, including apprenticeships and vocational training to meet local business needs.

It was agreed by all Community Safety Partnership Chairs last week that there is a commitment to continue to engage and develop further initiatives to involve young people and ensure messages are communicated about the consequences of becoming involved in riots."

In response to a supplementary question asked by Mr Hulbert, Mr Bill outlined the excellent facilities for young people in the Borough including Hinckley Club for Young People, and new jobs and opportunities for young people.

c) Question asked by Councillor M Cartwright and addressed to Councillor SL Bray

"I know the Leader has been briefed by me on the long-standing problems about inappropriate behaviour at Groby Pool Car Park and the surrounding borough council owned land. Could he please update the Council on what is being done about it?"

Response from Councillor SL Bray

"There have been no complaints received recently by the Borough Council about this issue, but our commitment to work in partnership with the police and Groby Parish Council continues. The car park is visited regularly by the police and we have increased the presence by the Neighbourhood Warden, and you will be aware there has been a considerable increase in the maintenance of the site by the Borough Council, new paths have been built,

and this autumn there will be the annual clearance of vegetation. We are also arranging for the ditch at the front of the site to be re-dug and for mobile CCTV to be installed on an intermittent basis to act as a deterrent to inappropriate behaviour. The Borough Council remains committed to keeping this site available for legitimate users who are visiting the nearby Groby Pool. We will be further encouraging volunteers to sign up to establish a Friends of Groby Pool group through the local parish bulletins and magazines.”

As a supplementary question, Mr Cartwright asked if the paths could be cleared to enable bike controls by police. In response Mr Bray agreed to request that this be considered, but suggested that it would probably not be possible until the autumn due to the risk to nesting wildlife. He thanked Councillor Cartwright, officers of the council and police for their work on this matter.

#### 125 LEADER’S POSITION STATEMENT

In presenting his position statement the Leader expressed his disappointment at the removal of the Leicester Mercury office from Hinckley and the resulting loss of Shirley Elsby from local journalism. He also referred to the riots around the country and thanked officers for working closely with the police and the Town centre Partnership to ensure that Hinckley was prepared should disorder occur in the Borough, but felt that the fact that there was no disturbance in Hinckley reflected well on the communities and particularly young people in the Borough.

Mr Bray also commended the co-ordinated actions of the council and other agencies in preventing threatened illegal traveller incursions in the Borough.

In responding to the Leader’s position statement, the Leader of the Conservative Group echoed his regret at the closure of the Mercury office and thanked council officers for their work to support young people in the Borough. He also asked the Leader to consider cross-party representation on the Local Strategic Partnership. In response the Leader asked Councillor Bill, as Chair of the Partnership, to ask the Partnership to consider the request.

Mr Lay expressed concern about the damage to local democracy in losing the media coverage previously afforded by the Mercury.

#### 126 MINUTES OF THE SCRUTINY COMMISSION (C14)

The minutes of the Scrutiny Commission meeting held on 28 July 2011 were received for information. In presenting these, Mr Lay encouraged Members who were not on the Scrutiny Commission to attend in an observer capacity. It was noted that the Overview & Scrutiny Annual Report which was deferred at the previous meeting of the Council would be brought to the meeting on 25 October.

#### 127 PETITION FROM THE RESIDENTS OF CONGERSTONE

Councillor T Chastney presented a petition with 130 signatures from the residents of Congerstone with the following title:

“We, the undersigned residents of Congerstone, call for the Barton Road field shown on the map (Ref AS510) to be designated as a protected Green Space”.

It was noted that under the Petitions Scheme this petition met the criteria for Council debate by having a number of signatures equal to or greater than 2.34% of the electorate of that parish.

RESOLVED – the petition be taken into account in the consultation on the Site Allocations DPD Submission version in Autumn 2012.

128 PRUDENTIAL INDICATORS 2011-12 (C15)

Members received a report which outlined the Council's prudential indicators for 2011/12 – 2013/14 and set out the expected treasury operations for this period in line with key legislative requirements. During discussion, the following points were made:

- That income from business rates had not been included in the calculations as this was still under consultation;
- The figures regarding the Sustainable Urban Extensions had not been incorporated as the Community Infrastructure Levy had not yet been agreed;
- Costings for Hinckley Hub had been included as per the report which had been agreed by Council in June 2010;
- The authority's policy was to maintain 10% reserves, but at the end of the next period this would be at 21% to address forecasted pressures in future years.

A Member requested a list of asset disposals in capital receipts to 2014, and it was agreed that this information would be provided to all Members.

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

RESOLVED –

- (i) the prudential indicators and limits for 2011/12 to 2013/14 be approved;
- (ii) the Minimum Revenue Provision (MRP) Statement be approved;
- (iii) the Treasury Management Strategy 2011/12 to 2013/14 and the treasury Prudential Indicators be approved;
- (iv) the investment strategy 2011/12 be approved.

129 DEDICATION OF PART OF THE ARGENTS MEAD SITE AS A QUEEN ELIZABETH II FIELD (C16)

A report seeking approval to dedicate part of Argents Mead as a Queen Elizabeth II Park was presented to Council and it was explained that if agreed, it would become part of a national network of parks under a programme run by Fields In Trust to mark the Diamond Jubilee and the 2012 Olympics and would benefit from some additional future funding.

In response to some Members' concerns it was clarified that there would be no transfer of land and the name of the area would remain as Argents Mead, but that it would be one of a group of Queen Elizabeth II Parks, and that the area concerned would be the existing green space.

Five Members requested that voting on the recommendation be recorded. The vote was taken as follows:

Mr Bannister, Mr Bill, Mr Bray, Mr Cartwright, Mr Cope, Mr Crooks, Mr Gould, Mrs Hall, Mr Hall, Mr Hulbert, Mr Inman, Mr Lynch, Mr Mayne, Mr Mullaney, Mr Nichols, Miss Taylor and Ms Witherford voted FOR the recommendation (17);

Mr Allen, Mr Batty, Mr Bessant, Mr Boothby, Mrs Camamile, Mrs Chastney, Mr Ladkin, Mr Lay, Mr Moore, Mr Morrell, Mrs Richards, Mrs Smith, Mrs Sprason, Mr Sutton and Mr Ward ABSTAINED from voting.

RESOLVED –

- (i) the dedication of part of Argents Mead (as shown in plan 1 appended to the report) as a Queen Elizabeth II park be agreed;
- (ii) authority be delegated to the Leader of the Council and the Public Space Manager to progress this dedication and make minor amendments to the boundary line should the need arise.

130 COUNTY SPORTS PARTNERSHIP – ANNUAL REVIEW 10/11 (C17)

The Leicester-shire and Rutland County Sports Partnership's Annual Review 2010/11 was presented to Council and the significant success in securing investment in sport and physical activity, as well as the value for money for residents of the Borough was highlighted. A Member sought reassurance that sporting organisations and events in the community were supported, and whilst positive confirmation was given, it was agreed that the Member be provided with more detailed information regarding support to a boxing club in Earl Shilton.

On the motion of Mr Mullaney, seconded by Mr Bray it was

RESOLVED – the report be endorsed and the valuable contribution of sport to the quality of life for residents in Hinckley and Bosworth be recognised.

131 APPOINTMENT OF PARISH REPRESENTATIVE TO THE COUNCIL'S STANDARDS COMMITTEE

It was reported that three parish councillors had put themselves forward for appointment to the vacancy for a parish representative on the authority's Standards Committee.

It was moved by Mrs Witherford and seconded by Mrs Hall that Mrs Diane Finney be appointed to the committee. It was then proposed by Mrs Camamile and seconded by Mr Allen that Mr Andrew Gough be appointed to the vacancy. The vote was taken by means of a show of hands, with Mrs Finney receiving 15 votes and Mr Gough receiving 14 votes.

RESOLVED – Mrs Diane Finney be appointed as parish representative on the Council's Standards Committee.

132 DATE OF NEXT MEETING OF COUNCIL

Members were reminded that there was an extraordinary council meeting on 21 September at 6pm to consider the statement of accounts.

133 MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES 13.1 AND 13.2

(a) Motion from Mr SL Bray:

“This Council notes with dismay the recent planning appeal decisions relating to Britannia Road, Burbage and Leicester Road, Hinckley. The Council asks that the Chief Executive writes to the Secretary of State to express our dissatisfaction with the decisions which seem to fly in the face of the Government’s commitment to localism.

Furthermore, that letter should confirm this Council’s belief that the Government should scrap its requirements for the five year land supply, which is forcing unwanted developments on local communities, and request that any requirement for a land supply should be based on ‘approvals’ only, not ‘completions’ over which the local council has absolutely no influence.

In addition, the Council asks that the Chief Executive approaches the District Councils’ Network and the Local Government Group for their support to this proposal.”

The motion was seconded by Mr Nichols.

RESOLVED – the motion be supported.

(b) Motion from Mr SL Bray:

“The Council notes the uniqueness of the park land in the town centre known as Argents Mead, and the high regard it is held in locally.

The Council re-states its commitment to protect and expand the green area of the site. The Council welcomes the application for the Queen Elizabeth II park status for the current park area and will seek to expand this once the Council Offices are demolished.

Furthermore, the Council will reject calls for any large-scale development on the site.”

The motion was seconded by Ms Witherford.

An amendment was circulated to the meeting, proposed by Mr Bessant and seconded by Mr Lay, to read:

“The Council notes the uniqueness of the park land in the town centre known as Argents Mead, and the high regard it is held in locally.

The Council re-states its commitment to protect the green area of the site.

Furthermore, the Council will reject calls for any inappropriate large-scale development on the site.”

Upon being put to the vote, 15 Members voted FOR the AMENDMENT and 17 voted AGAINST. The amendment was therefore declared LOST.

Mr Bray, supported by a further six Members, requested that voting be recorded on the substantive motion. The vote was taken as follows:

Mr Bannister, Mr Bill, Mr Bray, Mr Cartwright, Mr Cope, Mr Crooks, Mr Gould, Mrs Hall, Mr Hall, Mr Hulbert, Mr Inman, Mr Lynch, Mr Mayne, Mr Mullaney, Mr Nichols, Miss Taylor and Ms Witherford voted FOR the motion (17);

Mr Allen, Mr Batty, Mr Bessant, Mr Boothby, Mrs Camamile, Mrs Chastney, Mr Ladkin, Mr Lay, Mr Moore, Mr Morrell, Mrs Richards, Mrs Smith, Mrs Sprason, Mr Sutton and Mr Ward voted AGAINST the motion (15).

The original motion was therefore declared CARRIED.

RESOLVED – the original motion be supported.

134 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr Gould, seconded by Mr Hulbert, it was

RESOLVED - in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

135 THE CRESCENT (HINCKLEY BUS STATION) COMPULSARY PURCHASE ORDER, FINANCIAL ARRANGEMENT (C19)

Approval was sought for expenditure which would be reimbursed by the development partner.

It was moved by Mr Lay, seconded by Mr Gould and

RESOLVED – the recommendation contained within the report be approved.

136 EXTENSION OF MEETING IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 9

Having reached 9.25pm, it was moved by Mr Crooks, seconded by Mr Bray and

RESOLVED – the meeting be allowed to continue until 9.45pm.

137 HEAD LEASE FOR THE HINCKLEY HUB AND PARTNER UPDATE (C18)

Further to the report to Council in June 2010 which approved the financial and other arrangements for the development of the site known as ‘Hinckley Hub’ for relocation of Council employees and facilities, Members received a report which provided an update on the final position with regard to relocation and co-location and sought agreement for the Head Lease which, it was reported, constituted a minor variation to the plans agreed originally, to enable other partners, including the County Council, to co-locate for the benefit of improved local public services at reduced cost.

At 9.45pm it was moved by Mr Bray, seconded by Mr Crooks and

RESOLVED – the meeting continue until the natural conclusion of the debate.

Following discussion on whether the project could be further delayed to allow the matter to be deferred or considered by the Scrutiny Commission before being brought back to Council, the meeting was adjourned at 10.13pm to seek advice.

Mr Boothby left the meeting at 10.15pm.

The meeting reconvened at 10.27pm.

Mr Bray, supported by seven other Members, requested that voting on the recommendation be recorded. The vote was taken as follows:

Mr Bannister, Mr Bill, Mr Bray, Mr Cartwright, Mr Cope, Mr Crooks, Mr Gould, Mrs Hall, Mr Hall, Mr Hulbert, Mr Inman, Mr Lynch, Mr Mayne, Mr Mullaney, Mr Nichols, Miss Taylor and Ms Witherford voted FOR the recommendation (17);

Mr Allen, Mr Batty, Mr Bessant, Mrs Camamile, Mrs Chastney, Mr Ladkin, Mr Moore, Mr Morrell, Mrs Richards, Mrs Smith, and Mrs Sprason voted AGAINST the recommendation (11);

Mr Lay, Mr Sutton and Mr Ward abstained from voting.

It was therefore

RESOLVED – the recommendations contained within the report be approved.

(The meeting closed at 10.30 pm)

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MAYOR