

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



**Hinckley & Bosworth  
Borough Council**

*A Borough to be proud of*

**TO BE HELD ON  
TUESDAY, 12 JANUARY 2016  
at 6.30 pm**

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Date: 04 January 2016



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, 12 JANUARY 2016 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 10 November 2015.
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 – to be taken at the end of the agenda.
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. Questions  
To deal with questions under Council Procedure Rule number 11.1
6. Leader of the Council's Position Statement  
To receive the Leader of the Council's Position Statement.

7. Minutes of the Scrutiny Commission (Pages 7 - 14)

To receive for information only the minutes of the Scrutiny Commission meeting held on 29 October and 10 December 2015.

8. Microchipping Policy & Charges (Pages 15 - 18)

Report of the Deputy Chief Executive (Community Direction) seeking approval of the enforcement of the Microchipping of Dogs Regulations 2015.

9. Request capital budget for incentives to attract appropriate tenants to Block C, The Crescent (Pages 19 - 22)

Council is asked to approve a supplementary capital budget to attract suitable tenants to retain / restaurant units in Block C, The Crescent.

# Agenda Item 2

## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

10 NOVEMBER 2015 AT 6.30 PM

PRESENT: MRS J RICHARDS - MAYOR  
MR RG ALLEN – DEPUTY MAYOR

Mr DC Bill MBE, Mr SL Bray, Mrs R Camamile, Mr MB Cartwright, Mrs MA Cook, Mr DS Cope, Mrs GAW Cope, Mr WJ Crooks, Mr MA Hall, Mrs L Hodgkins, Mr E Hollick, Mrs J Kirby, Mr C Ladkin, Mr MR Lay, Mr KWP Lynch, Mr K Morrell, Mr K Nichols, Mr M Nickerson, Mr RB Roberts, Mr SL Rooney, Mrs H Smith, Mrs MJ Surtees, Mr BE Sutton, Miss DM Taylor, Mr P Wallace, Mr R Ward, Ms BM Witherford and Ms AV Wright

Officers in attendance: Steve Atkinson, Mark Brymer, Bill Cullen, Julie Kenny, Sanjiv Kohli and Rebecca Owen

### 239 PRAYER

Reverend Martin Castle led a minute's silence and prayers.

### 240 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Bessant, Boothby, O'Shea and Williams.

### 241 MINUTES OF THE PREVIOUS MEETING

It was moved by Councillor Nichols, seconded by Councillor Camamile and

RESOLVED – the minutes of the meeting held on 12 October be confirmed and signed by the Mayor.

### 242 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

The Mayor announced that there were two urgent items – a supplementary budget for interim Planning Manager and a request for a supplementary budget for alterations to the ground floor of C Block units C3 and C4 of the Crescent Development. It was also noted that the 'petitions' heading had been omitted from the agenda and that a petition would be presented after the 'Questions' item.

### 243 DECLARATIONS OF INTEREST

No interests were declared at this stage.

### 244 MAYOR'S COMMUNICATIONS

The Mayor reported on the success of businesses in the borough in the Tourism Awards, the Local Democracy week event with school children from across the borough and the Masked Ball which had raised over £3,500 for her charities. The Mayor reminded members about her Carol Service which would take place on 13 December in Earl Shilton.

### 245 QUESTIONS

In accordance with Council Procedure Rule 11.1, the following question was submitted by Councillor Crooks:

“Can I ask how are the Council going to protect its assets when it sells Council Houses situated on large plots under the Right To Buy scheme? A prime example is where we sold a Council House in Desford, and the purchaser then built three new houses on the garden site! I am aware that most wards have similarly situated Council Homes on corner or large plots which could, if sold, have new homes built on the garden sites. The Council should not be missing out on this possible source of revenue!”

Response from the Leader of the Council

“I understand the concerns raised by Councillor Crooks and this issue has been considered by officers.

Case law has shown that where an owner of a former council property seeks planning permission to build on their garden, that should the council ask for a contribution from the increase in value, this would be challengeable. The Court of Appeal in considering this matter held that the policy of Right To Buy is to enable residents exercising their right to buy to enjoy the fruits or advantages of home ownership including a rise in the value of their property, whether that is because of the benefits of a later acquired planning permission or otherwise. Further, when dealing with right to buy applications, there is conflicting case law as to whether the council can apply for “hope” value, reflecting the potential future development value of a large garden, at the time of valuation for Right to Buy.

In order to try and reduce the number of properties with large gardens which may be lost to the Right To buy, the council identifies when properties become void where there are large gardens and if there is development opportunity and a housing need, the size of the garden is reduced to the incoming tenant.”

#### 246 PETITION

Councillor Bray presented a petition with 51 signatures on behalf of residents of his ward which called for action to be taken in relation to an empty factory at the end of Trinity Vicarage Road. The petition was accepted and passed onto officers for consideration.

#### 247 LEADER OF THE COUNCIL'S POSITION STATEMENT

In presenting his position statement, the Leader referred to the hard work of the Bosworth In Bloom team, the making of the Market Bosworth Neighbourhood Plan, the Local Democracy Week event, the forthcoming Rural Conference and the Christmas Lights in Hinckley. He also made reference to the Policing consultation ‘Blueprint 2020’.

In response, amongst other general comments, it was requested that a representative of the Police be invited to a meeting of the Scrutiny Commission to present the consultation. The Chairman of the Scrutiny Commission and the Leader were supportive of this.

#### 248 STATEMENT OF LICENSING POLICY

Council received the Statement of Licensing Policy which had been deferred at the last meeting for consideration of the Late Night Levy by the Licensing Committee. The Licensing Committee had duly considered the matter and recommended the Statement of Licensing Policy to Council for approval. It was moved by Councillor Hall, seconded by Councillor Surtees and

RESOLVED – the Licensing Policy be approved and adopted.

249 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

The Gambling Policy (Statement of Principles) was presented to Council following a recently consultation exercise. It was noted that this was a refreshed policy and was a legal requirement. It was moved by Councillor Hall, seconded by Councillor Kirby and

RESOLVED – the Gambling Policy (Statement of Principles) be adopted.

250 TAXI FEE INCREASE

Members received a report which informed them of the need to raise the fee for hackney carriage and private hire driver licences following legislative changes. A member noted that the report stated that no consultation was required, and in response it was confirmed that the taxi trade representative had been consulted and regular contact was maintained with her. It was moved by Councillor Hall, seconded by Councillor Wright and

RESOLVED – the proposed fee increase be approved.

251 COMBINED AUTHORITY

Council received a report which provided information in relation to the establishment of a Combined Authority for Leicester and Leicestershire and associated Scheme and Governance Review for submission to the Department for Communities and Local Government.

It was moved by Councillor Hall and seconded by Councillor Camamile that the decision made at the meeting on 12 October in relation to the Coventry & Warwickshire Local Enterprise Partnership and Leicester & Leicestershire Combined Authority and Business Rates pool (minute 205 parts (iii), (iv) and (v) refers) be rescinded and revisited. Upon being put to the vote, the motion was CARRIED.

It was moved by Councillor Hall and seconded by Councillor Camamile that the Scheme for the Combined Authority, and the Governance be approved, and the publication of the Scheme and its submission to the Department for Communities and Local Government be authorised. Upon being put to the vote, the motion was CARRIED.

It was moved by Councillor Hall and seconded by Councillor Camamile that the Chief Executive, in consultation with the Executive, be authorised to:

- (a) make any final amendments to the Scheme and Governance Review prior to their submission to the Department for Communities and Local Government in December 2015 or January 2016;
- (b) enter into discussions with the Department for Communities and Local Government and any such other Government departments and other persons as considered necessary to agree the terms of the Order establishing the Combined Authority and to approve the final form of the Order on behalf of the Council;
- (c) negotiate, agree and execute all ancillary documents in support of the operation of the Combined Authority, including (without limitation) the constitution of the Combined Authority;
- (d) take all decisions and actions necessary to enable the establishment of the Combined Authority.

Councillor Lay suggested an amendment in that the Leader of the Opposition and the Chairman of the Scrutiny Commission should be consulted on any significant changes. The Leader and seconder of the original motion supported this AMENDMENT and the motion, as amended, was CARRIED.

It was moved by Councillor Hall, seconded by Councillor Camamile and

RESOLVED –

- (i) the Scheme for the Combined Authority be approved;
- (ii) the Governance Review be approved;
- (iii) the publication of the Scheme and its submission to the Department for Communities and Local Government be authorised;
- (iv) The Chief Executive, in consultation with the Executive, be authorised to make any final amendments to the Scheme and Governance Review prior to their submission to the Department for Communities and Local Government in December 2015 or January 2016;
- (v) The Chief Executive, following consultation with the Executive, be authorised to enter into discussions with the Department for Communities and Local Government and such other Government departments and other persons as considered necessary by the Chief Executive to agree the terms of the Order establishing the Combined Authority and to approve the final form of the Order on behalf of the Council;
- (vi) The Chief Executive, following consultation with the Executive, be authorised to:
  - a. Negotiate, agree and execute all ancillary documents in support of the operation of the Combined Authority, including (without limitation) the constitution of the Combined Authority; and
  - b. Take all decisions and actions necessary to enable the establishment of the Combined Authority;
- (vii) The Leader of the Opposition and Chairman of the Scrutiny Commission be consulted on any significant changes arising during these further negotiations.

252 SUPPLEMENTARY BUDGET FOR INTERIM PLANNING MANAGER

Council received a report requesting a supplementary budget for an interim Planning Manager for the Development Management service. It was reported that many authorities, including those in Leicestershire and Warwickshire, were currently experiencing staff shortages in the area of planning, with some operating a service of mostly agency staff. It was explained that the supplementary budget would provide for an experienced manager to cover the role for three to four months whilst a permanent post holder was recruited.

A member suggested that the remuneration of planning officers should be enhanced, particularly as local authorities were losing experienced staff to the private sector where



salaries were higher and incentives were provided. Concern was also expressed that the staffing shortages would put pressure on the remaining officers, particularly as there was increasing pressure from Government. This risk was acknowledged and officers assured members that it was being managed and that, whilst performance was still high, matters may take longer than they had previously.

On the motion of Councillor Hall, seconded by Councillor Ward, it was

RESOLVED – the supplementary budget of £37,000 for the appointment of an interim Planning Manager for the Development Management service be approved.

253 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Surtees, seconded by Councillor Hall, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

254 REQUEST FOR SUPPLEMENTARY BUDGET FOR ALTERATIONS TO THE GROUND FLOOR OF C BLOCK UNITS C3 AND C4 AND BUDGET REQUIREMENTS FOR SERVICE CHARGES

Members received a report which was taken in private session, due to commercial sensitivity, in relation to a supplementary budget for alterations to the ground floor of block C of the Crescent development. During discussion, reference was made to the incentives proposed for tenants of block C in order to attract major national businesses and the commercial agreement which served as protection for the Council. It was moved by Councillor Surtees, seconded by Councillor Hall and

RESOLVED –

- (i) A capital budget of £100,000 to fund the alterations to units C3 and C4, financed from the Masterplan Reserve, be approved;
- (ii) A revenue expenditure budget of £28,000 to fund the gross cost of the service charge due for block C for the remainder of the financial year be approved;

- (iii) A revenue income budget of £11,000 to represent the element of service charge which will be recovered from tenants in year be approved;
- (iv) The balance net additional expenditure of £17,000 to be funded from the Masterplan Reserve be approved.

(The Meeting closed at 7.50 pm)

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MAYOR

## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### SCRUTINY COMMISSION

29 OCTOBER 2015 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman  
Mrs R Camamile – Vice-Chairman

Mr RG Allen, Mr DC Bill MBE, Mrs L Hodgkins (for Mr KWP Lynch), Mr E Hollick (for Mr WJ Crooks), Mrs J Kirby (for Mr HG Williams), Mr K Nichols (for Mr SL Bray), Mr BE Sutton and Mr R Ward

Also in attendance: Councillor M Hall and Councillor K Morrell

Officers in attendance: Steve Atkinson, Bill Cullen, Julie Kenny, Joseph Matharu and Rebecca Owen

#### 224 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bray, Crooks, Lynch and Williams with the following substitutions authorised in accordance with Council Procedure Rule 4:

Councillor Hodgkins for Councillor Lynch  
Councillor Hollick for Councillor Crooks  
Councillor Kirby for Councillor Williams  
Councillor Nichols for Councillor Bray.

#### 225 MINUTES

It was moved by Councillor Camamile, seconded by Councillor Bill and

**RESOLVED** – the minutes of the meeting held on 17 September be confirmed and signed by the Chairman.

#### 226 DECLARATIONS OF INTEREST

No interests were declared at this stage.

#### 227 LEICESTERSHIRE FIRE & RESCUE CONSULTATION

Following referral of this item to the Scrutiny Commission by Council, members were presented with a suggested response based on the resolution of Council. Some members felt that the response should be stronger to reflect the serious concerns of the residents of Hinckley, and others felt that the response was appropriate given that some areas of the Borough were not being adversely affected. Some minor adjustments were suggested to the wording and subsequently Councillor Bill requested an adjournment to discuss the wording. The meeting adjourned at 6.54pm.

Upon reconvening at 6.58pm, it was moved by Councillor Nichols and seconded by Councillor Bill that the following be submitted as a response to the consultation, which upon being put to the vote was CARRIED:

“Hinckley and Bosworth Borough Council welcomes the opportunity to respond to consultation from the Leicestershire Fire and Rescue Service on its Integrated Risk Management Plan: ‘Towards 2020’.

We appreciate the time given to use by Steve Lunn at the Council meeting on 12 October, his explanation of the case for the proposals and his response to questions from elected members.

The Council values very highly the services and protection provided by Leicestershire Fire & Rescue Service across the county, and particularly to the people of Hinckley & Bosworth, who are served not just from Hinckley Fire Station, but also from the neighbouring station at Coalville. We recognise also the financial pressures faced by the Fire & Rescue Service, as the Council faces very similar pressures, to which we have responded without negative impact on the public.

We express serious concerns over the planned reduction in emergency cover, in particular the removal of a crewed fire engine at Hinckley. We acknowledge the reassurances given in the presentation and in the consultation documentation and understand the direction being taken. However, those assurances must be delivered in practice to ensure the continued safety of local people. To ensure that this happens, we would also request an annual update of response times and incidents to the Scrutiny Commission”.

It was unanimously

RESOLVED – the above be submitted as the Council’s response to the consultation.

## 228 HINCKLEY MAGISTRATES COURT - UPDATE

The Scrutiny Commission was updated with regard to responding to the Ministry of Justice consultation on Hinckley Magistrates Court. Members were presented with a copy of the letter that had been sent by way of response and it was explained that a member working group had met to agree a response, which had then been drafted by an officer group. During discussion, the following points were made:

- The feeling that response was well-balanced
- There may be a number of artefacts in the building and Hinckley Museum should be asked to ensure these are recovered should the service cease to operate from the building
- It would make sense for the service to remain in Hinckley, and would be beneficial to all if the Hub could be used for this purpose.

## 229 CUSTOMER SATISFACTION SURVEY

Members were informed of the findings of the winter customer satisfaction survey. It was noted that these findings had already been fed back to services. During presentation and discussion, the following points were raised:

- The drop in satisfaction in relation to doorstep recycling
- The improvement in satisfaction with sports and leisure provision across the borough, with the exception of Groby
- The improvement in satisfaction in relation to parks and open spaces, except for Barlestone, Nailstone & Osbaston ward which, it was noted, was an area for which the relevant parish councils were responsible for parks

- The Borough Bulletin remained the main source of information about the Borough Council, except for in Barwell
- Some felt the council's website was difficult to navigate
- The low response rate to such consultations may mean that residents are generally happy with council services, or may indicate apathy.

In relation to the drop in satisfaction in the recycling service, it was suggested that this may have been due to the Recycle Right project and the change in recyclables accepted. The importance of education was emphasised and it was agreed that a briefing note be sent to members to inform them of educational activities currently being provided by officers of the Council. Information was also requested on how new residents were informed of the recycling rules. In response to concerns about cigarette butts and chewing gum on pavements, members were asked to let officers know of any problem areas.

It was requested that a copy of this, and future, satisfaction survey reports be sent to parish councils for their information.

#### 230 CRESCENT DEVELOPMENT - UPDATE

The Scrutiny Commission received a verbal update on the Crescent development, being informed that the first phases of the project were nearing completion with Sainsbury's due to open on 4 November 2015. It was noted that the cinema was due to open early December and the majority of the other units in block C (the block for which the Council was responsible) were either let or in advanced stages of negotiation and would start fitting out in early 2016. In relation to the other units which were not within the control of the Council, it was reported that these were almost 70% let with the remainder again in advanced negotiations.

Members asked for a more detailed report in early 2016 with a financial update and it was agreed that, where possible, any reports for decision by Council would be brought to the Scrutiny Commission first if timings allowed.

RESOLVED – progress on the Crescent Development be noted.

(The Meeting closed at 7.58 pm)

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CHAIRMAN

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

10 DECEMBER 2015 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman  
Mrs R Camamile – Vice-Chairman

Mr RG Allen, Mr DC Bill MBE, Mr DS Cope (for Mr SL Bray), Mr WJ Crooks,  
Mr KWP Lynch, Mr SL Rooney, Mr BE Sutton and Mr R Ward

Also in attendance: Councillor M Hall and Councillor K Morrell

Officers in attendance: Bill Cullen, Malcolm Evans, Simon D Jones, Julie Kenny, Karen Mason, Rebecca Owen and Sharon Stacey

290 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bray and Williams, with the substitution of Councillor DS Cope for Councillor Bray authorised in accordance with Council Procedure Rule 4.

291 MINUTES

On the motion of Councillor Camamile, seconded by Councillor Rooney, it was

RESOLVED – the minutes of the meeting held on 29 October 2015 be confirmed and signed by the Chairman.

292 DECLARATIONS OF INTEREST

No interests were declared at this stage.

293 BLUEPRINT 2020 - LEICESTERSHIRE POLICE CONSULTATION

Chief Inspector Lucy Batchelor attended the meeting to present the Blueprint 2020 project to members. During the presentation and in response to questions, the following points were raised:

- The 'workforce mix' was about protecting frontline policing, using people more efficiently and making best use of technology
- The potential to increase 'self-service' online, which would be subject to a consultation in the New Year
- The need to tackle cyber-crime as a major growth area
- Further consultation and engagement with community groups would take place throughout 2016.

Councillor Ward arrived at 6.33pm.

During discussion on the presentation, members raised the following points:

- Whilst the importance of counter-terrorism was acknowledged, it was suggested that, to the majority of residents, it was issues on their doorstep such as antisocial behaviour that were most important
- The gradual withdrawal of community policing over the past 30 years

- The lack of communication between the Police and councillors. The Deputy Chief Executive reminded members that there were open sessions for councillors following the Endeavour meetings and these would continue
- A few parish councils had been informed that, as a representative of the police had been unable to attend their meetings, they could get the latest crime figures online, however on looking online, the information had been a couple of months out of date. The representative agreed to follow this up.

The Chairman requested that councillors be involved in consultation events where possible.

#### 294 LEISURE CENTRE UPDATE

Members received a presentation showing progress made on developing the new leisure centre on Argents Mead and highlighting that the project was two-thirds complete and on programme for opening in May 2016. A member expressed concern that, whilst it had been hoped that building the leisure centre on Argents Mead would increase footfall at the top part of Castle Street, the Co-op was now closing without having benefitted from this potential increase. Members were informed that officers had made every attempt to arrange to meet with the Co-op management to discuss their decision to move out of their large Castle Street store, but this had not been achieved. It was, however, stated that there had been interest in the unit from other large national companies.

The good progress on the leisure centre and the other successful capital projects during 2015 was noted and officers were thanked for their work. It was agreed that a visit be arranged for members to the new Leisure Centre in the New Year.

#### 295 LOCAL HOUSING COMPANY - UPDATE

The Scrutiny Commission received a copy of the authority's business case for the Wholly Owned Company (WOC). It was noted that this was separate to the business case for the company itself, and any separate appraisals for key sites to be considered for development by the company.

It was requested that the full Ethical Statement proposed at the meeting of the Commission in March and subsequently agreed by Council be included in the business case.

Some members expressed concern that there was insufficient capacity within the authority's establishment to take on the initial management of the company. In response, attention was drawn to section 4.1 in the report, and members were reassured that there were the skills and capacity to undertake the work in-house using a currently vacant position in Estates and Asset Management, but that eventually the company may need to establish its own management team.

In relation to the financial aspects, attention was drawn to the timeline in the report which showed the projected return on investment. It was noted that the company would borrow from the authority to fund the business until the return was realised, and this would be set out in each business case for the particular development.

It was requested that the wording used on page 14 be amended to remove reference to migrant workers and ensure language used was appropriate.

It was agreed that the Scrutiny Commission would receive a progress update during the first quarter of 2016/17.

#### 296 HOUSING POLICY DEVELOPMENTS



Members were advised of national housing policy developments including reduction in social housing rent, 'Pay to Stay' policy, Right to Buy for registered social housing tenants, sale of high value voids and review of lifetime tenancies and the implications for the authority of these policy changes. During presentation and discussion, the following points were made:

- The Housing Investment Strategy would be brought to January's Scrutiny Commission
- It had been suggested that tenants earning more than £30,000 would have to pay market rents as part of the 'Pay to Stay' policy, which would mean it would be cheaper to purchase a property
- Details of the policy regarding sale of high value voids were being awaited and required each authority to submit details of housing stock values to enable the Government to make that decision
- It was likely that such high value voids would be in the rural areas, where the authority had a need for housing
- The suggested rent reduction policy would undermine the decision made (prompted by the Government) in 2013 to increase rents, which this authority had done to a lower level than recommended by the Government
- The removal of 'lifetime tenancies' had devastated the farming industry and would cause serious detriment to council tenants and also lead to tenants not wishing to invest in and improve their properties
- Reports would be taken to Executive or Council should any amendments to policy be required when the detail of the Bill were known.

It was requested that the MP be invited to attend a meeting to listen to a discussion on this matter to understand how the policies would impact this authority and the residents of the borough. The Leader agreed to arrange this. It was agreed that a working group be set up to meeting with the MP to consist of three Conservative councillors, two Liberal Democrat and one Labour.

#### 297 MEMBERSHIP OF LEICESTER AND LEICESTERSHIRE COMBINED AUTHORITY - PROGRESS REPORT

An update report in relation to the Leicester and Leicestershire Combined Authority was received and Members were reminded of the three core functions proposed for the Combined Authority. Members were also informed that it had been agreed that Hinckley & Bosworth Borough Council would be an associate member of the Coventry & Warwickshire LEP.

It was noted that Harborough District and Melton Borough Councils had yet to meet to confirm membership of the Leicester and Leicestershire Combined Authority, but all other authorities in Leicestershire had confirmed their commitment.

#### 298 CONSULTATION UPDATE

The Scrutiny Commission was updated on the current consultation regarding a possible council tax referendum and charging for the garden waste service that was due to close the following day. It was reported that there had been over 2000 responses so far – 40% submitted online, 35% in response to the Borough Bulletin and 25% as a result of the direct mail out. Of the total responses, 73% had indicated that they would vote 'yes' in a referendum for a council tax increase, and only 39% had indicated that they supported a charge for the garden waste service.

Officers explained that, once the consultation had closed, they would analyse the results by ward to ensure consistency and then circulate to members.

299 ELECTORAL REVIEW OF LEICESTERSHIRE - BOUNDARY COMMISSION DRAFT RECOMMENDATIONS

The draft recommendations of the Electoral Review of Leicestershire were noted.

300 SCRUTINY COMMISSION WORK PROGRAMME 2015-2016

The work programme was noted.

301 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Camamile seconded by Councillor Ward, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

302 REQUEST CAPITAL BUDGET FOR INCENTIVES TO ATTRACT APPROPRIATE TENANTS TO BLOCK C, THE CRESCENT

A report was presented which outlined funding required for incentives to attract suitable tenants to Block C of the Crescent. It was noted that £160,000 in incentives would be triggered before the next meeting of Council and therefore retrospective approval would be given, subject to the Scrutiny Commission and the Executive being supportive.

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

RESOLVED – the report be endorsed and action requested be supported.

(The Meeting closed at 8.55 pm)

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CHAIRMAN



## COUNCIL – 12 JANUARY 2016

### MICROCHIPPING OF DOGS REGULATIONS 2015

#### REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

#### WARDS AFFECTED: ALL WARDS

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#### 1. PURPOSE OF REPORT

- 1.1 To inform and seek members approval on the enforcement of the Microchipping of Dogs Regulations 2015.

#### 2. RECOMMENDATION

- 2.1 Council approves the enforcement proposal of the Microchipping of Dogs Regulations 2015 as detailed within this report.
- 2.2 The necessary amendments are made to the Constitution to allow the enforcement of the regulations.

#### 3. BACKGROUND TO THE REPORT

##### OBLIGATION OF DOG KEEPERS

- 3.1 From 6 April 2016 the regulations make it an obligation that;
- All dogs are microchipped, if over 8 weeks old and if not a certified working dog.
  - A keeper who imports a dog must ensure that the dog is microchipped within 30 days of importing the dog.
  - Where a dog is transferred to a new keeper, the new keeper must, unless the previous keeper has already done so, record their full name, address and contact telephone number (if any) and any change in the dog's name with the database on which the dog's details are recorded.
  - A keeper (which includes the breeder) must not transfer a dog to a new keeper until it has been microchipped.

##### ENFORCEMENT

- 3.2 If a dog that should be microchipped is not microchipped then a notice requiring microchipping within 21 days may be served. A keeper may appeal this notice.
- 3.3 Where the keeper of a dog has failed to comply with a notice, an authorised officer, without the consent of the keeper, may arrange for the dog to be microchipped and recover from the keeper the cost of doing so. It is an offence to obstruct an officer.
- 3.4 An authorised officer may take possession of a dog without the consent of the keeper for the purpose of checking whether it is microchipped or for the purpose of microchipping it. It is an offence to obstruct an officer.
- 3.5 The regulations can be enforced by either the Local Authority or Police.
- 3.6 There is a defence against the requirements of the regulations if a vet certifies that it is not appropriate to microchip a dog.

## OFFENCES

- 3.7 It is an offence not to comply with a notice as detailed in 3.2 above.
- 3.8 It is an offence if a keeper (which includes the breeder) transfers a dog to a new keeper before it has been microchipped.
- 3.9 It is an offence to obstruct an officer.
- 3.10 An offence if prosecuted carries a fine of up to £500.

## ADDITIONAL INFORMATION

- 3.11 The Regulations also detail the form of microchip and details to be held on a database.
- 3.12 The regulations are only valid for 7 years i.e. until 24 February 2022.
- 3.13 The Dog Warden can microchip dogs at a cost of £12.
- 3.14 The Council's Dog Warden Service has received the RSPCA Golden Footprint award for the fourth year running and this policy will help strengthen this recognition of effective dog services.

## HBBC ENFORCEMENT PROPOSAL

- 3.14 It is not proposed to actively patrol the Borough to identify dogs that are not microchipped.
- 3.15 If it is identified that a dog is not microchipped through the duties of the Dog Warden Service e.g. seizure of stray dogs, inspection of breeding establishments, investigation of dog related complaints etc., the keeper, if known, shall be issued with a notice requiring the dog to be microchipped within 21 days.
- 3.16 If the notice detailed in 3.14 above is not complied with then prosecution of the offence shall be considered in accordance with appropriate enforcement policies.

## 4. FINANCIAL IMPLICATIONS [AG]

- 4.1 There is a marginal increase in net income of £115.20 as a result of the enforcement proposal. The costs and savings are summarised in the table below.

Net numbers of increase	Cost per Chipping	Total Cost	Income per chipping	Total income	Net Income
20	£4.24	£84.80	£10	£200	£115.20

## 5. LEGAL IMPLICATIONS [JB]

- 5.1 The legal implications are referred to in this report.

## 6. CORPORATE PLAN IMPLICATIONS

- 6.1 This report relates to the corporate aim of *Creating a vibrant place to live and work – Protect the community by creating a safer place.*

A microchipped dog is a traceable dog. Therefore if a dog strays (stray dogs put the public at risk through potential attack and road traffic incidences) the dog warden is able to locate the keeper in an attempt to ensure that the dog does not stray again. If

the dog continues to stray then necessary enforcement action can be taken against regular straying.

Similarly, if a dog is involved in an attack the dog warden or police are able to trace the keeper of the dog and take necessary enforcement action.

## 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
Legal compliance	Ensure actions in compliance with Central Government Policy	Simon Smith

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

9.1 There will be no adverse implications only positive implications in working towards corporate aims.

Relevant enforcement policies will be complied with to ensure the protection of vulnerable groups.

## 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
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

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Background papers: None

Contact Officer: Simon Smith, Senior Environmental Health Officer – 01455 255769  
Executive Member: Councillor Kevin Morrell

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## COUNCIL – 12 JANUARY 2016

### CAPITAL BUDGET FOR INCENTIVES FOR TENANTS TO BLOCK C THE CRESCENT

#### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)

#### WARDS AFFECTED: ALL WARDS

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#### 1. PURPOSE OF REPORT

- 1.1 To inform Council of the need to obtain approval from Council of supplementary capital budget of £1,200,000 required to attract suitable tenants to retail / restaurant units.

#### 2. RECOMMENDATION

- 2.2 Council approves the request for a supplementary capital budget for the current 2015/16 year of £550,000 to attract suitable tenants to retail / restaurant units. This will be financed from the Masterplan Reserve.
- 2.3 Council approves the inclusion of the remaining tenant incentive of £650,000 in the 2016/17 capital budget. This will be financed from the Masterplan Reserve.
- 2.4 The Chief Executive / Deputy Chief Executive (Corporate Direction) and the Executive Lead for Finance be given delegated authority to agree these incentives to a total level of £1.2m.

#### 3. BACKGROUND TO THE REPORT

- 3.1 A previous report to request a supplementary budget for alterations to the ground floor of C Block was presented to Council and approved on the 10 November 2015. Within this report there was a recommendation –

*2.2 That members note that a further report will follow to request the required supplementary budgets relating to the capital incentives negotiated with tenants.*

This report now requests the budget to provide the necessary capital budget to attract key tenants to Block C.

- 3.2 Capital incentives are the norm for commercial lettings and are required to attract suitable tenants to retail / restaurant units. These incentives can take the form of reduced rent, reimbursement of relocation costs or rent-free periods or equivalent capital incentives. Officers have chosen to negotiate appropriate levels of capital incentives with minimal rent free periods as the Council has an established reserve to fund the capital incentives and this method accelerates the revenue generation for the general fund.

Negotiations continue to take place between the Council's letting agent Strutt and Parker and prospective tenants, under the direction of the Deputy Chief Executive (Corporate Direction).

#### 4. FINANCIAL IMPLICATIONS [IB]

- 4.1 Assuming that the supplementary budgets of £550,000 for 2015/16 and £650,000 for 2016/17 are approved the balance for the Masterplan Reserve is forecast as follows:

<b>Opening balance (1<sup>st</sup> April 2015)</b>	<b>Alterations and service charge committed</b>	<b>Capital Incentives</b>	<b>Opening balance (1<sup>st</sup> April 2016)</b>	<b>Capital Incentives</b>	<b>Closing balance (31st March 2017)</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
-1,626,387	117,000	550,000	-959,387	650,000	-309,387

#### 5. LEGAL IMPLICATIONS [JB]

- 5.1 Each lease is being negotiated on a case by case basis.

#### 6. CORPORATE PLAN IMPLICATIONS

- 6.1 Sustain Economic Growth by providing small business units at affordable rents with support from the Council in developing and managing business objectives.

Efficient, effective and proactive services by managing the commercial estate for small business and business start-ups.

#### 7. CONSULTATION

- 7.1 No further groups or organisations have been consulted in the process of this report.

#### 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.

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

- 9.1 Retail premises provide support to both the rural economy and town centre locations. The Crescent development will also deliver a key Masterplan site within Hinckley town centre and provide further regeneration within the local area.

#### 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
- Procurement implications



- Human Resources implications
  - Planning implications
  - Data Protection implications
  - Voluntary Sector
- 

Background papers: None

Contact Officer: Malcolm Evans 5614  
Estates & Asset Manager

Executive Member: Councillor M.J Surtees

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