

# Public Document Pack



**Hinckley & Bosworth  
Borough Council**

**Bill Cullen** MBA (ISM), BA(Hons) MRTPI  
*Chief Executive*

**Date: 15 December 2020**

**To: All Members of Council**

Dear Councillor,

Please see overleaf a supplementary agenda for the meeting of the **COUNCIL** on **TUESDAY, 15 DECEMBER 2020** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen  
Democratic Services Manager

***SUPPLEMENTARY AGENDA***

**6. QUESTIONS**

Questions received under council procedure rule 14:

- (a) Question from Councillor R Allen to the Executive member for Finance:

"We note the news that UBS Asset Management have completed a £4.5m acquisition of the Sainsbury's supermarket in the Crescent and, as ever, welcome investment in our borough.

Will the Executive member please confirm the return on this council's investment in the Crescent scheme?

Will the Executive member further confirm that all loans in relation to the Crescent project have been repaid and cumulative interest received by this council on those loans, versus the interest paid by the council on all and any loans taken out to fund any aspect of the Crescent project?"

Response from Councillor Lynch:

**"Return on Investment**

The primary reason for the Council investing in Block C was to ensure that the whole Bus Station development was secured. Without this other investors at the time, such as Sainsbury's were considering pulling out. Also the lead Developer would have found it unviable if we were not to have invested and there was either a risk of partial or even no regeneration meaning the desired economic and regeneration aspect would have been lost.

Net income from Block in 2019/20 before financing costs was £194k, after financing costs of £190.7k, the regeneration investment makes a small surplus of £3.3k. This is after allowing for any untenanted costs that the Council has to fund but excludes business rates that are collected from the development. Once the empty units are let, the return will increase substantially. The Hoped for rental of the two remaining units will be between £100k to £140k depending on future negotiations. Obviously the pandemic has had an impact on filling the units during the current year, which hopefully will change in the near future.

The direct return is not the only way in which the Council has benefited from the Crescent development. Whole site has rates of £0.6m, with HBBC being better off by its share being £0.24m. This add to the overall return. Block C's element alone for business rates is £194.4k, the 40% HBBC element being £77.8k

**Loans**

Between 2012/13 and 2015/16 a total of £10.849m was financed, but only £5m was actual PWLB borrowing. The £10.849m financing was also in relation to the Leisure Centre (£4,931m) and Crescent Development (£4.060m). If an assumption is made that £5m loan was taken to underpin £10.849m of capital financing, the

Crescent element of financing £190.7k, which is MRP of £135.3k and interest of £55.4k. However, the split of the loan is notional for internal purposes.

The £5m loan, that has a notional allocation to Block C, will not be fully repaid for a further 42 years, as HBBC will be servicing HRA loans of almost £3m a year until 2037, therefore fits into a portfolio of debt financing to suit treasury management requirements.

There were a few short term loans amounting £7m to help with cash flows to the developer, but this has all been repaid and none was for over a year.

It is worth noting that loan decisions are made in relation to treasury management requirements and not automatically taken out at the commencement of a project unless cash flow requirements merit."

(b) Question from Councillor Ladkin to the Executive member for Finance:

"I would like to ask the Executive member responsible for a full and considered update on the planning and construction of the Hinckley crematorium"

Response from Councillor Lynch:

"Kier Construction have been appointed as the Main Contractor for developing Hinckley Crematorium. Following detailed talks, complicated by the Covid19 pandemic and Brexit trade negotiations, Kier have signed the JCT Design and Build 2016 form of contract within the project budget approved at the Extraordinary Full Council meeting of 14th July 2020.

I am pleased to announce that works will commence on site on the 11<sup>th</sup> January and are to follow a 50 week programme and we are now in preparation organising the Council's Wholly Owned Company to take occupation and run the future Crematorium Services for the benefit of the people living in Hinckley and Bosworth".

(c) Question from Councillor Crooks to the Executive member for Planning:

"Can the Executive member for Planning please advise if there is anything that can be done through existing or proposed legislation to minimise and, if possible, prevent the removal of hedgerows from fields etc? We believe there has been an increasing number of hedgerows being removed as we see it through the planning process which appears at odds with our adopted position on climate change"

Response from Councillor Bill:

"Thank you Councillor Crooks for your question. I personally feel strongly about this topic as I am sure you and many more of my fellow Councillors do. Unfortunately I am sorry to report that our ability to protect hedgerows is quite limited.

However, if the removal of a hedgerow is proposed as part of a planning application then each case will be considered on its individual merits, taking account of ecology and its role in wider landscape terms.

The vast majority of new development seeks to retain the existing hedgerows albeit there may be requirements to puncture through parts of the hedgerow to form

vehicular access etc. Officers in their assessment of applications also seek to retain hedgerows where ever possible.

As part of planning applications it is often conditioned that certain hedgerows are retained however the condition can only be enforced if the development has been commenced. If they remove the hedge prior to the commencement of development then there is no breach of planning control. There is no condition or agreement that can be put in place through the planning process that can prevent this from happening.

If work to a hedgerow is undertaken outside of the planning process, then regard should be had to the Hedgerow Regulations 1997. However, consent is only required if the Hedgerow is deemed "important". This is defined within the Hedgerow Regulations 1997 Paras 1-8 and unfortunately I understand that only a small number of hedgerows fall into the category of requiring protection.

I would like to see stronger legislation to ensure we retain and protect as much of our important hedgerows as we can."

## 8. LEADER OF THE COUNCIL'S POSITION STATEMENT

Madame Mayor, may I start by wishing all Members and Officers in our 'virtual chamber' a very happy and peaceful Christmas. It has been a very tough year for many with the challenges we have faced by the unprecedented COVID-19 pandemic.

I hope the spirit of the meeting and debate we have reflects the Christmas festive period.

Tonight on the agenda we have a report on our Licensing Policy which has been updated to reflect COVID requirements, and these have been endorsed by Licencing Committee. I am pleased to see the report on the Rural Strategy reflecting the extensive engagement we have had over the last year with our parishes. This demonstrates our continued commitment to support our rural as well as urban communities.

There are also reports on changes to Constitution, which primarily incorporates improvements for member and the public's engagement at Planning Committee; and on changes to the Petition Scheme. I would like to thank the Cross-Party Member Working Group that has considered and proposed these changes. We also have some appointments to make on some local charitable bodies and four motions on some topical issues to consider.

There are a few other key matters that I want to highlight which are as follows:

### **Tiering Arrangements**

As colleagues will know, when the country came out of the second national lockdown we were put into Tier 3 with the rest of Leicestershire and the City. This is the most restrictive tier. This is devastating for so many local businesses, particularly in the hospitality sector. I do not think this area deserved to be put into Tier 3, particularly as we have the lowest COVID infection rate of all Leicestershire authorities and well below the national average.

It was on the basis of this situation I instructed our Chief Executive to follow up on the legal challenge that Stratford-upon-Avon District Council have been pursuing against the Government. We will be told on the 17<sup>th</sup> December what our position and tier arrangement will be. Any change will come in from midnight on Saturday 19<sup>th</sup> December.

## **Shop Local**

I am delighted we have launched our 'Love Local, Shop Local' business directories to help people source food, drink and other services online, while supporting ventures who are adapting to new ways of running their businesses.

One directory is for restaurants, cafes, pubs, coffee shops and takeaways, while the other is for all other retailers. Given this is a difficult time for many local independent businesses, we know many have adapted quickly to provide online sales, click and collect services, local delivery and more. We want to make it easier for customers to find local businesses and help everyone to shop local for food and gifts.

The new directories are an excellent source of information to help residents find these innovative local suppliers. As we continue during the pandemic and recovery phase, shopping for food and gifts in the borough will help support the local economy – so please love local and shop local this Christmas!

## **Electric Vehicle Charging Points**

I am pleased to confirm that following feasibility work on a number of our carparks and recently having secured external funding, we will be installing 12 new electric vehicle charging points in two of our town centre carparks - Lower Bond Street and Castle Street. We have also been successful in securing funding from the LLEP for an additional 10 solar panel charge points in the borough. We are continuing to identify other carparks across the borough in anticipation of accessing further government funding for more charging points. I would like to express my thanks to Caroline Roffey and her team in Streetscene Services for the work they have undertaken to secure this infrastructure.

## **Britishvolt**

Staying on the same theme, I am delighted to welcome the recent announcement by Britvolt that they will be setting up their new global headquarters at MIRA Technology Park creating up to 50 high skilled jobs. The company develops advanced battery technologies for electric vehicles. This announcement signals confidence in this area and underlines the importance of the borough for the future of battery technology development, which will power electric cars of the future. Given the national commitment to ban the sale of new petrol and diesel vehicles by 2030, innovation in powering electric vehicles will be an increasingly important industry in this part of the Midlands and a source of economic growth for this area, which will contribute to the Council's Climate Change Strategy.

## **Klondyke**

As many Members are aware, the area known as the Klondyke to the north of Groby has been subject to unauthorised development activity over a number of years and the Council has repeatedly taken action. This year the Council has issued three enforcement notices and I can confirm that the Council is preparing the next stage of formal action to address the breaches in the New Year, which could result in court action in May.

## **National Financial Settlement**

Following the recent settlement announcement by the Chancellor, we are expecting to receive our allocation of the Settlement on 17<sup>th</sup> December. We expect this to be particularly challenging on our budgets and we will need to be making some difficult decisions that will need to be incorporated in the Council's Medium Term Financial Plan over the next three years.

Despite all of the incredible work we have done as a Council in keeping services going alongside the magnificent response and recovery effort to the COVID pandemic, we have been told that the expectation for Councils like ours is that we should raise our council tax to meet the burdens and pressures we face. I firmly believe the Government should support us with hard cash and not place the burden on local tax payers, which sounds like it may be inevitable.

Stuart Bray, Leader of the Council  
15 December 2020

## 12. REVIEW OF COUNCIL'S CONSTITUTION

In light of recent submissions and queries regarding motions, in moving the recommendations within the report Councillor Bray, seconded by Councillor Crooks, will move the following further changes to the constitution:

Part 2f paragraph 26.1

Remove the authority of officers to reject amendments unless they are defamatory, frivolous or offensive.

Part 3b paragraph 19.6

In the first sentence insert after "... must be relevant to the motion":

"and meet the criteria for the scope of motions on notice as listed in paragraph 17.2".

Then at the end of that same paragraph of 19.6 add:

"It is for Council to decide in debating the amendment whether the amendment meets the aforementioned criteria".

## 13. PETITION SCHEME

In moving the recommendations within the report, Councillor Bray, seconded by Councillor Crooks, will move that a sentence be included in the Petition Scheme to the effect that:

"Discretion will be allowed for petitions with fewer signatures due to relating to a single parish or village issue to be considered by the Scrutiny Commission or Council with the agreement of the Chief Executive in consultation with the ward councillor(s)".

## 14. APPOINTMENTS TO CHARITABLE BODIES

To make appointments to the following charitable bodies following expiry of the term of office of the current representative(s):

- (a) Alderman Newton's Educational Foundation, Barwell (one representative for a three year term)

It will be moved by Councillor Bray and seconded by Councillor Bill that Mathew Hulbert be appointed as the Council's representative to Alderman Newton's Educational Foundation, Barwell.

- (b) The Dixie Educational Foundation (four representatives for a three year term).

It will be moved by Councillor Bray and seconded by Councillor Bill that the following be appointed to the Dixie Educational Foundation:

Mrs J Glennon  
Cllr M Cartwright

15. MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 17

(a) Motion from Councillor Bray, seconded by Councillor Nichols

"This Council notes the Government's decision to place Hinckley and Bosworth, along with the rest of Leicestershire in Tier 3. The Council also notes that Hinckley and Bosworth has the lowest Covid rate per 100,000 in the County, significantly lower than Leicester and a number of other places.

This Council further notes that case rates in Hinckley and Bosworth are falling.

The Council expresses its thanks and congratulations to the residents in the borough for their efforts and sacrifices which have helped to bring our numbers down.

This council believes the Tier 3 restrictions will a devastating blow on businesses in the Borough, particularly our hospitality and leisure sector, many of whom have invested significantly in measures to keep their customers safe.

The Council instructs the Chief Executive to write to the Government to:

1. Express the Council's concerns for businesses in the Borough and request that further resources be given to the Council to help support these businesses.
2. Ask the Government to reconsider the decision to lump together the whole county when deciding on which tiers put each local authority in.
3. Urge the Government to look again at Hinckley and Bosworth's progress in the first promised review on December 16th with a view to moving the Borough down the tier system before Christmas."

(b) Motion from Councillor Ladkin, seconded by Councillor Morrell

"This Council welcomes Boris Johnson's 18 November 2020 speech on Climate Change and the Green Industrial Revolution and asks our own Climate Change Working Group to consider these proposals and report back to Council".

The following amendment will be moved by moved by Councillor Cartwright and seconded by Councillor Gibbens:

"This Council notes Boris Johnson's 18 November 2020 speech on climate change and the green industrial revolution which has been criticised as being a 'far cry' from what will be needed to reach net-zero emissions according to climate experts. The Council asks our own Climate Change Working Group to consider these proposals and report back to Council."

(c) Motion from Councillor Roberts, seconded by Councillor Smith

"This Council welcomes the announcement on 2 December that the Member of Parliament for Bosworth, Dr Luke Evans MP, has been confirmed as the joint winner of 'The Patchwork Foundation Overall Newcomer MP of the Year Award'. Dr Evans has been recognised for his work on improving schooling, including being instrumental in helping Hinckley Academy obtain funding. The award also recognises his work supporting the windrush generation which has helped a number of residents in Hinckley & Bosworth.

Council requests the Chief Executive and the Leader of the Council write to our MP to

congratulate him on receiving this award”.

The following amendment will be moved by Councillor Webber-Jones and seconded by Councillor Sheppard-Bools:

“This Council welcomes the announcement on 2 December that the Member of Parliament for Bosworth, Dr Luke Evans MP, has been confirmed as the joint winner of ‘The Patchwork Foundation Overall Newcomer MP of the Year Award’. Dr Evans has been recognised for his work on improving schooling, including being instrumental in helping Hinckley Academy obtain funding, which has been long under-funded by the Conservative Government. The award also recognises his work supporting the windrush generation which has helped a number of residents in Hinckley & Bosworth.

The Council expresses disappointment that the MP has put "Boris before Bosworth" on a number of issues that are damaging to our area. These include voting against free school meals for local children, voting for Hinckley and Bosworth being put in Tier 3 with the devastating impact this will have on local businesses, opposed maintaining food standards in future trade deals and expressing his broad support for the Government's harmful planning reforms.

Council requests the Chief Executive and the Leader of the Council write to our MP to congratulate him on receiving this award and express these sentiments.”

(d) Motion from Councillor Bill, seconded by Councillor Walker

“The Leicester and Leicestershire Local Enterprise Partnership (LLEP), of which this Council is a member, has a Strategic Economic Plan (SEP) which covers the period 2014 to 2020 and is therefore now due for renewal.

A key element of the plan is the designation of a wide section of the County as the “South West Leicestershire Growth Area” an area which encompasses the so called Golden Triangle formed by the M69, M1 and A5 and which spreads well into the Hinckley & Bosworth area. The significance of this designation is outlined on page 47 of the plan, which states:

“The South-West Leicestershire Growth Area offers a unique combination of key commercial and employment hubs. These provide the opportunity to harness major employment and housing opportunities for Leicester and Leicestershire. The M1 corridor (including the M69/M1 junction 21 location) and A5 corridor are crucial economic areas in their own right, with established and expanding services, distribution, retail and leisure roles providing thousands of jobs for the sub-region”

The emergence of the proposal for a rail freight terminal adjacent to Burbage Common demonstrates how the SEP could be taken as a justification for this unwelcome over-development over important countryside.

Countryside and green spaces are vitally important for localities and are highly valued environmental, community and economic assets.

The Council will, through its membership of the LEP, strive to ensure that the LEP’s future plans and strategies recognise the benefits of the provision of countryside and green space and ensure that protecting the natural environment and the interests of the people who live here is given at least as much weight as the ambitions of the ever increasing logistics industry.”