

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

18 SEPTEMBER 2012 AT 6.30 PM

PRESENT: MR MB CARTWRIGHT - MAYOR
MRS L HODGKINS – DEPUTY MAYOR

Mr RG Allen, Mr JG Bannister, Mr PR Batty, Mr Bessant, Mr DC Bill,
Mr SL Bray, Mrs R Camamile, Mrs T Chastney, Mr DS Cope,
Mr WJ Crooks, Mr DM Gould, Mr PAS Hall, Mrs WA Hall,
Mr MS Hulbert, Mr DW Inman, Mr C Ladkin, Mr MR Lay,
Mr KWP Lynch, Mr R Mayne, Mr JS Moore, Mr K Morrell,
Mr MT Mullaney, Mr K Nichols, Mrs J Richards, Mrs H Smith,
Mrs S Sprason, Miss DM Taylor and Mr R Ward

Officers in attendance: Steve Atkinson, Michael Brymer, Valerie Bunting, Bill Cullen, Malcolm Evans, Louisa Horton, Sanjiv Kohli, Rebecca Owen and Robert Vaughan

158 APOLOGIES

Apologies were submitted on behalf of Councillors Boothby, O'Shea, Sutton and Witherford.

159 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 19 June 2012 be confirmed and signed by the Mayor.

160 ITEMS OF URGENT BUSINESS BY REASONS OF SPECIAL CIRCUMSTANCES

- (a) It was reported at this juncture that former Borough Councillor John Bown was unwell and it was agreed that a card be sent from the Mayor on behalf of the Council.
- (b) It was noted that an emergency motion had been received and would be dealt with under the relevant agenda item. It was confirmed that the matter was considered urgent due to only becoming aware of the matter after the preparation of the agenda.
- (c) It was stated that the Leader's position statement contained some information that would interest members of the public due to arrive at 7.30pm. It was agreed that when the aforementioned group of members of the public arrived, the item being debated at that point be allowed to draw to its natural conclusion and the Leader then be permitted to make his statement.
- (d) It was agreed that item 21 (Review of the Constitution) be deferred to the next meeting to allow for consideration by the Planning Committee of planning-related proposed changes.

161 DECLARATIONS OF INTEREST

No declarations were made at this stage.

162 MAYOR'S COMMUNICATIONS

The Mayor reported on the success of Hinckley Carnival and the forthcoming visit of a delegation from Grand Quevilly.

In response to a question, the Mayor stated that he had written to congratulate TeamGB on their Olympic success and the IOC on the organisation of the Games and agreed to send a copy of the letter to Councillor Ladkin.

163 QUESTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

a) Question from Councillor Hulbert to Councillor Bray

“Could the Leader inform the Council what the new National Planning Policy Framework says about sustainable developments such as the one proposed for Barwell?”

Response from Councillor Bray

“The National Planning Policy Framework (NPPF) is underpinned by a ‘presumption in favour of sustainable development’. Paragraph 14 of the NPPF clearly emphasises this:

Indeed, the Ministerial foreword (made by the former Minister for Planning, the Right Honourable Greg Clark M.P) to the NPPF confirms “sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.... Development that is sustainable should go ahead without delay...”.

*“At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

The guidance goes on to reaffirm that “Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49 NPPF).” It further states in relation to support growth and urban extensions that “The supply of new homes can sometimes be best

achieved through planning for larger scale developments, such as new settlements or extensions to existing villages and towns.....” (para 52 NPPF).

Underpinning this support for sustainable growth, the NPPF states that “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.”(para 19 NPPF).”

b) Question from Councillor Hulbert to Councillor Bray

“Could the Leader inform me when the idea of a sustainable urban extension for Barwell and Earl Shilton was first mooted? And which group controlled the Council at the time?”

Response from Councillor Bray

“A Draft Core Strategy Preferred Options Document was published for public consultation in July 2006 (prior to the Liberal Democrats gaining control of Hinckley & Bosworth at the 2007 election). This identified the Council’s preferred vision for shaping future development in the Borough until 2026. The Spatial Objectives of the preferred option were identified as:

- **Spatial Objective 1: Overarching principles of sustainable and spatial development** – the principles of sustainable and spatial development form the basis for this strategy, taking a holistic view of the Borough and working in partnership to address the challenges
- **Spatial Objective 2: Development Framework** – To deliver well designed and balanced housing, employment, community, leisure and cultural provision to meet the needs of the Borough up to 2026, concentrating most new development on previously developed land and comprehensively planned urban extensions adjacent to the existing urban core of the Borough.

The Preferred Option Core Strategy – July 2006 included a section entitled “Directions for Growth – Development Framework”. This section included reference to the assessment of sub-areas within which development would be channelled. The preferred sub-areas included:

West of Barwell – land lying to the west of Barwell up to the A447. Development here would provide an opportunity to meet future housing needs.

South of Earl Shilton (land lying to the south of Earl Shilton up to the line of the proposed Earl Shilton bypass. Development here would involve a planned urban extension providing homes, employment supporting facilities and accessible open space.”

164 MINUTES OF THE SCRUTINY COMMISSION MEETING HELD ON 24 MAY 2012

The Chairman of the Scrutiny Commission presented the minutes of the meeting on 24 May 2012 for information, making reference in particular to the review into care for people with dementia, which would be concluded shortly.

165 FINANCE REPORTS

Items 10, 11, 12 and 13 on the agenda (Final outturn, Statement of Accounts, Annual Governance Statement and Review of Reserves) were introduced and discussed together (but voting recorded separately). During discussion, the following points were made:

- Following previous discussions on the possibility of payments to staff earning below £21,000 and payment of the 'living wage' as a minimum, it was confirmed that both of these had now been actioned and payment of the living wage had been backdated to April 2012.
- Good progress had been made on reserves, which were twice the minimum balance.
- The HRA was ringfenced.
- With reference to item 10 on page 17 of the agenda, part of the LDF reserve had been set aside for the SUE and had been carried forward due to delays.
- A business case for the use of the New Homes Bonus was being put together.

The Accountancy Manager and team were thanks for their hard work.

166 FINAL OUTTURN

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

RESOLVED –

- (i) the outturn positions for 2011/12 and associated transfers to balances set out in paragraphs 3.4 and 3.10 of the report be approved;
- (ii) the carry forward to 2012/13 as set out in appendices 1 and 2 to the report be approved.

167 STATEMENT OF ACCOUNTS

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

RESOLVED – the statement of accounts for 2011/12 be approved.

168 ANNUAL GOVERNANCE STATEMENT

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

RESOLVED – the Annual Governance Statement be approved.

169 REVIEW OF RESERVES

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

RESOLVED –

- (i) transfers from balances to reserves as outlined in section 3.4 of the report be approved;
- (ii) the use of earmarked reserves to fund future spend as outlined in section 3.7 of the report be approved.

170 CIVIC OFFICES SITE

Members received a report which provided an update on the outcome of the recent developer procurement process for the civic offices site on Argents Mead and the termination of the procurement process due to the current poor market conditions was being recommended. It was further explained that arising from an independent Options Appraisal the possibility of building a leisure centre on the site was now being considered

There was general support for the suggestion to build a new leisure centre on Argents Mead, but concern for how this fit into the overall 'jigsaw' of the capital programme and the possibility of a 'sporting hub' on Leicester Road was expressed.

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

RESOLVED –

- (i) the outcome of the recent developer procurement process for a residential / retirement village on this site be noted and the termination of the process be endorsed;
- (ii) the progression of feasibility work in respect of possible development of a leisure centre on the site be agreed;
- (iii) the establishment of a new project board to lead the leisure centre option work be supported;
- (iv) a report on the outcomes of the leisure centre option work be brought back to Council in November 2012.

171 LEADER'S POSITION STATEMENT

At this juncture the Leader of the Council presented his position statement, mentioning the success of the Olympic and Paralympic events and successful delivery of local sporting and cultural initiatives linked to the Olympics. He also highlighted work being undertaken on the development of a single framework scheme for Council Tax Discount across the county and decisions made by the Executive the previous week.

The Leader addressed members of the public present on the situation regarding the Sustainable Urban Extensions, including the background including the extensive public consultation already undertaken and progress made. Reference was made to the current government's focus towards promoting development and also the obligation on the Borough Council as Local Planning Authority to determine any application received and the requirement to give weight to material planning considerations in doing so.

172 CHANGES TO HRA BUDGETS

A report was presented which sought approval for the re-alignment of Housing Revenue Account budgets for various council house improvement schemes linked to the recently adopted Council Housing Investor Strategy and funding of housing surveys from the Housing Revenue Account balances. Some Members emphasised the success of services that had been brought in-house and suggested that such successes be promoted.

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

RESOLVED –

- (i) the 2012/13 allocation of the ‘earmarked’ service improvement expenditure as set out in the report be approved;
- (ii) the permanent transfer of £150,000 for service improvement expenditure from the Housing Revenue Account General Fund budget to the HRA Capital Budget be approved;
- (iii) the future allocation from 2013/14 of the £150,000 for service improvement expenditure be delegated to the Chief Officer, Business, Contract and Street Scene Services and the Executive Member for Housing in accordance with agreed Tenant Priorities;
- (iv) the movement of £120,000 from the existing Major Voids Enhancements Housing Revenue Account Capital Budget to the Kitchen Upgrades Housing Revenue Account Capital Budget be approved;
- (v) the movement of £11,000 from the existing Windows: Single to Double Glazing Capital Budget to a newly created Sheltered Accommodation Improvements Capital Budget be approved;
- (vi) the movement of £10,000 from the Environment Works Housing Revenue Account Revenue Budget to a newly created Neighbourhood Improvement Fund Housing revenue Account Revenue Budget be approved;
- (vii) A supplementary estimate of £96,628 for the stock condition surveys and stock profile surveys from the Housing Revenue Account balances be approved.

(Councillor Richards was absent for the vote on this item).

173 RICHMOND PARK

Approval was sought for additional expenditure to be funded from additional grant funding and existing reserves to improve the drainage on Richmond Park. Members welcomed the report. It was moved by Councillor Crooks, seconded by Councillor Bray and

RESOLVED –

- (i) the increase in the project budget for the Richmond Park Project to £300,000 be approved;
- (ii) the increase of £62,880 be funded from additional FA grant funding of £49,823 and earmarked reserves of £13,057.

174 CARLTON RURAL EXCEPTION SITE

Council was informed of the issues surrounding the development of the Carlton Rural Exception Site and the funding shortfall was outlined. Members supported the report and congratulated officers on the work done to bring the project forward. On the motion of Councillor Mullaney, seconded by Councillor Bray, it was

RESOLVED –

- (i) the provision of a Rural Exception Site in Carlton be supported;
- (ii) the contribution of £55,000 to enable the development of the site to progress be approved.

(Councillor Bill was absent during voting on this item).

175 PROPERTY ASSET MANAGEMENT PLAN

Members received a report which sought approval for adoption of a revised Property Asset Management Plan. It was moved by Councillor Lynch, seconded by Councillor Bray and

RESOLVED – the Property Asset Management Plan with Acquisition Strategy and Disposal Strategy be approved.

176 DESFORD, ST MARTINS DRIVE

Approval was sought for the disposal of land at St Martins Drive, Desford. Members asked if the sum from the sale could be ringfenced for spending in that Ward. In response it was agreed that this would be checked and done if possible. On the motion of Councillor Lynch, seconded by Councillor Bray, it was

RESOLVED – the sale of the land identified in appendix 1 to the report be sold for the sum of £125,000.

177 LEICESTERSHIRE AND RUTLAND COUNTY SPORTS PARTNERSHIP ANNUAL REVIEW

Members were updated on the Leicester-Shire and Rutland County Sports Partnership Annual Review 2011/12 and the excellent progress made in securing investment in sport within the Borough. On the motion of Councillor Cope, seconded by Councillor Bray, it was

RESOLVED –

- (i) the Leicester-shire and Rutland County Sports Partnership Annual Review be acknowledged and endorsed;
- (ii) the significant investment secured for sport and physical activity within the Borough during 2011/12 be noted and endorsed.

178 ANNUAL REVIEW OF THE CONSTITUTION

It was agreed that the annual review of the Constitution be deferred to the next meeting of Council.

179 CHAIRMANSHIP OF COMMITTEES: APPEALS PANEL

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

RESOLVED – Councillor Cartwright be appointed as Chairman of the Appeals Panel for the remainder of the municipal year.

(Councillors Batty, Ladkin and Ward were not present during the vote).

180 EXTENSION OF MEETING IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 9

In anticipation of the meeting continuing past 9.30pm, it was moved by Councillor Bray, seconded by Councillor Bill and

RESOLVED – the meeting be permitted to continue until all remaining items of business had been transacted.

181 MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 13.2

(a) Motion from Councillor Bray, seconded by Councillor Bannister

“This Council notes with concern the decision by Leicestershire Police Authority to sell off Hinckley Police Station, an important public building in the centre of Hinckley, in secret and with no public consultation. Furthermore this Council is concerned that any future uses of this building should not add to the already grave on-street parking problems in this part of Hinckley”

Discussion ensued regarding the lack of consultation by the Police Authority and the requirement to hold the meeting in private. Concern was expressed regarding parking provision.

Councillor Bray and five other Councillors requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Bannister, Bill, Bray, Cartwright, Cope, Crooks, Gould, Mrs Hall, Mr Hall, Hodgkins, Hulbert, Inman, Lynch, Mayne, Mullaney, Nichols and Taylor voted FOR the motion (17);

Councillors Allen, Batty, Bessant, Camamile, Chastney, Ladkin, Lay, Moore, Morrell, Richards, Smith, Sprason and Ward abstained from voting.

The motion was declared CARRIED and it was

RESOLVED – the motion be supported.

(b) Motion from Councillor Mullaney, seconded by Councillor Inman

"Council notes with concern the proposals of the East Midlands Ambulance Service (EMAS) which would see the 66 current ambulance stations in this region, including one in Hinckley, replaced by 13 hub stations, one of which will be in Leicester.

EMAS will be announcing later this year the venue for it's public consultations. Because of the huge concern felt by many residents in the borough about the threat to Hinckley Ambulance Station, Council urges EMAS to visit a venue in Hinckley and Bosworth as part of the consultation.

Council believes that Hinckley's Ambulance Station is an important local service and should not be closed unless EMAS can provide extremely compelling and convincing evidence that changing to the Hub system will improve response times."

Members shared concerns regarding the service and it was suggested that representatives of EMAS be invited to the Scrutiny Commission to enable Members to have a full understanding of the proposals and possible implications. It was moved by Councillor Mullaney, seconded by Councillor Inman and

RESOLVED – the motion be supported and in addition EMAS be invited to the next suitable meeting of the Scrutiny Commission.

(c) Motion from Councillor Crooks, seconded by Councillor Mullaney

"Council notes with concern the current proposal by Leicestershire County Council to remove the Number 7 bus service.

This is the only regular bus service that runs through many villages in our Borough including Fenny Drayton, Witherley and Sheepy Magna.

The proposed demand responsive transport that would replace the number 7 would mean far fewer buses, travelling on fewer days through these villages.

Council notes the large number of submissions to the County Council's consultation on the future of bus services, including many about the Number 7 bus. These included a submission from the Borough Council's Executive supporting the Number 7 service.

Council notes proposals submitted by residents, via a petition, which suggested an amended bus service running through these villages.

Council resolves to urge the County Council to maintain the number 7 bus service and look seriously at the option of an amended route as suggested by residents of the affected villages."

Councillor Bessant, seconded by Councillor Sprason, moved an AMENDMENT:

"HBBC supports the action already taken by County Councillor Ivan Ould, notes the 990 name petition, and supports his attempt to secure a recommendation to Cabinet from the Review Panel that the No 7 bus be re-routed to run from Market Bosworth to Atherstone and return."

The amendment was not accepted by the mover and seconder of the original motion, therefore merits of the amendment were debated and upon being put to the vote, the AMENDMENT was LOST.

Councillor Bray and four other Councillors requested that voting on the substantive motion be recorded. The vote was taken as follows:

Councillors Bannister, Bray, Cartwright, Cope, Crooks, Gould, Mrs Hall, Mr Hall, Hodgkins, Hulbert, Inman, Lay, Lynch, Mayne, Mullaney, Nichols and Taylor voted FOR the motion (18);

Councillors Allen, Batty, Bessant, Camamile, Chastney, Ladkin, Moore, Morrell, Richards, Smith, Sprason and Ward abstained from voting.

The substantive motion was CARRIED. It was therefore

RESOLVED – the motion be supported.

- (d) Motion from Councillor Taylor seconded by Councillor Nichols

“This Council notes recent concerns and frustrations expressed by members of all groups about the advice often received from the Highways Authority. This Council therefore asks the Deputy Chief Executive (Community Direction) to investigate options for securing secondary highways advice on planning applications to allow members to make more fully informed decisions.”

RESOLVED – the motion be supported.

(Councillor Ladkin was absent from the meeting during voting on this item).

- (e) Motion from Cllr Bill, seconded by Councillor Lynch

"This Council recognises the vital role played by Police Community Support Officers in the upkeep of law and order and urges both the County Council and the incoming Police & Crime Commissioner to ensure that they are retained in full despite the difficult financial situation".

Councillor Bessant, seconded by Councillor Allen, moved an AMENDMENT:
“This Council recognises the vital role played by Police Community Support Officers in the upkeep of law and order and urges the incoming Police & Crime Commissioner to ensure that despite the difficult financial climate they are retained where appropriate to identified policing needs but not at the expense of removing Police Officers from the beat particularly in rural areas and at the cost of effective Community Policing”.

The amendment was not accepted by the mover and seconder of the original motion and upon being put to the vote was LOST.

Councillor Bray and four further Members requested that voting on the substantive motion be recorded. The vote was therefore taken as follows:

Councillors Bannister, Bill, Bray, Cartwright, Cope, Crooks, Gould, Mrs Hall, Mr Hall, Hodgkins, Hulbert, Inman, Lay, Lynch, Mayne, Mullaney, Nichols and Taylor voted FOR the motion (18);

Councillors Camamile and Sprason voted AGAINST the motion (2);

Councillors Allen, Batty, Bessant, Chastney, Ladkin, Moore, Morrell, Richards, Smith and Ward abstained from voting.

The substantive motion was therefore declared CARRIED and it was

RESOLVED – the motion be supported.

(f) Motion from Councillor Hulbert, seconded by Councillor Nichols

“The Council notes:

1. Already 1 in 4 households in the UK are in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse, with 1 in 3 households projected to be in fuel poverty by 2016.
2. The main reasons for this crisis are that gas, oil and coal prices are high, and the UK's homes are some of the most energy inefficient in Europe – leaking heat from their doors, walls and windows.
3. Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year.
4. Over the next 15 years the Government will raise an average of £4 billion every year in carbon taxes through the European Emissions Trading Scheme and the Carbon Floor Price. Recycling this revenue back into households could bring 9 out of 10 homes out of fuel poverty, lower people's bills, cut carbon emissions and create jobs.

The Council therefore resolves to:

1. Support the Energy Bill Revolution campaign calling for the Government to recycle revenues from carbon taxes into improving the energy efficiency of UK homes.
2. Notify local Members of Parliament of its support for the campaign and urge them to sign Early Day Motion 47 – “Reducing Fuel Bills through Energy Efficiency.”

RESOLVED – the motion be supported.

(g) Motion from Councillor Gould, seconded by Councillor Taylor

“Given the opposition to unplanned development in our Borough, this Council asks that the Chief Officer (Community Direction) writes to George Osborne's office asking that he consider alternative approaches to stimulate development as the National Planning Policy Framework has already failed to have any real impact.”

Following a Member's suggestion, the mover and seconder agreed to WITHDRAW the motion and look at a more constructive way of addressing the issues.

(h) Emergency motion received from Councillor Lay, seconded by Councillor Bray

It was explained that this motion was deemed to be urgent as the information had only just come to light.

“This Council calls upon the Secretary of State for Health, the Right Honourable Jeremy Hunt MP, to follow up his written commitment to ask the Independent Reconfiguration Panel (IRP) to undertake and initial review of the request from

the Leicester, Leicestershire and Rutland Joint Health Overview and Scrutiny Commission, give serious consideration to the recommendations of the IRP on 21 September and reverse the proposed closure of the Children’s Cardiac Surgery service at the EMCHC at Glenfield Hospital, Leicester”

RESOLVED – the motion be supported.

(The Meeting closed at 10.20 pm)

MAYOR