



Date: 24 September 2013

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **All Members of Council**

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **COUNCIL** on **TUESDAY, 24 SEPTEMBER 2013 at 6.30 pm.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Officer

COUNCIL - 24 SEPTEMBER 2013

SUPPLEMENTARY AGENDA

7. **TO DEAL WITH QUESTIONS UNDER COUNCIL PROCEDURE RULE NUMBER 11.1**

(a) Question from Cllr Hulbert to the Executive Member for Culture & Leisure

Does the Executive Member agree with me that the increased amount of activities and youth clubs for children and young people in Barwell in recent times is positive news for the village and will he join me in paying tribute to those who lead it, especially the many volunteers?

Response from Cllr Cope

Volunteers are valued and fully appreciated by myself and my colleagues. Without their dedicated commitment, the offer to our families would be significantly diminished.

To demonstrate this here are some examples:

595 young people from Barwell, supported by 24 volunteers and staff from the Community House attended a variety of fun activities during the summer. These activities were complemented by new provision at The George Ward Centre.

Supporting the National Play Charter that the Council adopted in January 2013, the HBBC Play Workers supported Barwell Methodist Church, along with other partners who engaged with 72 children offering them a healthy lunch and play activities, encouraging team work and sociability, imagination, group cohesion, compassion, participation in activities, behaviour improvement.

To tackle the healthy weight issues in children HBBC are working with education and health partners to deliver physical activity programmes.

The feedback received from parents/grandparents/carers and residents were that it was an "excellent summer in Barwell for children with such an array of activities and trips going on".

I thank the volunteers, Partners and HBBC Officers for their continued support. Barwell should be proud of its achievements.

(b) Question from Cllr Hulbert to the Executive Member for Finance, ICT & Asset Management

I'd like to ask the lead member how many successful benefit fraud prosecutions there's been in the borough in each of the past five years?

Response from Cllr Lynch

I thank Cllr Hulbert for his question. The number of successful benefit fraud prosecutions in the Borough over the last 5 years are listed below:

Number of successful Benefit Fraud Prosecutions - Hinckley & Bosworth BC					
2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	01.04.13 to date
6	8	12	19	16	7

(c) Question from Cllr Moore to the Leader of the Council

Our letter head proclaims “A Borough to be proud of”. At the last meeting of this Council, the Party I’m honoured to represent took the decision to underline this boast by taking positive action to drive forward our Town’s regeneration.

Could I ask the Leader, has he like me noted the fact that this building, which is the Civic Centre of our Borough, seems to be keeping its light under a bushel. It sits at one of the prime gateways to our Town, every vehicle entering from the South has to pass its doors, yet we have a situation where the flag pole, which I believe should be proudly flying our Borough flag, is tucked away behind the building.

Additionally, others districts in the country are proud to associate themselves with their “twinned towns”, as I’m sure is true of our town, by placing a plaque proclaiming the fact at or close to their main entrance. Could I ask Leader, as the portfolio holder for the Town Centre, does he not agree with me that these oversights should, with some urgency, be remedied?

Response from Cllr Witherford

The flagpole to the Hinckley Hub is situated to the left of the main entrance to the short stay car-park of the Hinckley Hub in a prominent position. The Council flies the Union flag from this point on formally agreed designated days, the Council flag to signify full Council meetings and the Armed Forces Flag on Armed Forces Day which is next celebrated on the 28th of June 2014. The flagpole cannot be used for any other occasion as it would then be considered as an advertising banner and be subject to appropriate planning approvals. If the flagpole is to be relocated closer to the highway it may be considered by County Council Highways as a potential driver distraction. The cost of relocation would be in the region of £1000.

We’re equally proud to associate ourselves with our twin towns of Grand Quevilly and Herford as evidenced by the rock gardens on Coventry Road which are dedicated to Grand Quevilly and the Hinckley-Herford gardens at the bottom of Church Walk. So far as plaques commemorating our links with these two towns are concerned, unfortunately there is limited space at the entrance of the Hub for such display, together with the fact that we have partners within the building who have no connection with the town twinning concept enjoyed by Hinckley and Bosworth. We have now instigated dedication of two of our meetings rooms – one for each of our twin towns, which will display the gifted items from previous town twinning visits.

(d) Question from Cllr Ward to the Leader of the Council

Further to the letter published in the 12th September edition of the Hinckley Times “*Is staff free bus right*” and having been asked this question by a number of people and not knowing the answer, could the Executive member please confirm to me the details and total costs associated with regard to the Park & Ride and Shoppers Bus service to and from the Hub provided by the Council for employees and is this service also provided for the benefit of the Council’s partner organisations at the Hub.

Can the Executive member please confirm for what length of time it is envisaged to provide this service and is this provided at council tax payers’ expense and if so, at

which Council meeting was this arrangement was approved.

Response from Cllr Bray

As part of the cost saving exercise in 2011-12 all staff undertaking business mileage were reviewed and approximately 100 were reclassified as casual users saving the Council approximately £130k per year ongoing. On moving from Argents Mead those re-designated staff also lost their permit for car parking at the Hinckley Hub. To encourage all staff to take up the season tickets for long stay car parks, it was agreed by Executive in May 2013 that staff could park at the underutilised Brunel Road car parks for a period of six months. To further encourage this use of the long stay car parks, a three month trial of a shuttle bus was agreed running for one hour morning, lunchtime and afternoons linking the Hub, car parks and town centre. This was also to encourage staff to continue utilising the town centre shopping during lunch times which has the support of the Town Centre Partnership. Use has been relatively low except for lunchtimes with most staff walking to the Hub from Brunel Road. The cost is approximately £1,300 per month and the service is provided by Westfield Community Centre. The Council has however received an additional £30k for long stay car parking permits for Leicestershire County Council Staff working in the Hub who also utilise the shuttle bus. Following a review of the service the shuttle bus will cease at the end of the September.

- (e) Question from Cllr Morrell to the Leader of the Council (as Executive Member for Planning)

An article appeared in the Hinckley Times on 12th September, quoting unhappy Barlestone residents, complaining that travellers on the illegally established Good Friday caravan site which has been a blight on their area since Easter 2009 have been given yet another year to vacate and then re-instate this site. Can the Executive member please clarify why the Council has felt it necessary to extend their stay this long when no such lengthy delay would be considered if a Council tenant was being evicted and also whether the Council has any real confidence that the site will actually be vacated.

No doubt the Executive member will also be aware from the article that residents expressed concerns as to whether the travellers will take any notice of the eviction notice and make good the field, as this will be a huge job and that if the travellers do not comply with the notice, who will pay for this? Can the Executive member provide any assurance that the site will be cleared and re-instated in accordance with the notices issued and who will pay, if the travellers don't?

Response from Cllr Bray

In taking enforcement action that Council must act reasonably in all respects it is important to note that the terms of the enforcement notice were considered by Planning Committee on 23 July. Whilst the time for compliance was discussed, there was no motion proposed to amend the notice period or its requirements. The Enforcement Notice was served on 16 August 2013 and required full clearance and reinstatement of the land. The responsibility of the cost of this work would fall to the occupiers.

The Council has now received formal notification for the Planning Inspectorate of an appeal against the enforcement notice. The appellant is appeal on the grounds that planning permission should be granted and that the time period for compliance

with the notice is not long enough. Accordingly, the matter is now in the hands of the Planning Inspectorate, and an independent Inspector will determine if the notice and its time for compliance is reasonable.

Given the notification of the appeal the matter of compliance with the notice is currently held in abeyance and thus the matters of site clearance, reinstatement and associated costs is not currently under consideration. Speculation on such matters may be considered to prejudice the Council's case at appeal.

- (f) Question from Cllr Batty to the Leader of council (as Executive Member for Planning)

Clearly there still appears to be conflicting opinion on what counts towards a 5 year housing land supply. Appeal Inspectors recently appearing only to give weight to "deliverable" completions when calculating eligible numbers. Can the Executive member provide, with any real certainty, assurances with regard to this Council's current 5 year housing land position when it is significantly dependent on plots with outline consent and no completed S106 agreements in place?

With the number of Appeals pending and with the Borough, particularly Burbage, under a deluge of unwelcome planning applications, does the Executive member agree that this Council needs to be absolutely sure of its' interpretation of what constitutes a 5 year housing land supply.

Response from Cllr Bray

You are correct in stating that Appeal Inspectors only give weight to deliverable sites when calculating housing numbers to be included in the five year housing land supply. Indeed, this is consistent with the Borough Council's own approach which also only gives weight to deliverable sites.

The approach taken follows the guidance contained within paragraph 47 of the National Planning Policy Statement (NPPF) and its associated footnote (11). Footnote 11 states that:

To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

Taking this guidance into account, when calculating the 5 year supply, the Council includes sites with planning permission, outline planning permission and planning permissions pending the signing of a s106 agreement unless there is clear evidence available that schemes will not be delivered within the 5 year period.

The deliverability of sites included within the Borough's five year housing land supply calculation has been considered by Inspectors at recent planning appeals. The principle of including outline planning permissions, including those pending s106 agreements, has been accepted. Indeed, the Inspector that determined the most recent case of relevance to this issue (Shilton Road, Barwell) agreed with the Council's interpretation of what constitutes a five year housing land supply position

by concluding that a 5 year supply of deliverable housing sites had been demonstrated.

(g) Question from Cllr Ladkin to the Executive Member for Culture & Leisure

I notice from the current issue of the Borough Bulletin, publicity given to the switch on of the Council's town centre Christmas lights. Bearing in mind the few nervous moments at last year's switch on ceremony, can the Executive member please confirm what if any changes or improvements have been made for this years display and at what cost, bearing in mind the actual number of lights appear to have been progressively fewer and fewer each year.

Can the Executive member also confirm how many years it was since these particular lights were purchased and what are the Council's anticipated plans and budget the for town centre Christmas lights in 2015 when the Council has assured us that the Bus Station redevelopment will be completed.

Response from Cllr Cope

The erection of the Christmas Lights contract for Hinckley town centre and Market Bosworth has just been through a robust tender process. I'm pleased to announce that a local company has been awarded the contract. The winning company offers excellent value for money and have provided assurances that the situation that occurred last year (which was simply down to human error) will not happen this year. The new contract will provide the Council with an efficiency savings and also allows us to purchase replacement lights over the next 3 years ensuring sustainability.

During the previous 4 years all of the lights have been renewed. As the lights are perishable, the Council will replace and upgrade, within budgetary limitations, over the next 3 years. With regards to the Crescent bus station development, the Council are in dialogue with the Developers to ensure there is a 'Christmas Lighting display' and this is complementary to Hinckley town centre's existing display.

(h) Question from Cllr Batty to the Executive Member for Finance, ICT & Asset Management

An article by the Deputy Chief Executive Corporate Direction was recently published in the Hinckley Times with a bold headline claiming that the "*Hinckley Hub is saving the council money from day one*". Clearly this headline would suggest to most council tax payers that there has been an overall saving to the Council from day one as a result of moving to the Hinckley Hub. Can the Executive member for finance please confirm if this is actually the case bearing in mind that the Council actually owned Argents Mead and there was no rent to pay, whereas the Council is now tied to an expensive 30 year plus lease on the Hinckley Hub.

Therefore, in order that we can all understand whether there actually was an overall saving to the Council from day one as suggested by the article's headline, could the Executive member for Finance please provide us with a detailed breakdown, taking into account all relocation costs including IT and office fitting out, costs of the lease etc, compared to the undoubted savings from energy efficiency and rent on Florence House, I trust there was no rent penalty on ending the Florence House lease.

Response from Cllr Lynch

In response to Cllr Batty's question I will firstly point out that the Headline in the Hinckley Times was not given or suggested by the Deputy Chief Executive, Corporate Direction and the content of his letter did not claim to have made savings from day one. However, now that Cllr Batty has given me the opportunity I will set out briefly how this Council has made savings from day one and will continue to avoid future costs that would have come with all of the options that have been considered by Council over the past 3 years.

I suggest to Cllr Batty that instead of raising questions based on articles in the Hinckley Times, he goes back and reads the numerous reports that have been to Full Council for consideration in the past two years. I particularly point him to the very detailed report that was approved by this Council on 29th June 2010 which set out the financial and operational implications of all of the options that were available to this Council. A copy of this report can be accessed from the Council's website.

When Cllr Batty has refreshed his memory, he will no doubt remember that the savings to this Council come not only from lower energy and running costs, the savings also come from the fact that had the Council remained any longer at its Argents Mead offices then there would have been significant maintenance costs to pay. The alternative option that was considered was to temporarily move staff to the Atkins building and then move them to offices in the Bus Station development when complete. This would have incurred additional re-location costs and disruption to services. By only moving the once to the Hub savings were made of just over £400,000. In addition, I will remind Cllr Batty that by making the decision to move to the Hub the Council secured over £1million capital receipt from the Developer. Neither of these sums would have come to fruition if we did not move to the Hub.

The other options that were considered at the time were to refurbish the existing offices at Argents Mead or to build our own offices. These options would have cost this Council between £470,000 (for refurbishment) and £850,000 (for new build) per annum in borrowing costs. The comparative cost for this Council (after partner contributions) is around £350,000 per annum. Therefore, avoiding further costs to the taxpayer from day one before annual savings in running costs of around £75,000 per annum.

- (a) Urgent questions in accordance with Council Procedure Rules 11.1 and 11.3(b)

The Mayor has agreed to accept the following question which is deemed urgent as the announcement was made after the deadline for questions under item 7 above.

Question from Councillor Lay to the Executive Member for Finance, ICT and Asset Management

Could the Executive Member for Finance confirm that Leicestershire County Council is looking to make redundant all disabled employees who were previously employed under the Work Choice Programme. Can the Executive Member for Finance also inform us if this Council has any co-hosted posts under this scheme that will now be under threat and what are the financial implications for this Council?

Response from Cllr Lynch

Thank you Cllr Lay for this question. I can confirm that Leicestershire County Council is

currently consulting with all disabled staff who are affected by this decision which is part of the County Council's cost reduction programme. This Council has one post in our Housing Repairs service that will be affected by this decision. The arrangement with the County Council to host this post started in 1989, initially under the Sheltered Placement Scheme. This has since changed to the Workstep grant and subsequently to the Work Choice Programme. Officers of this Council are currently in discussions with the County Council to clarify the employment status of this post. I can assure Cllr Lay that we will be doing everything we can to safeguard this post but the impact of retaining this post will be around £10,000.

8. TO RECEIVE THE LEADER OF THE COUNCIL'S POSITION STATEMENT

Madam Mayor

Tonight's Statement concentrates on four main issues: the Council's financial capability, in the face of increasing pressures from government and service users; an update on the developments at The Crescent and Argents Mead; progress (or lack of it) with City Deals; and the ongoing saga of Mallory Park.

Before I move to those items, I must make mention of the serious accident which Tim Norton suffered whilst kayaking on holiday recently.

Tim, who is a Team Leader in the Grounds Maintenance Team, broke his neck when his kayak overturned and was saved by the prompt action of his wife. He will be absent from work for a lengthy period, but I am sure you will join with me in wishing him a full recovery in the longer term.

Members will be aware of the moves to have the remains of Richard III placed in Leicester Cathedral. I can advise that I have signed the petition in support of this action, recognising the significant benefits this will bring to this area, not least because of the association with Bosworth battlefield.

As regards our budget position for 2013/14, we are still predicting an underspend on the General Fund of £200k, largely based on one-off income increases. In the longer-term, we know we will have to make further savings/income increases from 2015/16 and officers have begun the process of planning ahead, already targeting £250k savings in 2014/15 to give us a head start. I have asked that we make absolutely sure that we identify any underlying underspends before we commit to further savings and that any such savings do not involve service reductions or compulsory redundancies in 2014/15.

Development of the Crescent remains on track. The Council will become directly involved in the positive ongoing discussions between Tin Hat and Sainsbury's in October. The consultation with the Town Centre Partnership gained their full support for the action being taken. Procurement of the Leisure Centre on the Argents Mead site is progressing and is at the Pre Qualification Questionnaire stage. We have received four submissions and are on target to select the preferred position in January 2014, for start on site in March 2014. An officer group has been convened to ensure co-ordination of activity at the town centre sites.

Whilst there is a great deal of work and discussion on the two City Deals, the government, yet again, has put back the timescale for decision - it is now due in early 2014. The problems seem to be at that level, not with anything at the local level in either Coventry/Warwickshire or Leicester/Leicestershire. I will advise Members when we have a final position.

Finally, I must make comment on the position of Mallory Park, on which there has been

media comment recently. Senior officers and I have made every effort to secure a position which enables the long-term continuation of operation at the circuit by Mallory Park (Motorsport) Ltd, but at levels of noise and activity acceptable to residents in Kirkby Mallory. Our efforts have been welcomed by Mallory Park and by the governing body, the Motor Sports Association. However, the landowner is critical to the success of this initiative and discussions with him have yet to conclude. If I have further information to report to the Council, I will do so at the meeting.

Madam Mayor, I commend this Statement to the Council.

(a) Planning Committee - membership

To agree a change to committee membership with immediate effect as follows:

Councillor Boothby for Councillor Smith.

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