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**HINCKLEY & BOSWORTH
BOROUGH COUNCIL**



**Hinckley & Bosworth
Borough Council**

**AGENDA FOR THE
MEETING OF THE COUNCIL**

**TO BE HELD ON
TUESDAY, 14 JANUARY 2020
at 6.30 pm**

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- 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.

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We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

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To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

Date: 06 January 2020



**Hinckley & Bosworth
Borough Council**

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, 14 JANUARY 2020 at 6.30 pm**

Yours faithfully

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

Miss RK Owen
Democratic Services Manager

AGENDA

1. Apologies
2. Minutes of the previous meeting (Pages 1 - 4)
To confirm the minutes of the meeting held on 5 November.
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. Items will be considered 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. 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 14.

7. Petitions

To deal with petitions submitted in accordance with Council Procedure Rule 15.

8. Leader of the Council's Position Statement

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

9. Minutes of the Scrutiny Commission (Pages 5 - 8)

To receive for information only the minutes of the Scrutiny Commission meeting held on 19 December 2019.

10. Public space protection order (Pages 9 - 22)

To seek endorsement of a new Public Space Protection Order.

The Scrutiny Commission gave consideration to this at its meeting on 19 December. An extract from the minutes of that meeting is attached.

11. Motions received in accordance with Council Procedure Rule 17

(a) Motion from Cllr Cartwright, seconded by Cllr Bray (Pages 23 - 24)

We all know how it is practically impossible these days to do anything without being subjected to health & safety risk assessment.

Yet despite this it is still legal to sell explosives, purchase explosives (so long as you are over 18 years of age), ignite explosives just so long as they are called fireworks.

Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals.

They can be a source of fear and distress for many animals (including our pet animals, farm livestock and wildlife). Animals affected, not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise created which has a far larger impact on their hearing than our own.

The unpredictable, loud and high intensity noises that many fireworks make can cause fear.

For example, studies have found fireworks to be the most common cause for fear responses in dogs, and it is estimated that 45 percent of dogs show signs of fear when they hear fireworks.

Many cats are also terrified of the sudden noise caused by fireworks.

With Diwali, bonfire night, October and November is a nightmare for animals and their owners, as you never know exactly when a firework is going to be set off. New Years Eve and endless reasons for parties using fireworks over the winter months. Limiting the number of events to which fireworks can be set off, will much improve the situation, as you can try to be prepared.

Debris produced by fireworks, if found on the ground, can also pose a hazard to animals, such as horses and farm livestock.

Although there is limited direct evidence, it is also likely that fireworks and their

debris will cause disturbance to wildlife, and are likely to cause suffering or distress, depending on the distance from the explosive and the noise level.

The short-lived nature of firework noise can make it difficult for the police or local authority's officers to pinpoint locations and take action.

The RSPCA believes that a licensing system would help with better enforcement of the law by allowing enforcement bodies to know where licensed events are being held.

Fireworks cause harm to people.

Just one accident to any child or adult by a firework could be prevented without the use of fireworks.

Professional organised displays significantly reduce the risk of harm to humans.

Carbon impact – climate change

My other concern is the carbon that is released by fireworks and bonfires over this period and also the use of fireworks to celebrate other occasions such as New Years, concerts etc.

The world has a carbon budget. Can we really justify spending part of that budget on entertainment, which already causes a great deal of distress and have such a far ranging impact on the carbon impact and overall climate change impact.

Imagine the amount of fireworks and unnecessary carbon footprint that are wasted worldwide in a year!

The RSPCA believes there is a real need to raise awareness amongst owners of animals about fireworks phobia.

This phobia can be treated (in dogs at least, not always successfully) in the long term but owners need to prepare themselves and their pets sooner, rather than just before the fireworks are let off. There is a need to raise awareness about the impact of fireworks on animals to the wider public to encourage them to be more considerate of those with pets, horses and livestock as well as wildlife.

The RSPCA believes the law is failing as it does not prevent or sufficiently reduce the risk of fireworks causing distress, injury or anxiety to people, as well as death, injury or distress to animals.

We believe that further research is needed to properly understand the impact of noise on animals and a number of things can be done to improve the situation for animals and people by:

- Introducing a limit on the public use of fireworks on or close to specific dates and times
- Tightening restrictions on the sale of fireworks in the run up to bonfire night
- Reducing the maximum noise level of fireworks sold to the public, ensuring they are labelled accurately
- Licensing all public firework displays – and ensuring displays are better

advertised to the public, especially those who have animals that could be affected.

Council resolves:

- (i) To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- (ii) To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- (iii) To actively promote a public awareness campaign about the impact of fireworks on the declared climate emergency in Hinckley & Bosworth
- (iv) To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display
- (v) To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- (vi) To lobby government to limit the number of days and events to which fireworks can be set off.

Some further information about silent fireworks is attached.

- (b) Motion from Cllr Cartwright, seconded by Cllr Webber-Jones

Council resolves that Hinckley & Bosworth Borough Council

- (i) Acknowledges the efforts that this Council has made and continues to make to reduce greenhouse gas emissions and promote renewable energy
- (ii) Recognises that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity
- (iii) Further recognises
 - That very large financial setup and running costs involved in selling locally generated renewable electricity is a barrier to local customers resulting in it being impossible for local renewable electricity generators to do so
 - That making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be the providers of locally generated renewable electricity directly to local people, businesses and organisations and
 - That revenues received by councils that became local renewable energy providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities.
- (iv) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and
- (v) Further resolves to

- Inform the local media of the Borough Councils decision
- Write to local MPs, asking them to support the Bill, and
- Write to the organisers of the campaign for the Bill, Power for People, expressing its support.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

5 NOVEMBER 2019 AT 6.30 PM

PRESENT: MRS L HODGKINS - MAYOR

Mrs CM Allen, Mr RG Allen, Mr DC Bill MBE, Mr CW Boothby,
Mr SL Bray, Mr MB Cartwright, Mr JMT Collett, Mrs MA Cook,
Mrs MJ Crooks, Mr WJ Crooks, Mr DJ Findlay, Mr REH Flemming,
Mr A Furlong, Mr SM Gibbens, Mrs DT Glenville, Mr C Ladkin,
Mr MR Lay, Mr KWP Lynch, Mr K Morrell, Mrs LJ Mullaney,
Mr MT Mullaney, Mr K Nichols, Mr LJP O'Shea, Ms A Pendlebury,
Mr RB Roberts, Mrs H Smith, Mr BR Walker, Mr R Webber-Jones,
Mr HG Williams and Mr P Williams

Officers in attendance: Bill Cullen, Julie Kenny, Sally O'Hanlon, Rebecca Owen, Caroline Roffey, Madeline Shellard and Sharon Stacey

204 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Cope, Hollick and Sheppard-Bools.

205 MINUTES OF THE PREVIOUS MEETING

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

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

206 DECLARATIONS OF INTEREST

No interests were declared.

207 MAYOR'S COMMUNICATIONS

The Mayor spoke about recent events she had attended, the forthcoming Remembrance Parade and her civic carol service at Hope Community Church.

208 PETITIONS

Councillor M Mullaney presented a petition with 2,300 signatures calling to restore x-ray services in Hinckley.

209 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his statement, the Leader referred to electric car charging points, Proms in the Park, climate change and the local authority lottery. It was suggested that a briefing note on progress in relation to the local authority lottery be produced. The Leader outlined concerns over the county council's unitary proposals, referring to a survey of local residents wishing to see services retained locally and a recent letter signed by all MPs in Leicestershire expressing their strong opposition to the proposals. He called on the Leader of the county council to stop any further work and waste of resources.

The Leader also informed members of the government's request for authorities to adopt the following non legally binding working definition of antisemitism from the International Holocaust Remembrance Alliance and stated he would respond to MHCLG to confirm and asked that it be circulated to HBBC staff:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities."

210 MINUTES OF THE SCRUTINY COMMISSION

The chairman of the Scrutiny Commission presented the minutes of the last meeting for information.

211 OFF STREET PARKING PLACES ORDER - VARIATION OF CHARGING TIMES AND HOUSING LAND

Members received a report which sought to vary the off-street parking places order to provide 133 free spaces prior to 8.30am to support residents where there is limited on-street parking and 264 free parking spaces after 3pm to support Hinckley town centre and also to control parking on designated HBBC housing land.

The continuing installation of cashless machines was highlighted and it was noted that the majority had been installed already and there were 13 more being installed over the following weeks, leaving only three to install.

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

RESOLVED –

- (i) The proposed variation to the Off Street Parking Places Order to change the charging times on the following four pay and display car parks be approved:
 - a. Trinity East car park
 - b. Castle car park (former Co-op site)
 - c. Lower Bond Street car park
 - d. Thorneycroft road car park
- (ii) The proposed variation to the Off Street Parking Places (Hinckley & Bosworth) Order 2014 to incorporate the following housing land be approved:
 - a. Westfield Court residents' car park, Westfield Road, Hinckley, LE10 0QR
 - b. Castle Court residents' car park, Brookside, Burbage, LE10 2TL
 - c. Royal Court, Station Road, Hinckley, LE10 1BH
- (iii) Authority be delegated to the Head of Street Scene Services and the Anti Social Behaviour and Tenancy Manager to publish a notice of proposals in relation to the Off Street Parking Places (Hinckley & Bosworth) Order 2014 as detailed in the report;

- (iv) Authority be delegated to the Head of Street Scene Services and the Anti Social Behaviour and Tenancy Manager to make the order and publish the notice of making, subject to there being no objections received within the relevant statutory period;
- (v) Where objections are received, a written report be produced by the Head of Street Scene Services and Anti Social Behaviour and Tenancy Manager detailing the objections and authority be delegated to the Director (Environment & Planning), the Director (Community Services) and the Executive members with responsibility for car parks and housing, in conjunction with the Legal Services Manager, to consider such objections and consider whether the variation to the order should be confirmed.

212 POLLING PLACE REVIEW

The 2019 Polling District and Polling Place review was presented to Council. Aside from the information contained within the report, it was noted that a small number of polling stations would be in different venues for the forthcoming general election due to availability at such a busy time of year. In response to a question, members were assured that no reduction in the number of polling stations was proposed and any changes in the review were to improve flexibility.

Officers were asked to look again at the use of Barlestone Community Hall as it was not easily accessible either from the car park due to deep gravel or the other entrance due to a steep incline. Concern was expressed about the distance to the George Ward Centre in Barwell from the some of the residents who would need to vote there. It was also requested that the gate from Mount Road to the leisure centre car park be opened on polling date to assist those having to arrive by car due to the distance of the polling station from many residents' homes.

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

RESOLVED – the Polling District and Polling Place review be approved.

213 COUNCIL TAX - LOCAL DISCOUNTS AND PREMIUMS

Consideration was given to a report which proposed changes to the council tax discounts and premiums. Members welcomed the report and gave examples of empty properties that presented issues in their wards. It was suggested that a briefing note be produced on measures to support bringing empty properties back into use. It was moved by Councillor Lynch, seconded by Councillor Bray and

RESOLVED –

- (i) The increased premium charge for long-term empty properties to 100% for 2020/21 be approved;
- (ii) The maximum charge allowed under legislation where possible up to 300% for properties empty more than ten years be approved;
- (iii) A briefing note be prepared on measures to bring empty properties back into use.

214 CORPORATE PLAN ANNUAL STATEMENT OF COMMITMENT

The outcomes of a recent exercise to identify key priorities for action within the Corporate Plan were reported to members. The importance of engaging with young people was emphasised and the reference to promoting sustainable economic development was acknowledged. It was moved by Councillor Bray, seconded by Councillor Bill and

RESOLVED – the Corporate Plan Annual Statement of Commitment be approved.

(The Meeting closed at 7.30 pm)

MAYOR

DRAFT MINUTES

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

19 DECEMBER 2019 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mr P Williams – Vice-Chairman

Mr JMT Collett, Mr DS Cope, Mrs MJ Crooks, Mrs LJ Mullaney (for Ms A Pendlebury),
Mr MC Sheppard-Bools, Mr R Webber-Jones and Mr HG Williams

Officers in attendance: Matthew Bowers, Storme Coop, Bill Cullen, Julie Kenny, Lisa Kirby, Rebecca Owen and Caroline Roffey

222 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Ladkin and Pendlebury, with the substitution of Councillor L Mullaney for Councillor Pendlebury authorised in accordance with council procedure rule 10.

223 MINUTES

It was moved by Councillor P Williams, seconded by Councillor H Williams and

RESOLVED – the minutes of the meeting held on 3 October be confirmed and signed by the chairman.

224 DECLARATIONS OF INTEREST

No interests were declared.

225 VARIATIONS TO SECTION 106 AGREEMENTS

The Scrutiny Commission received a presentation about the S106 process. It was noted that, whilst the decision on applications to vary S106 agreements was delegated to the Head of Planning following consultation with the chairman of the Planning Committee, relevant ward councillor(s) and the Legal Services Manager, the Head of Planning had referred all applications which sought to reduce contributions over the last two years (of which there had been five) to the Planning Committee, thereby making the information available to all councillors. Members continued to query whether consultation had taken place on specific cases and were assured that this would be looked into.

Discussion ensued on the process for GP surgeries to request developer contributions and how to find out where the contributions have been spent. It was noted that this information was regularly sent to councillors and parish councils.

With regard to planning S106 allocations, it was noted that the updated local plan would list infrastructure requirements and would also look at the community infrastructure levy (CIL).

Concern was expressed about a report considered by Leicestershire County Council's Cabinet earlier the same week which stated they were unable to sign the S106

agreement for the Barwell Sustainable Urban Extension (SUE), citing it as being out of date. It was pointed out that LCC had been engaged as recently as November and that the agreement was at its final stages of sign off. Ward members were concerned that they had not been aware of the issue, and officers explained that they had only become aware on seeing the report on publication.

It was suggested that agencies including the police, county council and CCG be invited to inform the Scrutiny Commission of their methodology for calculating and use of S106 monies.

It was requested that the presentation provided be sent to all members and that a briefing note be provided on changes to contributions on small developments.

226 PUBLIC SPACE PROTECTION ORDER

Consideration was given to a report which sought endorsement for a new Public Space Protection Order (PSPO) for Hinckley & Bosworth which would ban the use of intoxicating substances or psychoactive substances on public land across the borough, impose dog control on public land and ban fires and barbecues, remote controlled vehicles, aircraft and motorcycles on some sites. It was noted that parish councils had been invited to add controls under the borough's PSPO and nine agreed to do so.

It was noted that officers could issue fixed penalty notices and that the police and the Anti Social Behaviour team would deal with drug issues. Whilst it was noted that parish councils could be authorised to enforce PSPOs, members felt it was more difficult for them as they lived within that same community.

It was noted that each site had to be publicised and would need signage.

Officers were thanked for their hard work.

RESOLVED – the proposed order be endorsed and RECOMMENDED to Council.

227 LEICESTERSHIRE DISTRICTS COUNCIL TAX PERFORMANCE REVIEW

Members were updated and provided with an overview of council tax collection performance for 2018/19 for all Leicestershire districts following challenges raised by Leicestershire County Council which suggested that council tax recovery rates in Leicestershire were lower than other county areas.

It was explained that the county council in compiling its data had taken only a snapshot of the recovery figures at the end of the financial year and had not taken into account money collected after the end of the financial year. It was noted that the recovery rate was 99.21% after allowing for payments received after the year end, which exceeded the target of 98.85%, demonstrating that the county council's challenge had been unfounded.

Members were assured that whilst debt was chased, advice was followed on dealing with debtors appropriately and each case was considered on its own merits. New initiatives including text alerts and contacting debtors outside of office hours were being investigated to further improve collection.

The impact of universal credit was queried, and it was noted that this had less of an impact on council tax collection than on rent collection as council tax was considered to be a priority debt, but as a consequence there had been an increase in applications for discretionary housing payments.

It was agreed that a letter be sent to the county council to respond to their comments.

228 SCRUTINY COMMISSION WORK PROGRAMME 2019-20/21

The Scrutiny Commission received the 2019/20 work programme. It was noted that the recommendations of the Independent Remuneration Panel would be brought to the budget meeting before a decision being made by Council.

A member requested an update on the financial position of Block C of the Crescent. It was agreed that this would be added to the work programme for March or April.

229 MINUTES OF FINANCE & PERFORMANCE SCRUTINY

The minutes of the meeting held on 14 October were noted.

(The Meeting closed at 7.45 pm)

CHAIRMAN

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Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

Scrutiny Commission
Council

19 December 2019
14 January 2020

WARDS AFFECTED: All

PUBLIC SPACE PROTECTION ORDER

Report of Director Environment and Planning

1. PURPOSE OF REPORT

- 1.1 To seek endorsement for the new Public Space Protection Order (PSPO) for the borough of Hinckley and Bosworth.

2. RECOMMENDATION

- 2.1 That Council note the contents of the report and support the proposed new order which will have 3 parts.
- i. Part 1: ban the use across the whole of the borough, of consuming intoxicating substances or new psychoactive substances (legal highs) on public land. A person will commit an offence if they fail to surrender any alcohol when ordered to do so by an authorised Officer on public land.
 - ii. Part 2: dog control issues on public land including a requirement to remove and correctly dispose of dog faeces, failing to put a dog on a lead when instructed to do so by an authorised officer, and the banning of dogs / requirement to have dogs on leads in specific locations detailed in 3.5 and 3.6 below.
 - iii. Part 3: green space issues relating to specific sites including the banning of fires and barbecues, restrict the use of remote controlled vehicles, aircraft and motorcycling, and failing to leave a park at closing time when requested to do so. Specific sites and restrictions are detailed in 3.9 and 3.10.
- 2.2 That Council delegate authority to the Head of Street Scene Services to implement the order.

3. BACKGROUND TO THE REPORT

3.1 The Anti-social Behaviour, Crime and Policing Act 2014 (c.12) permits HBBC to create PSPO's which are designed to stop individuals or groups committing anti social behaviour in a public space and they are to run for 3 years. The current order was introduced in December 2016 and expired in December 2019. The Council may make a PSPO if satisfied that two conditions are met (Section 59 of the Act):

1. That the activities have taken place, or that are they likely to be taking place, in a public place within the authority's area and have had, or are likely to have, a detrimental effect on the quality of life of those in the locality; and
2. That the effect, or likely effect, of the activities:
 - i) Is, or is likely to be, of a persistent or continuing nature;
 - ii) Is, or is likely to be, such as to make the activities unreasonable; and
 - iii) Justifies the restrictions imposed by the order.

3.2 All parish councils were invited to add controls for their land into the Borough Councils PSPO and at their request nine are included: Bagworth & Thornton, Markfield, Newbold Verdon, Peckleton, Ratby, Sheepy, Stanton Under Bardon, Twycross and Witherley.

3.3 Before extending and amending the order the Council must consult with the local police, land owners / occupiers, and any community representative deemed appropriate. The Borough Council and relevant parish councils ran a 6 week public consultation for the period 2nd September to 11th October. The consultation was advertised on all the affected sites, and included an on line questionnaire as well as face to face interviews on all the proposals. Given the consultation responses officers recommend the Borough Council replace the previous order with a new order with 3 parts, each covering a different issue.

The consultation responses showed overwhelming support for the controls proposed and are shown in full in Appendix 1. Percentages of on line respondents supporting each control are given in brackets within the description of each order below.

Part 1: Intoxicating substances

3.4 This order will continue the controls in the 2016 order and ban the use across the whole of the borough, of consuming intoxicating substances or new psychoactive substances (legal highs) on public land. A person will commit an offence if they fail to surrender any alcohol when ordered to do so by an authorised Officer on public land. (95% support).

Part 2: Dog control issues

- 3.5 This order will continue the controls in the 2016 order:-
- Across the whole of the borough, to require dog faeces to be removed and correctly disposed of when in charge of a dog on public land (99% support)
 - Failing to put a dog on a lead in a public place when instructed to do so by a HBBC council officer (92% support)
 - Not allowing dogs within children's play areas or multi use games areas(except of medical exemptions, (HBBC land only) (94% support)
 - To require that dogs are kept on leads in the following areas
 - Ashby road cemetery Hinckley (96% support)

- Hollycroft Park bandstand arena (87% support)
- Hollycroft Park Pitch and Putt course (88% support)

3.6 The following new additions will be made:-

- Failing to put a dog on a lead in a public place when instructed to do so by a parish council officer in Bagworth & Thornton, Markfield, Newbold Verdon, Peckleton, Ratby, Sheepy, Stanton Under Bardon, Twycross and Witherley (support ranged from 86% to 94% in the different parishes).
- Not allowing dogs within children's play areas or multi use games areas(except of medical exemptions) in Bagworth & Thornton, Markfield, Peckleton, Ratby, Sheepy, Stanton Under Bardon (support ranged from 86% to 96% in the different parishes)
- To require that dogs are kept on leads in the following areas
 - Holy Rood church, Bagworth (93% support)
 - St Peters Church, Thornton (93% support)
 - Playing field, Foxes Covert, Fenny Drayton (74% support)
 - Playing fields, Ormes Lane, Radcliffe Culey (76% support)
 - Markfield community park, Mayflower close (60% support)
 - The bowling green, tennis courts and surrounding area at Hollycroft Park Hinckley (91% supportive)
 - To prohibit dogs from the Memorial Playing field, Church road, Witherley (excluding dogs used for medical reasons) (78% support)

3.7 Although supported by the public, the order will not include the requirement for dogs to be kept on leads in the following areas:

- All public footpaths and highways in Hinckley (69%)
- All sports pitches but only when in use for officiated sporting matters (86-94% support)

3.8 These requirements are difficult to effectively define and the existing enforcement resources are insufficient to manage their enforcement. Where there are problems of this nature then officers can enforce using the existing control of failing to put a dog on a lead in a public place when instructed to do so by a HBBC council officer (92% support). Officers will monitor this issue and if necessary in the future recommend amendments to the order.

Part 3: Green spaces issues (appendix 4)

3.9 This order will continue the controls from the 2016 order:

- To prohibit the lighting of fires and barbecues in a park or open space managed by HBBC without the consent of the council (91% supportive)
- To restrict use of remote controlled model vehicles, aircraft and motorcycling that are causing a nuisance in a park or open space managed by HBBC (92% supportive)
- Failing to leave a park managed by HBBC at the closing time or when required to do so, by a council officer or a police officer (95% supportive)

3.10 The following new additions will be made:-

- To prohibit the lighting of fires and barbecues and camping in a park or open space managed by following parish councils without the consent of the relevant Parish council: Bagworth & Thornton, Witherley, Twycross, Stanton under Bardon, Ratby, Peckleton, Sheepy and Markfield (support ranged from 83-90% in different parishes)

- To restrict use of remote controlled model vehicles, aircrafts and motorcycling that are causing a nuisance in a park or open space managed by the following parish councils Bagworth & Thornton, Witherley, Twycross, Stanton under Bardon, Ratby, Peckleton, Sheepy, Newbold Verdon and Markfield (support ranged from 80-98% in different parishes).
 - Failing to leave a park managed by the following parish councils at the closing time or when required to do so, by a council officer or a police officer Bagworth & Thornton, Witherley, Twycross, Stanton under Bardon, Ratby, Peckleton, Sheepy and Markfield. (support ranged from 89-96%)
 - To prohibit riding horses or the use of horse traps (carriages) in a park or open space managed by Bagworth & Thornton without the consent of the Parish council (87% supportive)
 - To prohibit the playing or practicing of golf in a park or open space managed by Peckleton without the consent of the council. (82% supportive)
 - To prohibit horses from using a park or open space managed by Peckleton without the consent of the Parish (79% supportive)
 - To prohibit parking of any type of vehicle on the green space on Mallory Close, Newbold Verdon (91% supportive)
- 3.11 Those failing to comply with the PSPO can be issued with a fixed penalty notice of £100 which is reduced to £80 if paid within 14 days. For those who fail to pay then prosecution has a maximum fine of at level 3 (£1000) and this would be determined by the courts.
- 3.12 Fixed penalty notices can be issued by authorised HBBC officers in the clean neighbourhoods and antisocial behaviour team. Where required HBBC will authorise suitable parish council officers to issue fixed penalty notices. It will be for each parish council to provide the staff resources to enforce their PSPO restrictions but HBBC will support parishes where they have capacity to do so. This will be at the discretion of the Head of Street Scene Services.
4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES
- 4.1 This report is to be heard in public session
5. FINANCIAL IMPLICATIONS [AG]
- 5.1 The cost of additional signage on HBBC owned sites is estimated at £100 and these costs will be met from existing resources.
- 5.2 The cost of signage on parish land will need to be covered by the relevant parish council.
- 5.3 Income from enforcement is difficult to predict and as such no increase is forecast at present.
6. LEGAL IMPLICATIONS [ST]
- 6.1 The legal implications of the extension, addition and variation of PSPOs have been incorporated within the body of the report in section 3.

7. CORPORATE PLAN IMPLICATIONS

7.1 The PSPO supports the following corporate plan aims:

- People: take measure to reduce crime and antisocial behaviour and protect people from harm
- Places: Keep our borough clean and green, Make our neighbourhoods safer and Protect and improve our parks and open spaces for everyone
- Prosperity: Support our rural communities

8. CONSULTATION

8.1 The following organisations were all consulted: where a response was received it is noted.

- Leicestershire Police
- Parish and Town Councils
- The Kennel Club
- Residents in Hinckley & Bosworth Borough Council
- Borough Councillors at Hinckley & Bosworth Borough Council
- Face to face surveys on affected sites
- Hinckley & Bosworth Staff survey
- Friends of Hollycroft website and social media (800 followers)
- Hinckley BID members 1000+
- VCS Database

noted-

- Leicestershire Police – Lord Bach “supported completely”
- Parish and Town Councils
- The Kennel Club - Supportive
- Residents in Hinckley & Bosworth Borough Council
- Borough Councillors at Hinckley & Bosworth Borough Council
- Face to face surveys on affected sites
- Hinckley & Bosworth Staff survey
- Friends of Hollycroft website and social media (800 followers)
- Hinckley BID members 1000+
- VCS Database

8.2 Nearly 400 people responded to the on line consultation, and over 300 people completed face to face questionnaires as detailed in 3.4. Full results are given in appendix 1.

8.3 Scrutiny commission considered the report on 19 December 2019 and resolved the proposed order be endorsed and recommended to Council.

9. RISK IMPLICATIONS

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

9.2 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.

- 9.3 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
Incorrect drafting of the order	Ensure order correctly drafted	Legal services
Failure to enforce PSPO / manage expectations that all controls can be enforced	HBBC to be clear about what we can and cannot do to parishes, and where appropriate to authorise suitable parish council officers to enforce the PSPO	Caroline Roffey / Maddy Shellard

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 10.1 All parish councils were invited to add restrictions to the PSPO and nine did so. Those which are being added reflect the issues and concerns in those parishes and are supported by the residents of those parishes.
- 10.2 The restriction of dogs includes an exemption for dogs required on medical grounds e.g. guide dogs, hearing dogs etc.
- 10.3 Exemptions apply to the order for people who are blind, or have a disability which affects their ability to comply with the order.

11. CORPORATE IMPLICATIONS

- 11.1 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: Appendix 1: consultation results

Contact Officer: Lisa Kirby / Caroline Roffey
Executive Member: Councillor Bill Crooks

Appendix 1: Consultation responses

Borough wide responses

Table 1 - Order 1 : on line consultation only	Supportive	Total number of responses
Across the whole of the borough, to continue the ban of consuming intoxicating substances including alcohol or new psychoactive substances (legal highs)	95%	378

Table 2 - Order 2 : on line consultation only	Supportive	Total number of responses
Across the whole of the borough, to require dog faeces to be removed and correctly disposed of when in charge of a dog. (excluding private land)	99%	378

Hinckley responses

Table 3 – order 2 and 3	On line responses		On site responses	
Hinckley responses	Supportive	Total number of responses	Supportive	Total number of responses
To prohibit the lighting of fires and barbecues in a park or open space managed by HBBC without the consent of the council.	91%	321	92%	208
To restrict use of remote controlled model vehicles, aircraft and motorcycling that are causing a nuisance in a park or open space managed by HBBC	92%	317	97%	209
Failing to leave a park managed by HBBC at the closing time or when required to do so, by a council officer or a police officer	95%	307	99	207

Failing to put a dog on a lead in a public open space, when instructed to do so by a council officer	92%	322	99	209
Not allowing dogs within children's play areas or multi use games areas (except for medical exemptions, HBBC land only)	94%	302	97	209
To require that dogs are kept on leads in the following areas:				
Ashby Road Cemetery	96%	292	97	202
Hollycroft Park bandstand arena	87%	300	94	194
Hollycroft Park Pitch and Putt	88%	301	96	195
The bowling green, tennis courts and the surrounding areas at Hollycroft Park	91%	301	95	195
All public footpaths and highways	69%	305	79	206
All sports pitches, but only when in use for officiated sporting matters	92%	304	99	208

Parish responses

Table 4 – Order 2 / 3	BAGWORTH AND THORNTON		B & T on site		WITHERLEY		TWYXCROSS		STANTON UB		RATBY	
Parish responses Responses are on line unless other wise indicated	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses
To prohibit the lighting of fires and barbecues and camping in a park or open space managed by XXX without the consent of the Parish council.	90%	98	100	14	87%	47	89%	45	88%	41	90%	50
To restrict use of remote controlled model vehicles, aircrafts and motorcycling that are causing a nuisance in a park or open space managed by XXX	90%	97	100	14	85%	47	84%	38	87%	40	90%	51
Failing to leave a park managed by XXX at the closing time or when required to do so, by a council officer or a police officer	96%	92	100	14	96%	47	95%	42	97%	39	94%	51
Failing to put a dog on a lead in a public open space, when instructed to do so by a council officer	92%	98	100	14	91%	47	89%	40	90%	41	92%	49
Not allowing dogs within children's play areas or multi use games areas	94%	98	100	14					93%	42	94%	51
All sports pitches, but only when in use for officiated sporting matters	91%	87	100	14	87%	46	91%	42	93%	42	94%	51

Table 4 continued – order 2 & 3	Peckleton		SHEEPY		NEWBOLD VERDON		MARKFIELD		MARKFIELD ON SITE	
Responses are on line unless other wise indicated	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses	Supportive	Total number of responses
To prohibit the lighting of fires and barbecues and camping in a park or open space managed by XXX without the consent of the Parish council.	87%	38	83%	36			90%	70	100	103
To restrict use of remote controlled model vehicles, aircrafts and motorcycling that are causing a nuisance in a park or open space managed by XXX	84%	38	80%	35	80%	37	86%	70	98%	102
Failing to leave a park managed by XXX at the closing time or when required to do so, by a council officer or a police officer	95%	39	89%	36			93%	69	100	102
Failing to put a dog on a lead in a public open space, when instructed to do so by a council officer	90%	40	86%	37			86%	72	94%	101
Not allowing dogs within children's play areas or multi use games areas	92%	40	86%	37			97%	72	96%	103
All sports pitches, but only when in use for officiated sporting matters	92%	40	86%	37			90%	71	99%	103

Table 5: Order 2 To require that dogs are kept on leads in the following areas:	Supportive	Total number of responses
Holy Rood Church, Bagworth	93%	84
St Peters Church, Thornton	93%	83
Playing Field, Fox's Covert, Fenny Drayton	74%	46
Playing Field, Ormes Lane, Ratcliffe Culey	76%	46
Markfield Community Park, Mayflower Close	60%	70

Table 6 Order 3: Miscellaneous green space controls	Supportive	Total number of responses
To prohibit riding horses or the use of horse traps (carriages) in a park or open space managed by Bagworth & Thornton without the consent of the Parish council	87%	88
To prohibit dogs from the Memorial Playing Field, Church Road, Witherley (Not excluding dogs used for medical reasons)	78%	45
To prohibit the playing or practicing of golf in a park or open space managed by Peckleton without the consent of the council.	82%	38
To prohibit horses from using a park or open space managed by Peckleton without the consent of the Parish.	79%	39
To prohibit parking of any type of vehicle on the green space on Mallory Close	91%	43

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DRAFT MINUTES

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

19 DECEMBER 2019 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mr P Williams – Vice-Chairman

Mr JMT Collett, Mr DS Cope, Mrs MJ Crooks, Mrs LJ Mullaney (for Ms A Pendlebury),
Mr MC Sheppard-Bools, Mr R Webber-Jones and Mr HG Williams

Officers in attendance: Matthew Bowers, Storme Coop, Bill Cullen, Julie Kenny, Lisa Kirby, Rebecca Owen and Caroline Roffey

224 DECLARATIONS OF INTEREST

No interests were declared.

226 PUBLIC SPACE PROTECTION ORDER

Consideration was given to a report which sought endorsement for a new Public Space Protection Order (PSPO) for Hinckley & Bosworth which would ban the use of intoxicating substances or psychoactive substances on public land across the borough, impose dog control on public land and ban fires and barbecues, remote controlled vehicles, aircraft and motorcycles on some sites. It was noted that parish councils had been invited to add controls under the borough's PSPO and nine agreed to do so.

It was noted that officers could issue fixed penalty notices and that the police and the Anti Social Behaviour team would deal with drug issues. Whilst it was noted that parish councils could be authorised to enforce PSPOs, members felt it was more difficult for them as they lived within that same community.

It was noted that each site had to be publicised and would need signage.

Officers were thanked for their hard work.

RESOLVED – the proposed order be endorsed and RECOMMENDED to Council.

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It is possible to have a light spectacular without the need to create the bang!
Town in Italy starts using Silent Fireworks as a way of Respecting their Animals



Any large celebration that involves fireworks is fun, but while we enjoy the sounds and sights of colourful explosions overhead, our animals feel very differently.

The explosions caused by fireworks have been known to give some domestic pets heart problems, nausea, tremors, debilitating fears and light-headedness. We all know that animals have far more sensitive hearing so you won't be surprised to read that firework displays can leave pets with "acoustic stress".

During firework displays animals are often confused as to where the loud noises are coming from which makes them run frantically away. Unfortunately, this sometimes results in them being hit by a car. Other animals may be too close to the explosion and receive burns or eye damage as a result. If you keep chickens, you might find that they produce fewer eggs after a firework display.

People of the town of Collecchio in the province of Parma in Italy are doing something about it. The local government has introduced new legislation forcing citizens to use silent fireworks as a way of respecting the animals and reducing the stress caused them.

The company make fireworks which produce a spectacular light show but without the deafening sounds normally associated with a firework display. They design their fireworks to fit the venue and event that they will be used for

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