

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

23 FEBRUARY 2017 AT 6.30 PM

PRESENT: MR LJP O'SHEA – DEPUTY MAYOR

Mr DC Bill MBE, Mr CW Boothby, 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 KWP Lynch, Mr K Morrell, Mr K Nichols,
Mr M Nickerson, Mrs J Richards, Mr SL Rooney, Mrs MJ Surtees,
Mr BE Sutton, Miss DM Taylor, Mr P Wallace, Mr R Ward,
Mr HG Williams, Ms BM Witherford and Ms AV Wright

Officers in attendance: Ilyas Bham, Bill Cullen, Julie Kenny, Rebecca Owen, Rob Parkinson, Sharon Stacey and Ashley Wilson

364 DEPUTY MAYOR IN THE CHAIR

In the absence of the Mayor due to a civic engagement within the community, the Deputy Mayor took the chair for this meeting.

365 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Allen, Bessant, Lay, Roberts and Smith. It was also noted that Councillors Richards and Taylor would be late.

366 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 10 January 2017 be confirmed and signed by the Deputy Mayor.

367 DECLARATIONS OF INTEREST

No interests were declared at this stage.

368 QUESTIONS

The following questions were received and responses provided in accordance with council procedure rule 11.1:

(a) From Councillor Crooks to the Executive member for Regeneration, Asset Management and Growth:

“Would the Executive member please advise me (given the problems in Leicester City) whether we have adopted the Government’s standards of a minimum of 37 sqm for anyone building or converting buildings into flats in our local plan? If not, are we looking to amend our standards to cover this? This standard will prevent planning applications coming in sub-standard size and the council then being unable to refuse permission”.

Response from Councillor Surtees:

“The current local plan does not include the principles set out in the Government’s technical housing standards – nationally described space standard. However, where planning applications are received contrary to these standards, officers work with applicants to address significant issues and thus encourage better design and size standards such as making reference to current good practice. In addition, it has often been noted that poor quality proposals in terms of space standards fall short in other policy areas which means that they are not likely to gain support for approval. There is a strong commitment to address this policy gap and so we will be including policy and guidance related to appropriate housing standards in the new local plan that reflects and builds on the national standards.”

(b) From Councillor Bray to the Executive member for Development Management:

“Could the Executive member please update Council on the latest position regarding the issuing of planning consent for the Barwell SUE and could he give his best estimate of when he expects this to be issued?”

Response from Councillor Rooney:

“I thank Cllr Bray for his question.

The position is that at Planning Committee on 3 March 2015, it was moved by Councillor Hulbert, seconded by Councillor Hodgkins and resolved that the Chief Planning & Development Officer be granted delegated powers to finalise all matters associated with the completion of the S106 agreement and the range, scope and drafting of all planning conditions and to issue outline planning permission.

Officers have since that time been endeavouring to finalise those details with the developers. Whilst the majority of the terms are agreed, it is only in the last week that a final draft of the Section 106 agreement has been returned from the developers. This is now being scrutinised by the council. Once this document is agreed and signed, the planning permission can be issued. The best estimate for this is April 2017. We will continue to press the developer to reach agreement and expedite the development, which remains on course to being late 2017.”

By way of supplementary question, Councillor Bray asked whether the Administration was committed to delivering the SUE. In response, Councillor Rooney assured Council of their commitment.

(c) From Councillor Bray to the Executive member for Town & Urban Communities:

“Would the Executive member for car parks please look again at the situation for car parking for members of Hinckley Leisure Centre? At the previous site, members were given free use of the car park whilst using the centre. Since its relocation, this is no longer the case and residents living in Mount Road, Priesthills Road and other surrounding streets, who already suffer considerable parking problems, have found an increase in cars using their street from leisure centre users. Would he look at restoring the free passes as soon as possible to help alleviate this problem?”

As a supplementary question to the response that had been included in the supplementary agenda, Councillor Bray asked whether any residents’ permits for council car parks available following the review of this would be free to residents.

Councillor Ladkin then referred to his amended response to the original question:

“I am aware of the problems of on-street parking in Hinckley, and Lib Dem members must take some responsibility for that. Having replaced almost 500 council run long

and short stay parking places on Argents Mead, the former Bus Station site, and Brunel Road with a large single short stay car park. It is not surprising that people are turning to streets for long stay parking, and there is lots of evidence to suggest that this is the cause of the discontent across much of Hinckley Town Centre.

The parking charge for members at the Leisure centre is 50p for up to three hours, which is adequate for most leisure activities and also a shopping trip into the town centre. This charge is lower than other town centre visitors who pay 50p for 1 hour and it is therefore likely that some people parking on-street are not members of the Leisure Centre.

The introduction of free car park passes for members would not be feasible, and in my opinion, would encourage non leisure centre use causing clogging up of the car parks.

Our Town Centre car parks need to have good turnover so that there are adequate spaces for all users including shoppers. I have requested that the Leisure Centre Operator effectively communicates with its customers asking them to be respectful in where they park their vehicles to avoid inconvenience to local residents, but we have no control at present over where non leisure centre members choose to park.

Leisure Centre Members can now also park on The Castle Car Park.

There is a problem in the streets around Hinckley Town Centre with residents finding parking difficult and I have been approached by a number of them, mostly wondering why a problem that has been getting worse for years has not been acted upon.

I have already initiated a Group of officers and members to look into how we can best ameliorate this problem. As you may or may not be aware LCC are responsible for on street parking controls so we will work with them to implement Restricted Parking zones with exemptions for Resident's where appropriate. These schemes will only work with the availability of sufficient, low-cost, long-stay car parks something that Lib Dems have removed but that we will introduce where necessary.

As part of our Town Centre parking review we will be reviewing the residents parking permits and increasing the number available if appropriate.

To propose to reintroduce free parking for Leisure Centre Members is simplistic and just moves the problem around."

(d) From Councillor Nichols to the Executive member for Neighbourhood Services:

"Could the Executive member update me and local residents living in the Richmond Gate area, about what is being done to resolve the long running saga about opening up the access from that area into Richmond Park?

Does he also agree that this needs resolving quickly as opening this gate would allow a safe access to Richmond Park and to the school, as well as easing congestion in the Tudor Road area at the start and the end of the school day?"

Response from Councillor Nickerson:

"As members may be aware, Leicestershire County Council has refused to adopt the flight of steps as they are not inclusive or compliant with the requirements of the Disability Discrimination Act 1995. However, in January 2014 they advised planning officers that they were happy for HBBC to discharge the planning condition as the access to the development was in place and therefore no further action was possible

under the original condition. Officers will continue to liaise and negotiate with the developer, AR Cartwright, to see if they are willing to open up the pathway for the benefit of the residents. If this proves unsuccessful, officers will then prepare a report to Hinckley Area Committee for members' consideration detailing the current position, proposals and risks to the authority in terms of the access. I can assure members that officers and I are frustrated with the current situation, which we will be seeking to resolve as soon as possible."

- (e) Question from Councillor Nichols to the Executive member for Development Services:

"As the lead member for planning you may or may not know, in the last few months in two different areas of Hinckley there have been two three-bedroom houses converted into Houses of Multiple Occupancy (HMOs) for up to six persons under the Town & Country Planning (General Permitted Development) England Order 2015. This has caused several complaints from residents in both areas, especially concerning parking and possible noise disturbances etc.

Article 4 of the Town & Country Planning (General Permitted Development) England Order 2015 states:-

If the Local Planning Authority is satisfied that it is expedient that development described in any ... class ... should not be carried out unless permission is granted for it on application, the Local Planning Authority may make a direction that the permission granted shall not apply to (a) all or any development of the class in question in an area specified in that direction.

The approval of the Secretary of State is not required for a direction made under the above, if the relevant authority considers the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area (Article 5(4) of the Permitted Development Order). Article 5 also contains the procedure for publicising a direction made by the local authority that a specific permitted development order does not apply to a specific area or areas.

Could the Executive member confirm that the council is looking at the application of Articles 4 and 5 of the Town & Country Planning (General Permitted Development) England Order 2015?"

Response from Councillor Rooney:

"Thank you for your question Cllr Nichols. I am aware of the two planning applications that you refer to and the significant level of neighbour objection to the change of use. I recognise that Houses in Multiple Occupancy can cause problems for local communities, particularly in relation to car parking and disturbance for neighbours. However, the government feels that the benefits of providing this type of accommodation outweigh the negative aspects, which has led to the relaxation of controls. We have a shortage of one-bedroom accommodation in Hinckley & Bosworth and these types of uses can help to meet that demand.

The resource implications of proceeding with an Article 4 direction are substantial and won't directly deal with the concerns recently raised in relation to these two planning applications. We need to remember that, even if the council introduces an Article 4 direction, that doesn't mean we are able to defend the refusal of planning permission in most cases without this being underpinned by specific planning policies relating to the concerns being expressed. Article 4 directions are more appropriate where there are high numbers of properties being converted in dense urban areas – such as in a university town or city. Whilst the suggestion isn't considered

appropriate for Hinckley & Bosworth at this time, this will be kept under review if the problems become more significant in the future.”

As a supplementary question, Councillor Nichols asked what the aforementioned substantial resource implications associated with an Article 4 direction were and whether it would resolve the issues. Councillor Rooney agreed to provide a response within the next week.

Councillor Taylor entered the meeting at 6.35pm.

369 LEADER OF THE COUNCIL'S POSITION STATEMENT

In presenting his position statement, the Leader referred to bids for improvement works to the A5, a meeting with the Chief Executive of the George Eliot Hospital and a peer review follow-up meeting with Mark Edgell of the LGA.

Councillor Richards entered the meeting at 6.55pm.

370 CORPORATE PLAN

The Leader presented the Corporate Plan 2017 to 2021. It was noted that the plan received cross party support at the last meeting of the Scrutiny Commission. It was moved by Councillor Hall, seconded by Councillor Bill and

RESOLVED – the Corporate Plan 2017 to 2021 be approved.

371 FINANCE REPORTS

It was noted that presentation and debate on the finance items (agenda items 10 to 16 – minutes 372 to 378 refer) would be taken together, but votes would be taken on each report separately.

The Leader presented the budget and debate ensued thereon. During discussion, reference was made to:

- The difficulties in forecasting longer-term positions in relation to business rates and the new homes bonus due to uncertainties and changes in the basis of direct government funding and the move towards 100% rates retention
- The commendable concept of the Developing Communities Fund – although some members strongly felt that the fund should be available for projects in the special expenses area of Hinckley and others felt that Hinckley had already benefitted from extensive regeneration over the last few years, funded from the general fund
- The potential for increased responsibility for the Hinckley Area Committee
- The increase in support for vulnerable people
- The predicted increase in fuel costs in 2017/18
- The need to consider concessions on the garden waste charge for charitable groups
- The difficulty in letting large retail units.

372 MEDIUM TERM FINANCIAL STRATEGY

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the Medium Term Financial Strategy report be approved. Councillor Bray along with five other councillors requested that voting on this item be recorded. The vote was taken as follows:

Councillors Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, O'Shea, Richards, Rooney, Surtees, Sutton, Wallace, Ward, Williams and Wright voted FOR the motion (17);

Councillors Bill, Bray, Cartwright, Mr Cope, Mrs Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols, Taylor and Witherford voted AGAINST the motion (12).

The motion was declared CARRIED and it was

RESOLVED – the updated Medium Terms Finance Strategy (MTFS) and increase in minimum balance target to an average of 15% over the life of the MTFS be approved.

373 GENERAL FUND BUDGET

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the General Fund Budget report be approved. In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on this item was recorded and taken as follows:

Councillors Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, O'Shea, Richards, Rooney, Surtees, Sutton, Wallace, Ward, Williams and Wright voted FOR the motion (17);

Councillors Bill, Bray, Cartwright, Mr Cope, Mrs Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols, Taylor and Witherford voted AGAINST the motion (12).

The motion was declared CARRIED and it was

RESOLVED –

- (i) The general fund budget for 2016/17 and 2017/18 be approved;
- (ii) The special expenses area budget for 2016/17 and 2017/18 be approved;
- (iii) The movement in general fund reserves and balances for 2016/17 and 2017/18 be approved.

374 COUNCIL TAX SETTING

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the report for Calculation of Council Tax for 2017/18 be approved. In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on this item was recorded and taken as follows:

Councillors Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, O'Shea, Richards, Rooney, Surtees, Sutton, Wallace, Ward, Williams and Wright voted FOR the motion (17);

Councillors Bill, Bray, Cartwright, Mr Cope, Mrs Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols, Taylor and Witherford voted AGAINST the motion (12).

The motion was declared CARRIED and it was

RESOLVED – the following be approved for 2017/18 in accordance with the Local Government Finance Act (1992):

- (i) A council budget requirement excluding special expenses and parish councils of £10,247,348;
- (ii) A council net budget requirement including special expenses of £10,903,051;
- (iii) A total net budget requirement including special expenses and parish councils of £12,763,807;
- (iv) A contribution from revenue support grant (including the element indicated for local council tax support) and non-domestic rates (indicated by the NNDR baseline) of £3,180,842;
- (v) A forecast transfer of £147,841 deficit to the collection fund from the general fund;
- (vi) A band D council tax for borough wide services, excluding special expenses and parish council precepts, of £104.54;
- (vii) A band D council tax for borough wide services and an average of special expenses services of £122.09;
- (viii) An average band D council tax relating to borough wide services and an average of special expenses and parish council services of £171.89;
- (ix) The total council tax, including amounts for Leicestershire County Council, Police & Crime Commissioner and Combined Fire Authority and for each area and valuation band as detailed in appendix A to the report.

375 HOUSING REVENUE ACCOUNT BUDGET 2017/18

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the Housing Revenue Account Budget 2017/18 report be approved. Upon being put to the vote the motion was CARRIED and it was

RESOLVED –

- (i) The rent policy for 2017/18 be approved;
- (ii) The revised housing revenue and housing repairs account budgets for 2016/17 be approved;
- (iii) The housing revenue and housing repairs account budgets for 2017/18 be approved;
- (iv) The proposed movement in reserves be approved.

376 CAPITAL PROGRAMME

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the

Capital Programme 2016/17 to 2019/20 be approved. In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on this item was recorded and taken as follows:

Councillors Bill, Boothby, Bray, Camamile, Cartwright, Cook, Mr Cope, Mrs Cope, Crooks, Hall, Hodgkins, Hollick, Kirby, Ladkin, Lynch, Morrell, Nichols, Nickerson, O'Shea, Richards, Rooney, Surtees, Sutton, Taylor, Wallace, Ward, Williams, Witherford and Wright voted FOR the motion (29).

There were no votes against the motion.

The motion was declared CARRIED and it was

RESOLVED –

- (i) The proposed capital programme for the years 2016/17 to 2019/20 be approved;
- (ii) The growth bids detailed within the report be approved.

377 FEES & CHARGES

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the report for Calculation of Council Tax for 2017/18 be approved. In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on this item was recorded and taken as follows:

Councillors Boothby, Camamile, Cook, Hall, Kirby, Ladkin, Morrell, Nickerson, O'Shea, Richards, Rooney, Surtees, Sutton, Wallace, Ward, Williams and Wright voted FOR the motion (17);

Councillors Bill, Bray, Cartwright, Mr Cope, Mrs Cope, Crooks, Hodgkins, Hollick, Lynch, Nichols, Taylor and Witherford voted AGAINST the motion (12).

The motion was declared CARRIED and it was

RESOLVED – the fees and charges book for 2017/18 be approved.

378 PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY

Further to the discussion on the finance reports (minute 371 refers), it was moved by Councillor Hall and seconded by Councillor Morrell that the recommendations within the Prudential Code and Treasury Management report be approved. Upon being put to the vote the motion was CARRIED and it was

RESOLVED –

- (i) The prudential indicators and limits for 2016/17 to 2019/20 be approved;
- (ii) The minimum revenue provision (MRP) statement be approved;
- (iii) The treasury management strategy 2016/17 to 2019/20 and the treasury prudential indicators be approved;

- (iv) The investment strategy contained in the treasury management strategy be approved.

Councillor Hollick left the meeting at 8.04pm.

379 PAY POLICY STATEMENT 2017-18

Consideration was given to the pay policy statement for 2017/18 as required by the Localism Act 2011. It was moved by Councillor Wright, seconded by Councillor Surtees and

RESOLVED – the council's pay policy statement for 2017/18 be approved.

(The Meeting closed at 8.05 pm)

MAYOR