

Public Document Pack
**HINCKLEY & BOSWORTH
BOROUGH COUNCIL**



**Hinckley & Bosworth
Borough Council**

A Borough to be proud of

TO BE HELD ON

TUESDAY, 16 DECEMBER 2014

at 6.30 pm

Fire Evacuation Procedures

Council Chamber (De Montfort Suite)

- On hearing the fire alarm, leave the building **at once** quickly and calmly by the nearest escape route (indicated by green signs).
- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
- Proceed to **Willowbank Road car park**, accessed from Rugby Road then Willowbank Road.
- **Do not** use the lifts.
- **Do not** stop to collect belongings.

Recording of meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, the press and public are permitted to film and report the proceedings of public meetings. If you wish to film the meeting or any part of it, please contact Democratic Services on 01455 255879 or email rebecca.owen@hinckley-bosworth.gov.uk to make arrangements so we can ensure you are seated in a suitable position.

Members of the public, members of the press and Councillors are hereby informed that by attending the meeting you may be captured on film. If you have a particular problem with this, please contact us using the above contact details so we can discuss how we may accommodate you at the meeting.

Date: 08 December 2014



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Dear Sir/Madam

I hereby summon you to attend a meeting of the Hinckley & Bosworth Borough Council in the Council Chamber at these offices on **TUESDAY, 16 DECEMBER 2014 at 6.30 pm**

Yours faithfully

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

Miss RK Owen
Democratic Services Officer

AGENDA

1. Apologies
2. Minutes of the previous meeting (Pages 1 - 6)
To confirm the minutes of the meeting held on 4 November 2014.
3. Additional urgent business by reason of special circumstances
To be advised of any additional items of business which the Mayor decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. Declarations of interest
To receive verbally from Members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the Agenda.
5. Mayor's Communications
To receive such communications as the Mayor may decide to lay before the Council.
6. Questions
To deal with questions under Council Procedure Rule number 11.1
7. Leader of the Council's Position Statement

To receive the Leader of the Council's Position Statement.

8. Minutes of the Scrutiny Commission (Pages 7 - 10)

To receive for information only the minutes of the Scrutiny Commission meeting held on 13 November 2014.

9. Purchase of dwellings under the HRA Investment Plan (Pages 11 - 14)

Report of the Deputy Chief Executive (Community Direction).

10. Impact of Leicestershire County Council savings targets and commissioning changes (Pages 15 - 22)

Report of the Deputy Chief Executive (Community Direction).

11. Green Waste Collection Arrangements - consultation (Pages 23 - 26)

Report of the Deputy Chief Executive (Community Direction).

12. Corporate Direction Structure (Pages 27 - 32)

Report of the Chief Executive.

13. Finance & Contract Procedure Rules (Pages 33 - 38)

Report of the Monitoring Officer.

14. Members' Allowances (Pages 39 - 48)

Report of the Chief Executive.

15. Membership of the Planning Committee

To agree the replacement of Councillor Sutton with Councillor Batty.

16. Hinckley JCC School Foundation - appointment of Trustee

To appoint a trustee following the resignation of Mrs R Wright as a representative of the authority.

17. Motions received in accordance with Council Procedure Rules 13.1 and 13.2

Motion received from Cllr Crooks and seconded by Cllr Mullaney:

“That this council deplores the modernisation of the Post Office where it sees Village Post Offices closed and the service moved into small village shops, with particular reference to the proposal at Newbold Verdon, to move the current Post Office business to the NISA shop which is already overcrowded and does not have room for customers to transact business with any degree of privacy.”

Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

4 NOVEMBER 2014 AT 6.30 PM

PRESENT: MR JG BANNISTER - MAYOR
MR K NICHOLS – DEPUTY MAYOR

Mr RG Allen, Mr PR Batty, Mr Bessant, Mr DC Bill MBE,
Mr CW Boothby, Mr SL Bray, Mrs R Camamile, Mr MB Cartwright,
Mrs T Chastney, Mr WJ Crooks, Mr DM Gould, Mr PAS Hall,
Mrs WA Hall, Mrs L Hodgkins, Mr MS Hulbert, Mr DW Inman,
Mr C Ladkin, Mr KWP Lynch, Mr R Mayne, Mr JS Moore, Mr K Morrell,
Mr MT Mullaney, Mrs J Richards, Mrs S Sprason, Mr BE Sutton,
Miss DM Taylor and Ms BM Witherford

Officers in attendance: Steve Atkinson, Bill Cullen, Sanjiv Kohli, Rosemary Leach, Darren Moore, Rebecca Owen, Sally Smith and Shilpa Thakrar

240 PRAYER

Reverend John Whittaker offered prayer.

241 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Cope, Lay, O'Shea, Smith and Ward.

242 MINUTES OF THE PREVIOUS MEETING

On the motion of Councillor Bray, seconded by Councillor Mayne, it was

RESOLVED – the minutes of the meeting held on 23 September be confirmed and signed by the Mayor.

243 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

Council was informed that the Mayor had agreed to accept an item of urgent business 'Appointment of Monitoring Officer' due to the need to make the appointment prior to the next Council meeting. It was agreed that the report would be taken as item 13.

244 DECLARATIONS OF INTEREST

No interests were declared at this stage.

245 MAYOR'S COMMUNICATIONS

The Mayor reported on the recent visit to Hinckley by guests from Grand Quevilly and the links that had been created between the Concordia Theatre and the theatre in Grand Quevilly as a result.

246 QUESTIONS

Question from Councillor Hulbert:

“Could the Executive Member for Cultural Services tell me how he envisages Leicestershire County Council's cuts to children and young people's services will impact in Hinckley and Bosworth?”

Response from Councillor Cope:

“As reported in the public report to Leicestershire's County Council's Children and Families Overview and Scrutiny Committee on Monday, 1 September 2014 the Children & Families Department needs to make savings of £3.6m, representing a 33% budgetary reduction.

Because of the significant cuts that need to be achieved by LCC this will involve whole service redesign. This includes a management re-structure at LCC. At present the Sure Start Children Centres, which we have 7, will remain operational. However, the service delivered from these Centres, which targets families in need, is likely to be reduced. It is highly likely that the delegated budget which HBBC administers for Sure Start programme along with locality based grant aid programmes will be cease.

The County Council is currently consulting the Local Authorities and voluntary sector on how it intends to make these significant savings this year and over the next 3 years.

The exact impact on services will not be known for some time. Following the consultation period, the County Council's Cabinet is due to consider proposals in December 2014, with many of the changes commencing in April 2015.

To minimise the impact the Borough Council is working collaboratively with Senior Management representatives at LCC and is liaising with other Districts over the budgetary position.

It must be stressed that the Borough Councils commitment to providing all children from within the Borough the best possible start in life remains a key corporate aim.”

247 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the Leader highlighted the additional recommendation with regard to the Green Waste Consultation report, the progress made on the Bus Station and Leisure Centre and the likelihood of a sound budget for 2015/16 which would hopefully allow for a freeze in Council Tax. He also sent his thanks and best wishes to Louisa Horton who was leaving the authority. Members wished to congratulate everyone involved in Earl Shilton's shortlisting for the Great British High Street Awards.

248 MINUTES OF THE SCRUTINY COMMISSION

The minutes of the Scrutiny Commission on 2 October were noted.

249 CAR PARKING PLACES ORDER

A report was presented to members which sought approval of an Off-Street Parking Places Order for various car parks in the Hinckley area. It was moved by Councillor Bray, seconded by Councillor Bill and unanimously

RESOLVED –

- (i) The Off Street Parking Places (Hinckley and Bosworth) Order 2014 be approved;
- (ii) Authority be delegated to the Head of Street Scene Services to publish a notice of proposals in relation to the Order;
- (iii) Subject to there being no objections received within the relevant statutory period, authority be delegated to the Head of Street Scene Services to make the Order and publish the notice of making;
- (iv) Where objections are received, a written report be produced detailing the objections and authority be delegated to the Chief Officer (Environmental Health) and the Executive Member with responsibility for Car Parks in conjunction with the Legal Services Manager to consider such objections and consider whether the Order be confirmed.

250 INTRODUCTION OF CHARGES FOR GREEN WASTE COLLECTION

Council was advised of the reduction in funding from Leicestershire County Council in relation to recycling credits for green waste collections from 2015/16. Councillor Bray, seconded by Councillor Taylor, moved an additional recommendation that the Scrutiny Commission be asked to consider the detailed questions at its next meeting, which was accepted without debate. It was agreed that the following points would be incorporated into the discussion at the Scrutiny Commission meeting:

- Whether the Borough Council could take on the responsibility of the Waste Disposal Authority
- Provision within the consultation to gauge the views of the elderly
- The possibility of discounts for those in receipt of benefits
- The options with regard to additional bins.

It was moved by Councillor Crooks, seconded by Councillor Bray and

RESOLVED –

- (i) Council agrees to a consultation on the introduction of charges for green waste collections from 2015/16;
- (ii) The Scrutiny Commission be asked to consider the detailed questions at its next meeting on 13 November, along with any longer-term implications, and review the response prior to any final recommendations to Council.

251 HINCKLEY AND BOSWORTH LOCAL PLAN (2006- 2026): SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES DPD - PRE-SUBMISSION MODIFICATIONS CONSULTATION

A report was presented to Council which sought agreement to consult on the Site Allocations and Development Management Policies Development Plan Document (DPD) Pre-Submission Modification, Sustainability Appraisal Addendum and supporting documents, and also sought agreement for subsequent submission of the DPD to the Secretary of State for Examination in Public. Members mentioned the lengthy process and in response the Leader highlighted the significant national changes since the

adoption of the Core Strategy which had impacted on speed of progress of the document, including the publication of the National Planning Policy Framework and abolition of Regional Spatial Strategies. The Leader thanked members for their comments and the time they had given to the process. It was moved by Councillor Bray, seconded by Councillor Bill and unanimously

RESOLVED –

- (i) Publication of the pre-submission modifications of the Site Allocations and Development Management Policies DPD and sustainability appraisal including addendum be approved;
- (ii) The submission of the Site Allocations and Development Management Policies DPD including modifications, sustainability appraisal including addendum, statement of consultation responses and supporting documents to the Secretary of State for Examination in Public following analysis of the representations received during the consultation period be approved.

252 REDUCING EXCESS WINTER DEATHS - PUBLIC HEALTH FUNDING

Council was advised of external funding received from Public Health to address the issue of excess winter deaths from cold through a countywide project which resulted in the need to appoint three Warm Home Officers plus additional part time bank staff to carry out temperature and humidity audits across the County.

A member emphasised the need to liaise with parish councils to aid communication, and it was agreed that this would be addressed.

It was moved by Councillor Gould, seconded by Councillor Mullaney and

RESOLVED –

- (i) The project to deliver strategically targeted advice and practical support to residents within the County in order to reduce the number of excess winter deaths be approved;
- (ii) The receipt of public health funding to support the project and to act as the lead authority on behalf of the other Leicestershire authorities for the recruitment of the Warm Homes Officers be approved;
- (iii) The creation of income and expenditure budgets totalling £59,033 be approved.

253 APPOINTMENT OF MONITORING OFFICER

Following indication of the current Monitoring Officer of her intention to leave the authority, a report was presented to Council in accordance with Section 5 of the Local Government and Housing Act 1989 in order to designate a new Monitoring Officer. It was moved by Councillor Bray, seconded by Councillor Witherford and

RESOLVED – Julie Kenny be appointed as the authority's designated Monitoring Officer.

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

- (a) Motion received from Councillor Bill, seconded by Councillor Mullaney:

“This Council endorses the letter sent to the three national party leaders on the need for a genuine local voice in planning and agrees that this should also be sent to the DCLG, the Local Government Association and the Royal Town Planning Institute for their information and for a response”. The letter was attached as an appendix.

RESOLVED – the motion be approved.

- (b) Urgent motion received from Councillor Gould, seconded by Councillor Hulbert:

“This Council deplores the notion that the Earl Shilton branch of NatWest should close and requests that the Chief Executive write to RBS raising the following points:

- Limited opening during weekdays has undermined the business case; why has consideration not been given to weekend opening
- There is a strong community need for local banking services in Earl Shilton; NatWest now sits as the last branch
- NatWest has constantly given reassurances that it will not close branches; why has the folly of City Bankers been used to punish customers?”

During discussion, members referred to the range of services that would now be available at the relocated Earl Shilton Post Office and the sound financial institution of the Earl Shilton Building Society.

It was unanimously

RESOLVED – the motion be approved.

(The Meeting closed at 7.32 pm)

MAYOR

This page is intentionally left blank

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

13 NOVEMBER 2014 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Miss DM Taylor – Vice-Chairman

Mr PR Batty, Mr Bessant, Mr PAS Hall, Mr MS Hulbert, Mr DW Inman, Mr JS Moore, Mr K Morrell and Mr K Nichols

Officers in attendance: Steve Atkinson, Bill Cullen, Julie Kenny, Lisa Kirby, Sanjiv Kohli, Darren Moore, Rebecca Owen and Jacqueline Puffett

262 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Ladkin and Mayne.

263 MINUTES

It was moved by Councillor Moore, seconded by Councillor Taylor and

RESOLVED – the minutes of the meeting held on 2 October be confirmed and signed by the Chairman.

264 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

The Chairman reported that he had agreed to accept an urgent item of business on Members' Allowances to allow for scrutiny of the recommendations of the Independent Remuneration Panel prior to consideration by Council.

265 DECLARATIONS OF INTEREST

Councillor Batty asked for advice on whether members had a pecuniary interest in the item on Members' Allowances. In response it was noted that a decision was not being made at this meeting.

266 CLEAN NEIGHBOURHOODS STRATEGY

The Scrutiny Commission was updated on the delivery of the Clean Neighbourhood Strategy. Progress with regard to dog fouling and littering cases was reported, and members requested that prosecutions be well publicised as this had proven to be a deterrent. Discussion ensued regarding:

- Recent considerations by Leicestershire County Council with regard to allowing parishes and districts to take on care of verges which had now concluded and the decision had been made by LCC to continue providing the service
- The mess left behind by the County Council following grass cutting
- The need to keep on top of leaf blowing in the autumn
- The litter picking volunteer scheme which had been popular in the urban area and was now being promoted in the rural parishes. It was requested that this be taken to the Parishes Forum.

Councillor Bessant arrived at 6.43pm.

RESOLVED –

- (i) The report be noted and work of the Clean Neighbourhood Service be endorsed;
- (ii) The litter picking volunteer scheme be presented to the next Parishes Forum.

267 INTRODUCTION OF CHARGES FOR GREEN WASTE COLLECTION

Members received a report on the introduction of charges for green waste collection that had been referred by Council for consideration and agreement of the consultation questions. It was reported that the proposed closing date for the consultation would be 31 December and that there would be an article in the Borough Bulletin. In addition, it would be advertised via the website and social media. It was reported that the anticipated take-up for the service was around 50% and that concessions would be available.

Some members expressed concern about the costs of changing the service so people had to 'opt in' and pay the £30 charge, as there would be costs associated with administration, billing and collecting unused bins. It was also suggested that the cost of providing the service would not reduce proportionately to the reduction in the number of customers, as the collection lorries would still need to follow the same routes as customers would be spread across the Borough.

As an alternative to the suggested £30 charge per year for collection of green waste, a member asked about the additional charge that would need to be placed on Council Tax to enable continuation of the provision of green waste collection for every household. In response it was reported that there would need to be a 10% increase on the Borough precept, which would mean an additional £10.08 per year for the average band D property. This would enable the universal recycling service to be maintained, without the need for a separate charge. Members were reminded, however, that in order to increase the Council Tax by 10%, a referendum would be required at three different levels of costs ranging from £45,000 to £110,000, depending on the timing of the referendum. Should the referendum be successful, there would then be costs for re-billing which would cost around £66,000. It was also reiterated that the authority would not then be eligible for any freeze grant that the Government may offer.

The risk of needing to go through the same process in future, should the County Council withdraw the dry recycling credits, was highlighted by some members. Others felt that the increase in the Council Tax base at this stage would avoid the need to do so by an amount exceeding 2.0% again in the near future.

Concern was expressed by some members that, if a third option of increasing Council Tax by 10% was added to the consultation options, residents who would have opted for the £30 charge would opt for the Council Tax increase, or no increase at all, as it would seem a preferable increase, and as such it would not give a clear steer. Other members felt that the option should be given. It was moved by Councillor Lay and seconded by Councillor Bessant that a third option be included in the consultation: for a 10% increase in Council Tax. Upon being put to the vote, the motion was LOST. It was therefore

RESOLVED – the consultation as recommended with two options be endorsed.

268 MEMBERS' ALLOWANCES

The Scrutiny Commission gave consideration to the report of the Independent Remuneration Panel who had recommended the same increase in allowances and decrease in mileage rate payable that had been rejected by Council the previous year. The Panel had felt that HBBC Councillors received far lower remuneration than other Councillors from all other neighbouring authorities and were now no longer receiving a level of remuneration which would be considered fair for the work undertaken and responsibilities held.

Members acknowledged the reasoning behind the recommendations of the Panel and reiterated that their responsibilities and powers had increased enormously, yet no increase in allowances had been agreed since 2005. In relation to the mileage, they felt that the rate currently paid was still appropriate and necessary and did not support the reduction in line with the HMRC rate.

With regard to future reviews of members' allowances, it was noted that the Independent Remuneration Panel would meet annually. Members asked that future assessments bring HBBC in line with other local authorities. It was moved by Councillor Batty, seconded by Councillor Nichols and

RECOMMENDED to Council –

- (i) The recommendations of the Independent Remuneration Panel in relation to the basic allowance and special responsibility allowances be approved;
- (ii) The recommendation of the Panel in relation to the decrease in mileage allowance be rejected;
- (iii) The Panel be recommended to bring the HBBC members' allowances in line with other authorities in future reviews.

(The Meeting closed at 7.58 pm)

CHAIRMAN

This page is intentionally left blank

COUNCIL – 16 DECEMBER 2014

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

RE: PURCHASE OF DWELLINGS/LAND UNDER THE HRA INVESTMENT PLAN.



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To request Members' approval to purchase 4 new affordable houses in Newbold Verdon and agree to the delegation of authority for future purchases under the HRA Investment programme as outlined in 2.2.

2. RECOMMENDATION

- 2.1 That Members approve the purchase of 4 dwellings on the site at Dragons Lane, Newbold Verdon, all 4 dwellings being 2 bedroomed houses for a total purchase price of £409,000.00.
- 2.2 That authority be delegated to the Deputy Chief Executive (Corporate Direction), Deputy Chief Executive (Community Direction), Executive Member for Finance, ICT and Asset Management and the Executive Member for Housing to purchase land or residential property to be utilised for the provision of Council housing in accordance with the HRA Investment Programme and funded through the streams identified in 5.2. Members will be updated on activity and progress through Member Briefing notes.

3. BACKGROUND TO THE REPORT

- 3.1 Council adopted the HRA Investment Plan 2013 – 2018 at the meeting of 16 July 2013. The HRA Investment Plan included the objective to progress a programme of new build and acquisition on HRA sites initially, plus buy back of previous right to buy properties and acquisition on strategic section 106 sites.
- 3.2 Such opportunities arise and pass quickly due to the nature of the market and, therefore, officers seek delegated authority, as outlined in 2.2, in order to allow for timely decisions to be made on opportunities which arise to progress the acquisition of land or residential properties for the provision of council housing. Where any purchases are made, the properties will be held as Housing land and form part of the Council's housing stock.

4. DRAGONS LANE, NEWBOLD VERDON

- 4.1 Planning permission for 94 dwellings at Dragons Lane Newbold Verdon was granted in 2011 and included provision for affordable houses under the section 106 agreement, which were purchased by Midland Heart Housing. A later redesign of the site led to a further 4 units of two bedroomed houses being available for affordable housing. Midland Heart did not wish to acquire the 4 dwellings, so Bloors, the developer, has offered the properties to the council for purchase.
- 4.2 Under the terms of the section 106 agreement, 2 of the houses were required to be for social housing and 2 for shared ownership. Developer's expectations are that shared ownership properties are of higher value than rented properties and this is

reflected in the purchase price accepted by Bloors from the Council. A none-binding offer of £97,500 for each rented property and £107,000 for each shared ownership property has been submitted by officers to Bloors, who have accepted that offer and are happy to proceed with a sale on that basis. If authority is granted to proceed with the purchase, the total purchase price will be £409,000, the cost of which will be met from the HRA Regeneration Reserve and Right to Buy Receipts. This is less than the valuation carried out on behalf of the local authority, when the open market value of the dwellings was given as £135,000; therefore, officers are confident that the purchase price represents best value.

- 4.3 If acquired, the properties will be held as Housing land and form part of the Council's Housing stock. Two will be rented and allocated through the Choice Based Lettings Scheme, with the remaining two being shared ownership properties, which will be available to qualifying households, complying with the requirements of the s.106 agreement in place.

5 FINANCIAL IMPLICATIONS [KP]

- 5.1 The approved HRA Investment Plan included £10,000,000 over the next four years for investment in New Affordable housing. This is a key priority for this Council in the medium to long term to improve housing supply in the Borough.

- 5.2 Expenditure in the Capital Programme will be funded by the following key streams:

- Contributions from the Major Repairs Reserve for the cyclical stock programmes
- Use of the HRA "Regeneration Reserve", which has been set up following the introduction of self financing. The balance of this reserve is currently £10,975,644
- Use of Right to Buy Receipts obtained from the sale of HRA properties – these include 1:4:1 receipts, which must be spent on new Affordable Housing by a set period. Currently, the Council holds receipts which must contribute towards £1,483,106 of new affordable housing expenditure by 30th July 2017
- Additional borrowing is permitted by the HRA, up to a limit set by Government - £2,545,000 for this Council
- Any grant funding awarded to the Council directly or to developers for use on schemes.

- 5.3 It should also be noted that any new affordable housing brought into use by the HRA will generate additional New Homes Bonus for the Council within the General Fund. For the properties detailed in this report, approximately £5,760 of New Homes Bonus per annum is forecast, based on the Band D Council Tax in the parish (after 20% County Council allocation).

- 5.4 The cost of the scheme detailed in this report is £425,000 and will be expended before the end of the 2014/2015 financial year.

6 LEGAL IMPLICATIONS [EH]

- 6.1 The Council has the power under s.17 of the Housing Act 1985 to purchase land and/or property suitable for use as housing for housing purposes and therefore is able to proceed with this purchase. Within the constitution there is no delegated authority to purchase property in the Constitution and therefore authority is required from Council.

- 6.2 In terms of recommendation 6.1, all relevant searches have been undertaken in relation to the property and there are no concerns with regards to risk from purchasing these specific properties. Legal Services are reviewing the legal documentation and will ensure it is satisfactory before any purchase completes.

6.3 In relation to recommendation 6.2, Council is able to make such delegations in relation to future purchases.

7 CORPORATE PLAN IMPLICATIONS

7.1 The acquisition of new affordable housing supports the following aims of the Corporate Plan 2013 – 2016:

- Provide decent and affordable homes.

8 CONSULTATION

8.1 No consultation required as the principle of acquiring new council housing was approved as part of the HRA Investment Plan..

10 RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Purchase does not proceed with financial and reputational loss to the council	Contractual agreement signed to confirm terms and conditions	Valerie Bunting/ Legal services
Properties are not suitable for affordable housing	Need for property types established and specification agreed with developer.	Valerie Bunting

11. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

11.1 This report is concerned with increasing the supply of affordable housing in the Borough for people in the greatest need. This includes consideration of people from vulnerable groups, and those living in rural areas.

12. CORPORATE IMPLICATIONS

12.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications – None identified
- Environmental implications – None identified
- ICT implications – None identified
- Asset Management implications – The properties will become part of the Council's housing stock on completion.
- Human Resources implications – The properties will be managed and the rented properties maintained by the council; their inclusion into stock has been considered as part of the decision to purchase.
- Planning Implications – None identified.

- Voluntary Sector – None identified

Background papers:

Contact Officer: Valerie Bunting x5612

Executive Member: Councillor Michael Mullaney.

COUNCIL – 16 DECEMBER 2014

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)
IMPACT OF LEICESTERSHIRE COUNTY COUNCIL SAVINGS
TARGETS AND COMMISSIONING CHANGES



Hinckley & Bosworth
Borough Council

A Borough to be proud of

ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To advise Council on the impact of Leicestershire County Council's (LCC's) savings targets and commissioning changes on locality based services within Hinckley and Bosworth.

2. RECOMMENDATION

- 2.1 That Members note the proposed implications arising from LCC savings and commissioning changes on locality based service within Hinckley and Bosworth as identified in this report.
- 2.2 That LCC be advised that this Council wishes to work closely with LCC officers and Partners to ensure the implications of the cuts are minimised on the residents of Hinckley and Bosworth.
- 2.3 That LCC be requested to positively engage the Borough Council in future Commissioning arrangements for the locality, utilising the experience and excellent track record of the Council and local partners in Commissioning local services.
- 2.4 That LCC be requested to provide early clarification of further planned cuts and changes in service arrangements impacting on the borough.
- 2.5 Members note that all confirmed changes to funding streams that will impact upon the Borough Council will be built into the 2015/2016 budget

3. BACKGROUND TO THE REPORT

- 3.1 LCC is currently facing unprecedented financial and service pressures. The Medium Term Financial Strategy for LCC has set targets for all services. LCC are also looking differently at some commissioning strands, with a shift from local to central commissioning.
- 3.2 There will be implications for Borough Council services of these savings targets and commissioning changes. The table in appendix 1 sets out details of areas where savings/commissioning changes and impacts are known and areas where the changes and impacts are still to be confirmed, but are a potential risk to the Borough Council.
- 3.3 In terms of the known savings and impacts, they are in the following areas:
- Domestic abuse commissioning
 - Children's centres
 - Recycling credits
 - Housing related support.
- 3.3 Officers are working with the County Council where ever possible to try and minimise the impact on residents and communities. Where commissioning is being moved

centrally, as with the Children’s centres and Domestic abuse services, the importance of ensuring that locality priorities and needs are reflected in commissioning plans is being stressed along with emphasising that there is a wealth of local knowledge and intelligence which has been built up over years of locality commissioning which should not be lost.

3.4 Work will continue at a senior level to ensure that at the earliest opportunity engagement takes place in those areas where information is still currently unavailable and impacts unknown.

4. FINANCIAL IMPLICATIONS (KP)

4.1 All confirmed changes to funding streams that will impact upon the Borough Council will be built into the 2015/2016 budget. Currently these are as follows:

- Reduction in income and expenditure budgets relating to delivery of children’s centres. At this point it is expected this change will have a net nil impact on the Council budget
- Reduction in income budgets for Domestic Abuse Commissioning by £11,250
- Reduction in recycling income budgets of £345,792 (Being the net of removal of recycling credits and savings in gate fees). It is proposed that this gap be funded in 2015/2016 from savings identified in the current years budget, pending Council approval.

4.2 The financial impact of all other changes will be considered when clarification is received from the County Council.

5. LEGAL IMPLICATIONS (EH)

5.1 There are no legal implications arising directly from the body or recommendation of this report.

5.2 As individual service changes and cuts develop and progress however officers in affected service areas need to be considering the legal requirements in terms of each change, for example where agreements require terminating they should be done in accordance with the Contract.

CORPORATE PLAN IMPLICATIONS

6.1 There are implications for all priorities in the Corporate Plan

7. CONSULTATION

7.1 None to date.

8. RISK IMPLICATIONS

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Increase demand for services and pressure on budgets as a result of county council decisions.	Ensure early and robust dialogue with relevant County Council officers/members to ensure impacts and locality priorities are understood and impacts minimised.	All relevant managers.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 County Council changes detailed in this report will impact across the whole of the Borough and could potentially impact on all residents.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers:

Contact Officer: Bill Cullen

Executive Member: Stuart Bray

Appendix 1.

Saving Target/commissioning changes – service affected	Implementation Date	HBBC Budgetary Impact	Service Impact	
Domestic Abuse Commissioning.	April or September 2015	Loss of £11,250 funding to support DA service	Children’s worker post will cease. Additional outreach capacity to meet increased demand will cease.	<ul style="list-style-type: none"> • No redundancy issues as post is on a fixed term contract. • Increased demand will not be met by establishment post. A waiting list will have to be held, with associated risks.
Children’s centre	April 2015	<p>Loss of £7500 annual management fee.</p> <p>Reduction in commissioning budget from £375,745 to £281,197. This budget will no longer be held by HBBC for local commissioning, with all services being commissioned centrally by the county council.</p>	<p>All seven Sure Start centres will remain open.</p> <p>At this stage it is difficult to assess the potential impact the reduction in commissioning budget and the central management of that budget will have on local families and young people. Open and positive communication is taking place with the county council to ensure local commissioning priorities are understood and reflected in the proposed Early Help commissioning framework</p>	<ul style="list-style-type: none"> • No redundancy issues. • All current contracts will end March 2015.

Recycling credits	April 2015	Reduction in budget of £350,000 with potential further reduction in income up to circa £500,000 for dry recycling credits in subsequent years (not confirmed).	Potential change to service to compensate for reductions which will be subject to consultation at a future date.	
Housing related support – older people	Sept 2015	£411,630 supporting people funding for sheltered schemes and control centre	Service model proposed to enable services to continue through service charging. Proposed implantation date April 2015.	

SAVINGS - CONFIRMED IMPACT UNKNOWN AT THIS STAGE.

Page 10

Saving Target/commissioning changes – service affected	Implementation Date	Saving proposal/commissioning change	Service Impact/risks	
Housing related support – homelessness services.	April 2015	Reduction in budget allocated to county homelessness services including floating support, hostels for young people and domestic abuse refuges.	HBBC services are not funded directly, but a reduction in services available to homeless people could result in an increase in demand for statutory homelessness services with consequential increases in temporary accommodation costs.	
Reduction in cost of support for homeless 16/17 year olds.	£100k from 2014/15	Detail not given	Possible increase in temporary accommodation costs if LCC do not	

			manage/accommodate 16/17 year olds.	
Review and consolidate Voluntary Sector Support/reduction in grants.	2015/16 £800k	Detail not known	Possible loss of voluntary sector provision, increase in demand for HBBC services and request for support to voluntary groups/organisations.	
Cease contribution towards Police Community Support Officers	2015/16 - £430K	Detail not known	Potential impact on Community Safety services and the management of crime/ASB if partnership services reduced.	
Review of IMPACT programme and Youth Offending Service.	2015/16 - £350K	Detail not known		
Trading standards reduced enforcement, inspection and testing activity.	2015/16 - £180K	Detail not known		
S73 funding for business and housing		Clarity needed on detail.	Funding previously received for regeneration schemes, for example shop front improvements etc and also funding for housing schemes, for example new homes bonus to fund rural exceptions sites. Information about the savings is limited so impacts unknown.	
Reduction in staffing for partnership and community support activities.	2014/15 ongoing.	Clarity needed on what this activities re covered but could impact on partnerships		

		across all services, in particular planning/economic regeneration.		
Review planning, historic and natural environmental services.	2014/15 ongoing		Possible loss in records centre and impacts on planning.	
LCC operational property review			Risk that this review could result in services returning to county hall with impacts on Hub/Atkins. Equally could be opportunities for more co location	
Impacts on support services			Any significant changes will impact on support services such as legal, finance services.	

COUNCIL – 16 DECEMBER 2014

GREEN WASTE COLLECTION SERVICE CONSULTATION
REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL

1. **PURPOSE OF REPORT**

- 1 To update Council on actions following the decision on 4 November relating to a proposal to seek public consultation on the options relating to the future provision of the green waste collection service and to consider requests for budget transfer from reserves for 2015-16

2. **RECOMMENDATION**

- 1.1 That Council agree that in the light of the expected additional income to the Council for 2014-15 there is no need to consult on charging for green waste for 2015-16.
- 1.2 That Council approve a transfer from General Fund balances to the Waste Management Reserve of £350,000 in 2014/2015.
- 1.3 That Council approve a transfer from the Waste Management Reserve in 2015/2016 of £350,000 to fund the forecast budget pressure arising from the withdrawal of green waste recycling credits.
- 1.4 That Council note that this transfer can only occur because of one off savings arising in year as a result of large planning applications and savings in the production of the Area Action Plan. Council should acknowledge that a longer term solution must be sought to fund this budget gap from 2016/2017.

3. **BACKGROUND TO THE REPORT**

- 3.1 Council on 4 November 2014 considered a report on future provision of the service following withdrawal of recycling credits for green waste from Leicestershire County Council from April 2015. It also sought consent to seek public consultation on the options. The recommendations were accepted and Scrutiny Commission was requested to consider the report and agree the consultation questions
- 3.2 In the light of the current financial position, it is recommended that the Council defer consideration of the future options to enable any future proposal to take into account the budget and tax implications of the anticipated further changes to the dry recycling service funding. The increased net cost of £345,000 for the provision of the service for 2015-16 will be met by the identified surplus for 2014-15, arising largely from unbudgeted additional income to the planning service.
- 3.3 It is requested, therefore, that approval is given to the transfer of £350,000 from surplus for 2014-15 to the Waste Management Reserve, to cover the shortfall for 2015/16 only.

4. **FINANCIAL IMPLICATIONS [KP]**

- 4.1 The financial gap that will arise from the changes proposed by Leicestershire County Council in 2015/2016 is estimated to be £345,792 as outlined below.

	£
Reduction in Recycling Credits (Pressure)	-549,070
Reduction in gate fees (Saving)	203,278
Net saving/(pressure)	-345,792

- 4.2 It should be noted that the reduction in recycling fees is based on 2013/2014 actuals where in reality the 2014/2015 budget was set at £485,000 and therefore the true budget pressure may be seen as reduced to £281,722.
- 4.3 As at September 30th, the General Fund outturn forecast that £849,890 will be transferred from General Fund balances for 2014/2015. In considering this position it should be noted that a transfer of £1,153,000 from balances to reserves was approved by Council in July 2014. Taking this into account, a net under spend of £503,199 is forecast for 2014/2015 as indicated below. The majority of this movement has arisen because of higher than budgeted planning fee income and savings on production of the Area Action Plan. Members should note that this under spend may increase depending on Business Rates collection at year end.

	Transfer to/(from) Balances
	£
Original Estimate	-200,089
Approved transfer to reserves	-1,153,000
Forecast position	-1,353,089
Current outturn position	-849,890
(Over)/ underspend	503,199

- 4.4 It is therefore recommended a transfer be made from these savings (currently held in General Fund balances) to the Waste Management Reserve in 2014/2015 of £350,000. This will be released from the Reserve in 2015/2016 to fund the shortfall in costs for one year ahead of decisions that may be made on Council Tax or Green Waste Charges.
- 4.5 In accordance with Constitution, all transfers to and from earmarked reserves should be approved by Council.

5. LEGAL IMPLICATIONS [EH]

- 5.1 A council may make a charge for the collection of green or garden waste under Section 4 of the First Schedule of the Controlled Waste (England and Wales) regulations 2012.
- 5.2 As a Best Value authority the council is under a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” The government guidance issued on this goes on to state:

“Under the Duty of Best Value, therefore, authorities should consider overall value, including economic, environmental and social value, when reviewing service provision...”

To achieve the right balance – and before deciding how to fulfil their Best Value Duty – authorities are under a Duty to Consult representatives of a wide range of local persons; this is not optional..”

5.3 Under the duty to consult we are required to conduct consultation with:

- (a) Representatives of persons liable to pay any tax, precept or levy to or in respect of the authority,
- (b) Representatives of persons liable to pay non-domestic rates in respect of any area within which the authority carries out functions,
- (c) Representatives of persons who use or are likely to use services provided by the authority, and
- (d) Representatives of persons appearing to the authority to have an interest in any area within which the authority carries out functions

This will need to be undertaken, and the responses considered, prior to any decision being implemented.

5.4 Best practice taken from other authorities who have implemented this shows a consultation undertaken on the imposition of charges (often with other “options” to be ranked) for members of the public to comment on.

5.5 Failure to comply with this duty would leave any decision open to challenge.

6. CORPORATE PLAN IMPLICATIONS

6.1 Green waste collections contribute to the corporate plan aim of reducing our impact on the environment.

7. CONSULTATION

7.1 Scrutiny Commission considered the proposals for charging or ceasing the green waste service as detailed above.

8. RISK IMPLICATIONS

8.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant Risks		
Risk Description	Mitigating actions	Owner
Financial pressure on MTFS arising from the reduction in recycling credits	Allocate surplus from 2014-15 to Waste Management Reserve prior to review of service during 2015-16.	Caroline Roffey

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 A flat charge is recommended to ensure residents all have equal access to the service despite their geographical location.
- 9.2 Discounts are not available for those in receipt of benefits due to the additional costs which will be incurred validating eligibility for discounts, and processing different payments.
- 9.3 Those who do not pay for the service will be able to continue to recycle their green waste in the following ways:-
- Home composting
 - Using a mulch mower to grass cycle (grass cuttings are chopped very finely by the mower and then pushed down into the lawn preventing the need for their collection and removal)
 - Taking green waste to the Household waste and recycling sites (Barwell and Whetstone are the nearest for our residents)

10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
 - Environmental implications (reduced recycling performance)
 - ICT implications (payment system upgrade – channel shift project)
 - Asset Management implications
 - Human Resources implications (addition staff to assist with payments / customer service built into costs)
 - Planning Implications
 - Voluntary Sector

Background papers: None

Contact Officer: Rob Parkinson x5641
Executive Member: Councillor Stuart Bray

COUNCIL - 16 DECEMBER 2014

CORPORATE DIRECTION STRUCTURE
REPORT OF CHIEF EXECUTIVE



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL

1. **PURPOSE OF REPORT**

To seek approval from Council for delegated authority to introduce a restructure of the operational management within Corporate Services, which will improve the alignment of service responsibilities and reduce costs by around £50,000 to £60,000 per annum.

2. **RECOMMENDATIONS**

That Council:

- i) Supports the principles and objectives of the restructure.
- ii) Notes that the existing arrangement of two Chief Officers will remain accountable to the Deputy Chief Executive (Corporate Direction).
- iii) Delegates decisions on the final detail of the structure to the Chief Executive and Deputy Chief Executive (Corporate Direction).
- iv) Delegates decisions on the Job Descriptions and gradings of the posts to the Ethical Governance and Personnel Committee.
- v) Abides by the Constitution in relation to the formal appointment to the post.

3. **BACKGROUND**

- 3.1 As Members are aware, the post of Chief Officer (Corporate Governance and Customer Engagement) is currently vacant. As with any other vacant post, the relevant senior manager, the Deputy Chief Executive (Corporate Direction), has reviewed the position to identify if any revisions to arrangements could be introduced to improve operational management and reduce costs.
- 3.2 The structure proposed in Appendix A is currently the subject of consultation with relevant individuals, teams and UNISON, along with job content in the Job Descriptions.
- 3.3 If this structure were to be introduced, there would be a full year saving annually of £50,000 and, as Members will see from the structure chart, the integration of services/teams will be aligned more effectively.

- 3.4 As the next meeting of the Council is not until February 2015, and as it will be very helpful to confirm revised arrangements as soon as possible, Members are asked to delegate the detail of the consultation to the Chief Executive and Deputy Chief Executive (Corporate Direction) and the final decisions on Job Descriptions, gradings and the appointment to the vacant post to the Ethical Governance And Personnel Committee.

4. **LEGAL IMPLICATIONS [EH]**

- 4.1 The Constitution requires appointments of Chief Officers to be undertaken by a politically balanced panel of seven Members with both Executive and non-Executive Members appointed to it.
- 4.2 Section 112 of the Local Government Act 1972 empowers the Council to appoint such officers as it thinks necessary for the proper discharge of its functions.

5. **FINANCIAL IMPLICATIONS [SK]**

Subject to final job descriptions and job evaluations which will be completed after the end of the consultation, the estimated savings on the Council's base staffing budget will be between £50,000 and £60,000.

6. **CORPORATE PLAN IMPLICATIONS**

- 6.1 The reports relates to the objective of providing value for money and proactive services.

7. **CONSULTATION**

- 7.1 Consultation is ongoing with affected teams, individuals and UNISON. The Council will be updated at the meeting.

8. **RISK IMPLICATIONS**

- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Delay in decision-making and implementation leading to uncertainty and delay in securing longer-term savings.	Council approves delegation and officers implement accordingly.	Chief Executive/ Deputy Chief Executive (Corporate Direction)

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

9.1 The recommendations in this report affect the whole of the operation of the Council, in whatever area services are provided.

10. **CORPORATE IMPLICATIONS**

10.1 By submitting this report, the report author has taken the following into account:

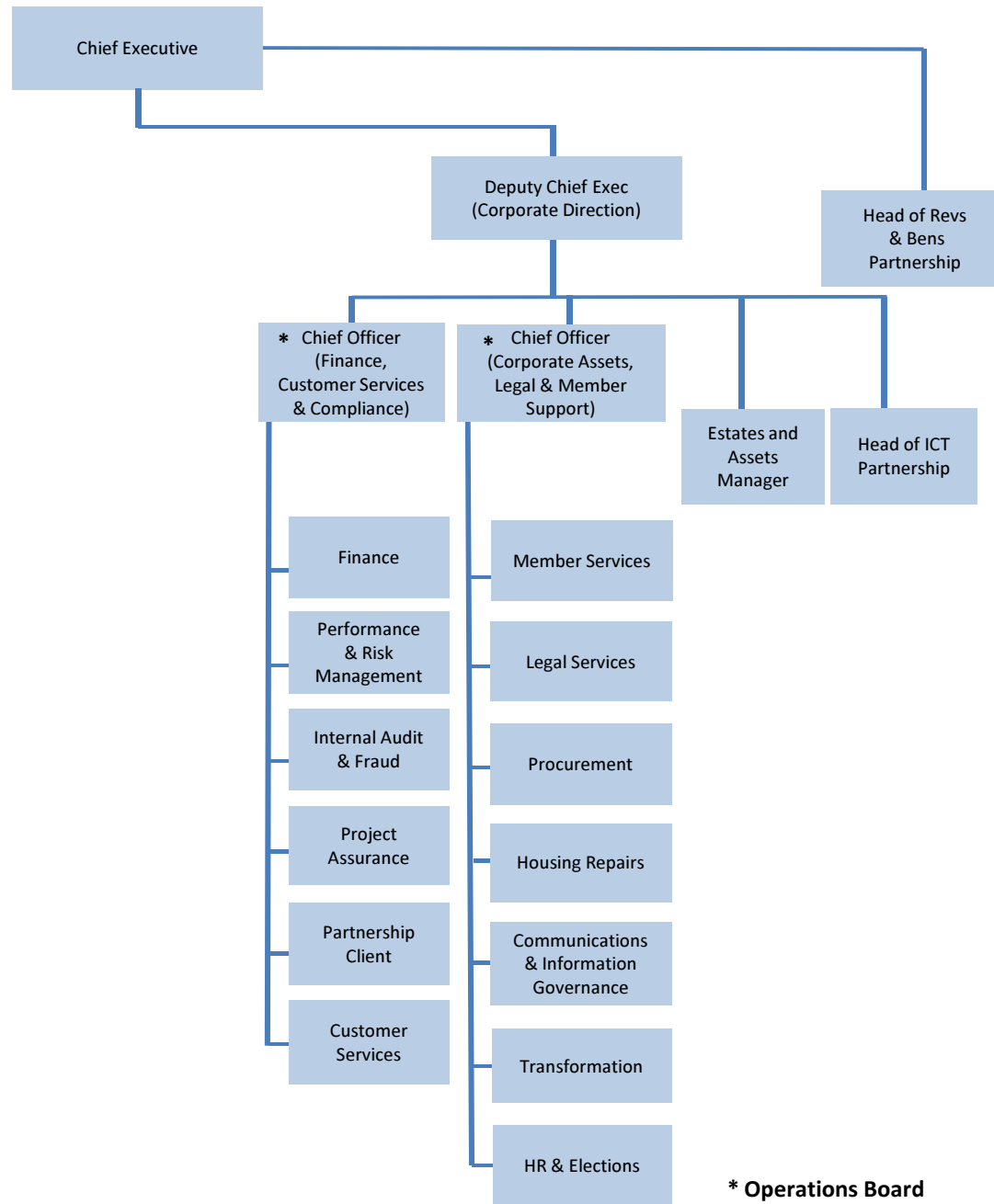
- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

Contact Officer: Steve Atkinson, Chief Executive (ext 5606)

Executive Member: Cllr Keith Lynch

This page is intentionally left blank



This page is intentionally left blank



COUNCIL – 16 DECEMBER 2014

**REVIEW OF FINANCE & CONTRACT PROCEDURE RULES
REPORT OF THE MONITORING OFFICER**

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To highlight proposed changes to the Financial and Contract Procedure Rules (the Rules) to bring the documents up to date.
- 1.2 A full copy of the Financial and Contract Procedure Rules with the proposed changes is available upon request.

2. RECOMMENDATION

- 2.1 That Council approves the changes to the Financial and Contract Procedure Rules outlined in Appendix 1.

3. BACKGROUND TO THE REPORT

- 3.1 Financial Procedure and Contract Procedure Rules form part of the Constitution and must be reviewed annually with any changes being first approved by Council. The Financial and Contract Procedure Rules have therefore been updated to reflect any changes in processes and legislation.

4. FINANCIAL IMPLICATIONS [KP]

- 4.1 Contained within the body of the report.

5. LEGAL IMPLICATIONS [EH]

- 5.1 Amendments to the Constitution require a two thirds majority on a report presented by the Monitoring Officer. The Contract and Financial Procedure rules form part of the Constitution and therefore the amendment must be in accordance with this requirement.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 As part of the Constitution, this report Impacts on all of the Corporate Plan.

7. CONSULTATION

- 7.1 None.

8. RISK IMPLICATIONS

- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
None	NA	NA

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 Services will be delivered on a more financially and contractually sound basis.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None.

Contact Officer: Julie Kenny (Monitoring Officer) ext 5985
Executive Member: Councillor Witherford

Appendix 1

Financial Procedure Rules

Section	Current wording	Proposed wording	Rationale for change
12. Income – Write off limits for Council Tax, NNDR and Housing Benefits Overpayments	For debts greater than £1,000 but not exceeding £10,000 (including aggregated debts for one debtor) (and for all credit balances), the delegated authority rests with the Senior Partnership Manager.	For debts greater than £1,000 but not exceeding £10,000 (including aggregated debts for one debtor) (and for all credit balances), the delegated authority rests with the Head of Partnership .	To reflect change in job title/structure
23. Revenue budget (Control)	<p>For control purposes, an income or expenditure budget represents a budget line (known as the budget head) in the Capital and Revenue Estimates Book.</p> <ul style="list-style-type: none"> • Variations of up to £1,000 on supplies and services codes and to a maximum of £10,000 in a financial year: A member of the Corporate Operations Board • Variations of more than 20% but up to £10,000: Deputy Chief Executive (Corporate Direction) can approve virement or supplementary budget to a maximum of £200,000 per year in aggregate • Variations between £10,001 and £25,000: Chief Executive in consultation with Deputy Chief Executive (Corporate Direction) can approve virement or supplementary budget to a maximum of £500,000 per year in aggregate 	<p>For control purposes, an income or expenditure budget represents a budget line (known as the budget head) in the Capital and Revenue Estimates Book.</p> <ul style="list-style-type: none"> • Variations of up to £1,000 on supplies and services codes and to a maximum of £10,000 in a financial year: A member of the Corporate Operations Board • Variations of more than 20% but up to £10,000: Deputy Chief Executive (Corporate Direction) can approve virements to a maximum of £200,000 per year in aggregate Deputy Chief Executive (Corporate Direction) can approve supplementary budget requests to a maximum of £200,000 per year in aggregate • Variations between £10,001 and £25,000: Chief Executive in consultation with Deputy Chief Executive (Corporate Direction) can approve virements to 	To ensure a consistent approach is taken to supplementary budgets and virements for both revenue and capital

		<p>a maximum of £500,000 per year in aggregate Chief Executive in consultation with Deputy Chief Executive (Corporate Direction) can approve supplementary budgets to a maximum of £500,000 per year in aggregate</p>	
10. Capital Programme (Control)	Chief Officers must report to Executive, where tenders/quotations cause the scheme budget to be exceeded by more than 5% (minimum reporting level £10,000)”	<p>Where tenders and quotations cause the scheme budget to be exceeded:</p> <ol style="list-style-type: none"> 1. By up to 5% the Chief Officer may approve such variation; 2. By between 5% and 20% then the Chief Officer must report to the Strategic Leadership Board, (subject to a minimum reporting level of £10,000)” who may approve such variations; 3. By over 20% then the Chief Officer must report to the Executive who may approve such variations <p>subject to any such variations only being approved in consultation with the Procurement Officer and the Legal Services Manager</p>	Proportionate approach given the materiality of capital schemes
25. Salaries, Wages & Pensions	Chief Officer (Corporate and Customer Resources, Scrutiny and Ethical Standards) and Head of Corporate Servicesr	All references to be changed to HR Manager .	Change in personnel.

Contract Procedure Rules

Section	Current wording	Proposed wording	Rationale for change
Para 1.1 General	Within these rules the term “Chief Officer” shall be deemed to include the Chief Executive and all members of the Strategic Leadership Board (SLB)	Within these rules the term “Chief Officer” shall be deemed to include the Chief Executive and all members of the Strategic Leadership Board (SLB) and Corporate Operations Board.	Proportionality.
Para 5.1 Open Competitive Tender	<p>Tenders shall be invited after giving at least 14 days public notice in at least two of the following media stating the nature and purpose of the contract, inviting tenders and stating the last date when tenders will be accepted. However, when a tender falls under the scope of EC Public Procurement Rules, their timescales and advertising requirements shall apply (seek advice from the Council’s Procurement Officer).</p> <ul style="list-style-type: none"> • The Council’s website • Source East Midlands website, the advert will be placed on the HBBC affiliates page of Source Leicestershire and will be carried on Seven Counties websites • The local newspapers circulating in the Borough, especially where there may be local interest in the business opportunity offered • Appropriate trade journal • Appropriate national press 	<p>Tenders shall be invited after giving at least 14 days public notice in at least one of the following media stating the nature and purpose of the contract, inviting tenders and stating the last date when tenders will be accepted. However, when a tender falls under the scope of EC Public Procurement Rules, their timescales and advertising requirements shall apply (seek advice from the Council’s Procurement Officer).</p> <ul style="list-style-type: none"> • The Council’s website • Source East Midlands website, the advert will be placed on the HBBC affiliates page of Source Leicestershire and will be carried on Seven Counties websites • The local newspapers circulating in the Borough, especially where there may be local interest in the business opportunity offered • Appropriate trade journal • Appropriate national press 	Most companies now subscribe to online alerts of contracts. We have very little interest generated through alternative advertising.
Para 7 Standing Approved List	Tenders shall be invited from persons included in a list approved by the Council	Use of Standing Approved List to be withdrawn altogether.	To reflect changes in market and

	for the supply of goods or materials of specified categories values or amounts or for the carrying out of specified categories of work		procurement regulations.
Para 10.2 Form of invitation to tender and submission of tenders	The invitations to tender shall state that no tender will be considered unless contained in a unmarked plain sealed envelope and endorsed "Tender" followed by the subject to which it relates.	Tenders are to be submitted electronically through secure software designed and approved for the purpose. In the absence of such software, tenders are to be returned in hard copy (including hard electronic media such as CDs only) In that event, the invitations to tender shall state that no tender will be considered unless contained in a unmarked plain sealed envelope and endorsed "Tender" followed by the subject to which it relates .	Update in procurement practice.
Para 21. Performance Bonds	NA	New paragraph – Once the requirement of a bond has been specified within the conditions (or clarifications) of tender, any variation to this shall be agreed only by the Deputy Chief Executive (Corporate Direction) in consultation with the Executive.	To enable negotiation on this point.



Hinckley & Bosworth
Borough Council

A Borough to be proud of

COUNCIL – 16 DECEMBER 2014

**REPORT OF THE INDEPENDENT REMUNERATION PANEL ON
MEMBERS' ALLOWANCES
REPORT OF THE CHIEF EXECUTIVE**

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To present the recommendations of the Independent Remuneration Panel with regard to Members' Allowances.

2. RECOMMENDATION

- 2.1 The recommendations of the Independent Panel be approved.

3. BACKGROUND TO THE REPORT

- 3.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ("The Regulations"), local authorities must establish and maintain an Independent Remuneration Panel to provide the authority with recommendations on its remuneration scheme and the amounts to be paid to councillors.
- 3.2 Members allowances within Hinckley & Bosworth Borough Council have remained unchanged since 2005, despite a review in 2007 and 2013. The basic and special responsibility allowances for HBBC councillors are the lowest of all neighbouring and Leicestershire authorities.
- 3.3 During the debate on the Allowance Scheme in 2013, members acknowledged that an increase in the allowances was necessary due to the low rate, the increase in responsibility and workload of councillors and so as not to discourage new councillors. They generally felt, however, that in light of the economic climate, the pay freezes or low pay rises in public and private sector and the reduction in benefits to many residents, they could not accept an increase in the basic allowance and special responsibility allowance. They therefore did not accept an increase in the basic and special responsibility allowances, with the exception of the allowances for the Mayor and Deputy Mayor which were increased in line with the recommendations of the Panel.
- 3.4 In considering the above in 2013, it was requested that the allowances be reviewed again in 2014 to take effect on commencement of the new Council in May 2015.
- 3.5 In auditing the Members' Allowances Scheme in late 2013, the Internal Auditor recommended that the Independent Remuneration Panel meet again by autumn 2014 and at least annually thereafter.
- 3.6 A new Independent Remuneration Panel was therefore appointed following a recruitment process and met on 5 November to consider making recommendations to Council in relation to the Members' Allowances Scheme. The report of the meeting is attached as an appendix.
- 3.7 The recommendations of the Panel are the same as those put to Council in 2013, as the Panel felt that these allowances would form an appropriate base for future increases. The full financial implications are set out in section 4 below.

3.8 The Scrutiny Commission gave consideration to the report of the Independent Panel at its meeting on 13 November. They supported the recommendations with the exception of the reduction of the mileage allowance, which they felt should not be changed. A minute extract from that meeting is appended to this report. Members' attention is drawn to the recommendation that future annual reviews move the Allowances for this Council closer to the norm for similar Councils.

4. FINANCIAL IMPLICATIONS (KP)

4.1 The full year impact of the proposed changes is £47,040 is summarised in the table below. For illustrative purposes the calculation has assumed 2 opposition leaders.

Role	Current	Proposed	Number	Budget impact (£)
	(£)	(£)		
Basic allowance	3,275	4,000	34	24,650
Leader of the Council	7,640	10,000	1	2,360
Member of the Executive	4,095	5,500	8	11,240
Opposition Leader(s)	2,455	3,500	2	2,090
Licensing & Regulatory Committees Chairman	2,455	3,500	1	1,045
Planning Committee Chairman	2,455	3,500	1	1,045
Scrutiny Commission Chairman	2,455	3,500	1	1,045
Finance, Audit & Performance Committee Chairman	1,644.95	3,500	1	1,855
Appeals Panel Chairman	1,644.95	2,500	1	855
Ethical Governance & Personnel Committee Chairman	1,644.95	2,500	1	855
Total				47,040

4.2 Members should note that if members' mileage rates were decreased from £0.65 per mile to £0.45 per mile, this cost would be reduced by £2,274 based on actual mileage claimed in 2013/2014.

4.3 As outlined in 3.4, if approved, the change in allowances will come into effect in May 2015 and therefore the part year budget impact for 2015/2016 will be £43,120.

4.4 If approved, the change in allowances will be built into the 2015/2016 budget to be financed from the General Fund.

5. LEGAL IMPLICATIONS (MR)

5.1 The Council is required by the Regulations to make a Scheme before the beginning of each year (ie before 1 April in each year) for the payment of basic allowance. The Scheme may also make provision for, inter alia, special responsibility allowances and travelling and subsistence allowances

5.2 Approval of the Members' Allowances Scheme is reserved for Council and before the Council makes or amends a Scheme it must have regard to the recommendations made by the Independent Remuneration Panel.

6. CORPORATE PLAN IMPLICATIONS

6.1 This report supports all corporate aims as it is a Member issue.

7. CONSULTATION

7.1 The aim of this report is consultation with the Scrutiny Commission

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Difficulty in recruiting, retaining and supporting councillors and in encouraging membership	Ensure the Members' Allowances Scheme is fit for purpose and set at a reasonable and fair level	Chief Executive

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 This report does not impact any particular community, group or service. It serves to encourage and support members to facilitate membership from all communities and changes would apply to members from all wards within the borough.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

Contact Officer: Rebecca Owen, ext 5879

Executive Member: Councillors Keith Lynch (Finance) and Bron Witherford (Member Services).

This page is intentionally left blank

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

13 NOVEMBER 2014 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Miss DM Taylor – Vice-Chairman

Mr PR Batty, Mr Bessant, Mr PAS Hall, Mr MS Hulbert, Mr DW Inman, Mr JS Moore,
Mr K Morrell and Mr K Nichols

262 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Ladkin and Mayne.

265 DECLARATIONS OF INTEREST

Councillor Batty asked for advice on whether members had a pecuniary interest in the item on Members' Allowances. In response it was noted that a decision was not being made at this meeting.

268 MEMBERS' ALLOWANCES

The Scrutiny Commission gave consideration to the report of the Independent Remuneration Panel who had recommended the same increase in allowances and decrease in mileage rate payable that had been rejected by Council the previous year. The Panel had felt that HBBC Councillors received far lower remuneration than other Councillors from all other neighbouring authorities and were now no longer receiving a level of remuneration which would be considered fair for the work undertaken and responsibilities held.

Members acknowledged the reasoning behind the recommendations of the Panel and reiterated that their responsibilities and powers had increased enormously, yet no increase in allowances had been agreed since 2005. In relation to the mileage, they felt that the rate currently paid was still appropriate and necessary and did not support the reduction in line with the HMRC rate.

With regard to future reviews of members' allowances, it was noted that the Independent Remuneration Panel would meet annually. Members asked that future assessments bring HBBC in line with other local authorities. It was moved by Councillor Batty, seconded by Councillor Nichols and

RECOMMENDED to Council –

- (i) The recommendations of the Independent Remuneration Panel in relation to the basic allowance and special responsibility allowances be approved;
- (ii) The recommendation of the Panel in relation to the decrease in mileage allowance be rejected;
- (iii) The Panel be recommended to bring the HBBC members' allowances in line with other authorities in future reviews.

This page is intentionally left blank

HINCKLEY & BOSWORTH BOROUGH COUNCIL

REPORT OF THE INDEPENDENT REMUNERATION PANEL

1. A meeting of the Independent Remuneration Panel for Members' Allowances for Hinckley and Bosworth Borough Council was held on Wednesday, 5 November 2014. This is the report of the Panel and its recommendations to the Council.

2. This was the first meeting of the newly appointed Panel. The members of the panel were:

Jim Mutton, OBE (Chairman)

Jessica Daly

Stuart Pemberton

Chris Stone

Mr Stone was unable to attend the meeting but submitted his comments in writing, which were read out to the Panel. The Panel was welcomed by the Deputy Chief Executive (Corporate Direction) and advised and supported by the Chief Officer (Finance, ICT, Asset Management, Audit & Procurement) and the Democratic Services Officer.

3. The meeting had been convened in accordance with the recommendations of the Internal Auditor and on the request of Members during consideration of the recommendations of the previous panel that a review take place in advance of the new Council in May 2015.

4. To assist in its deliberations, the Panel was presented with the following information:

- The current Members' Allowance Scheme
- Members' Role Descriptions as set out in the Council's Constitution
- A summary of question responses from Councillors during a recent survey
- A comparison of allowances paid in neighbouring authorities
- The recommendations of the previous review in October 2012 and extracts from the minutes of the Scrutiny Commission and Council when these recommendations were considered in 2013.

5. During discussion, members of the Panel made reference to the following:

- The recent decision of the Government to remove Councillors from the Local Government Pension Scheme
- The low level of allowances in comparison with neighbouring authorities
- The public perception of levels of remuneration (the perception being Councillors are paid more than they actually are)
- The absence of an increase in allowances since 2005
- The time commitment required to be a Councillor
- The need to encourage and support new Councillors

- The increase in responsibility transferred to local authorities under the Localism Act 2011
- The changing responsibilities of members in relation to special responsibilities, for example the increasing importance of the role of the Chairman of the Scrutiny Commission
- The discrepancy between the current mileage rate payable to Councillors, the HMRC rate, and the rate payable for officers which was based on the AA Cost of Motoring calculations.

6. In formulating its recommendations, the Panel gave consideration to and made comment upon:

- a) The current position with regard to the allowances having remained unchanged for a number of years, which had led to an erosion of the base and a low 'starting point' to which increases may be applied.
- b) The allowances payable being not only low in comparison with neighbouring authorities, but also in relation to the average number of hours spent on Council duties.
- c) The mileage rate being in excess of that recommended by the HMRC and further in excess of that paid to officers, which was in line with the AA Cost of Motoring.
- d) The issue of fairness over time, insofar as Members had not allowed themselves sufficient remuneration for the work they had been undertaking and, therefore, allowances did not accord with the principal of "fair pay for fair work"
- e) The hard work undertaken by the previous Remuneration Panel, whose recommendations had been acknowledged, but largely not progressed (with the exception of the Mayor and Deputy Mayor's allowances). It was felt that the recommendations made in 2012 continued to be appropriate and should be used as a basis upon which to propose recommendations to Council in this instance.

7. The Panel made the following recommendations:

- (i) that the Basic Allowance be increased from £3,275 to £4,000 per annum;
- (ii) That the allowances for the Mayor and Deputy Mayor remain unchanged (as these were increased in 2013).
- (ii) that the Special Responsibility Allowances be increased as follows:

Role	Current allowance (£)	Proposed allowance (£)
Leader of the Council	7,640	10,000
Member of the Executive	4,095	5,500
Opposition Leader(s)	2,455	3,500

Licensing & Regulatory Committees Chairman	2,455	3,500
Planning Committee Chairman	2,455	3,500
Scrutiny Commission Chairman	2,455	3,500
Finance, Audit & Performance Committee Chairman	1,644.95	3,500
Appeals Panel Chairman	1,644.95	2,500
Ethical Governance & Personnel Committee Chairman	1,644.95	2,500

- (iii) that the travel allowances be aligned to HMRC rates of 45p per mile;
- (iv) that the Panel meets on an annual basis (unless requested by Council to review the Scheme at any point within the ensuing 12 months) in accordance with recommendations of Internal Audit to give consideration to the Members' Allowance Scheme. Consideration may be given to applying a percentage increase in line with the NJC increases for employees.

Mr J Mutton OBE
Chairman of the Independent Remuneration Panel

This page is intentionally left blank