

**HINCKLEY & BOSWORTH
BOROUGH COUNCIL**



**Hinckley & Bosworth
Borough Council**

**AGENDA FOR THE
MEETING OF THE COUNCIL**

**TO BE HELD ON
TUESDAY, 6 SEPTEMBER 2022
AT 6.30 PM**

Fire Evacuation Procedures

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

Recording of meetings

At HBBC we are open and transparent about how we make decisions. We allow recording, filming and photography at all public meetings including Council, the Executive and Planning Committee as long as doing so does not disturb or disrupt the proceedings. There may occasionally be some reports that are discussed in private session where legislation requires this to happen, but this is infrequent.

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

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

Use of mobile phones

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



**Hinckley & Bosworth
Borough Council**

Date: 26 August 2022

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, 6 SEPTEMBER 2022 at 6.30 pm**

Yours faithfully

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

Miss RK Owen
Democratic Services Manager

A G E N D A

1. **Apologies**
2. **Minutes of the previous meeting (Pages 1 - 6)**
To confirm the minutes of the meeting held on 12 July 2022.
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 7 - 10)**

To receive for information only the minutes of the Scrutiny Commission meeting held on 28 July 2022.

10. **Business rates write offs (Pages 11 - 14)**

To seek approval to write off business rates in accordance with approval procedures.

11. **Financial outturn 2021/22 (Pages 15 - 32)**

To seek approval of the draft financial outturn for 2021/22.

12. **Section 106 agreement monitoring fees (Pages 33 - 44)**

To seek approval for the introduction of fees to support monitoring and management of section 106 agreements.

13. **Senior management restructure (Pages 45 - 52)**

To seek endorsement of the senior management restructure and commitment to other key changes.

14. **Motions received in accordance with Council Procedure Rule 17**

(a) Motion proposed by Councillor Findlay, seconded by Councillor Bill

“Hinckley & Bosworth Borough Council, whilst understanding that the adoption of highways is a county council function, resolves that road adoptions within our district are actively pursued by challenging Leicestershire County Council and developers to constructively work together to get adoptions signed off promptly without delay. Council also resolves:

(a) That the borough planning department sets out within a procedure document:

- i. The wording of planning conditions which it proposes be attached to any grant of planning permission where there are roads which will require adoption, including any notes which may also be

attached to planning permissions setting out the council's expectations regarding developer engagement with Leicestershire County Council;

- ii. The Borough Council's proposed means by which it will support, influence and encourage developers and the County Council to adopt unadopted highways in a timely manner when they are constructed;
- iii. How they local plan, neighbourhood plans and supplementary planning documents can incorporate the principles set out within the procedure document.

(b) That the Chief Executive requests that the County Council provides a list of unadopted roads within the borough every six months and this is cascaded to members;

(c) That the Chief Executive and Executive member for planning policy write a combined letter to seek an explanation and timeframe for resolution of the following examples:

- To Leicestershire County Council and the CEO of Persimmon Homes inc Charles Church Homes querying why it has taken over eight years since first occupation to complete the highways and adoption of the Sketchley Brook estates in Burbage, specifically Crimson Way, Cardinal Drive, Mayflower Gardens and the surrounding roads. Concern should be expressed about the raised ironworks which could cause injury to persons or damage to property such as vehicles
- To Leicestershire County Council and the CEO of Crest Nicholson querying why it has taken over ten years since first occupation to complete the adoption of the Waterside Park development. Concern should be expressed explicitly explaining the significant delays that residents have faced and their continued frustrations.

(d) That, should an unsatisfactory response be forthcoming from County Hall and Persimmon Homes inc Charles Church Homes in relation to (c), the Council will seek to explore what options it has legally in terms of recourse to enforce completion of the highways so that adoption can be pursued. Council should seek to establish if there are outstanding bonds, indemnities or guarantees held in relation to (c)."

(b) Motion proposed by Councillor P Williams, seconded by Councillor Gibbens

"This Council:

- Is concerned about the number of cases reported to the RSPCA each year regarding pets given as prizes via fairgrounds, social media and other channels in England and notes the issue predominantly concerns goldfish

- Is concerned for the welfare of those animals that are being given as prizes
- Recognises that many cases of pets being as prizes may go unreported each year
- Supports a move to ban the giving of live animals as prizes, in any form, on Hinckley & Bosworth Borough Council land.

The Council agrees to:

- Ban outright the giving of live animals as prizes, in any form, on Hinckley & Bosworth Borough Council land
- Write to the UK government urging an outright ban on the giving of live animals as prizes on both public and private land
- Write to all parish clerks within Hinckley & Bosworth Borough Council's area, suggesting that they ask their Council to consider implementing an outright ban on the giving of live animals as prizes, in any form, on their parish land."

- (c) Motion proposed by Councillor R Allen, seconded by Councillor C Allen

"This Council considers, debates and adopts a wide range of motions proposed by members.

These motions by their nature should have the specific intent of addressing issues facing residents in the borough, as well as improving their lives now and in the future.

This Council undertakes to produce and maintain and publish at each full Council a full list of motions passed by Council to include updates on the actions taken and outcomes achieved in respect of each motion.

This monitoring document will provide a central point for members and residents to view what motions have been adopted and demonstrate what actions have been taken and outcome achieved for their benefit."

- (d) Motion proposed by Councillor Lay, seconded by Councillor Furlong

"Ending 'fleeceholding' in Hinckley & Bosworth.

This Council is deeply concerned at the actions of those housebuilders in Hinckley & Bosworth who have decided to hand the management and sometimes ownership of public open spaces to third party private concerns.

This Council is appalled that residents are then obliged to pay an annual management fee which can be hundreds of pounds and that this fee can increase without any safeguards or protections or guarantees that services of an acceptable standard will apply.

Further, this Council understands that such actions by developers means that millions of pounds of section 106 monies that would have been given to parish councils (who are democratically accountable) to be invested back into local communities is avoided and not paid.

Although this practice has been around for some years, it has become almost universal in the last five years and is having numerous negative consequences.

The Welsh government published a report on such estate charges and noted that these charges had created two-tier public open spaces with many residents deeply unhappy with the service providers and unhappy at the lack of accountability.

Further it was a cause of resentment with access made difficult for non-resident residents on the basis they did not pay for community upkeep.

Just as we have seen with the selling of leasehold properties on new estates and the various charges associated, the development industry cannot be trusted to self-regulate itself. The rightly condemned leasehold charges were seen as a disgrace and have been challenged at Westminster. We now need action to curtail and address 'fleece hold properties'.

This motion asks the Council, its officers and its Executive to take positive steps to oppose estate charges. To demonstrate this, we ask that the following recommendation be accepted:

- We raise the matter formally with our local MPs, explaining our grave concerns and ask them to raise these concerns in Parliament
- We work with other local authorities to campaign effectively to see these practices outlawed or substantially reformed
- We offer support to residents wishing to legitimately challenge fee increases without rational justification and at a time when many face a cost of living challenge
- We enable our own public open spaces team to work with parish councils to retain public ownership and accountability over these important public spaces
- We look to see what more can be done within the planning process to ensure parish councils have greater support in the negotiations with developers around public open space and provide more effective guidance and support.

In years to come and as problems build up in these public open spaces, residents of the borough will rightly ask what we did to prevent this scandal. Let us at least play our part in raising it at a national level and trying to address it locally."

- (e) Motion proposed by Councillor M Mullaney, seconded by Councillor W Crooks

"This Council notes that the ambulance service both here in Hinckley & Bosworth and nationally is under huge strain and at crisis point.

There have been a number of cases locally where elderly and vulnerable

people have had to wait many hours for an ambulance to reach them after falls, causing distress to the people concerned and risking making their health conditions even worse.

Council further notes how the NHS has been let down under this Conservative government. With 6.7 million people on NHS waiting lists and it's predicted it could rise to over 10 million by 2024.

This Council requests the Chief Executive write to the Secretary of State for Health urging action to deal with the problem including doing more to address factors that are contributing to delays, including staff shortages throughout the health and care services, and calls on the government to require ambulance service providers to report response times by postcode in order to target resource where it's most urgently needed.

It further calls on the Secretary of State to commission the Care Quality Commission to review the ongoing ambulance response times crisis."