

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

15 DECEMBER 2020 AT 6.30 PM

PRESENT: CLLR L HODGKINS - MAYOR
CLLR E HOLLICK – DEPUTY MAYOR

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

Officers in attendance: Matthew Bowers, Mark Brymer, Bill Cullen, Edwina Grant, Julie Kenny, Rebecca Owen and Sharon Stacey

581 APOLOGIES

Apologies for absence were received from Councillors Boothby, Cope, Roberts and Smith.

582 MINUTES OF THE PREVIOUS MEETING

It was moved by Councillor Bray, seconded by Councillor Webber-Jones and

RESOLVED – the minutes of the meeting held on 27 October be approved as a correct record.

583 DECLARATIONS OF INTEREST

Councillor R Allen declared a pecuniary interest in item 15(c) as an employee of the Member of Parliament.

Councillor Pendlebury declared a personal interest which might lead to bias in item 15(a) as a practicing nurse employed by the NHS.

584 MAYOR'S COMMUNICATIONS

The Mayor reminded members that the video of the virtual Christmas lights switch-on event was available online. She also reported that she would be hosting the Christmas Car Lights Trail the following evening and that it would take on a different form this year. The Mayor invited members to attend her Chaplain's virtual service on Christmas Eve.

The Mayor concluded her speech by thanking officers of the council for their hard work over the year and in particular linked to the covid pandemic.

585 QUESTIONS

(a) Question from Councillor R Allen to the Executive member for Finance:

"We note the news that UBS Asset Management have completed a £4.5m acquisition of the Sainsbury's supermarket in the Crescent and, as ever, welcome investment in our borough.

Will the Executive member please confirm the return on this council's investment in the Crescent scheme?

Will the Executive member further confirm that all loans in relation to the Crescent project have been repaid and cumulative interest received by this council on those loans, versus the interest paid by the council on all and any loans taken out to fund any aspect of the Crescent project?"

Response from Councillor Lynch:

"Return on Investment

The primary reason for the Council investing in Block C was to ensure that the whole Bus Station development was secured. Without this other investors at the time, such as Sainsbury's were considering pulling out. Also the lead Developer would have found it unviable if we were not to have invested and there was either a risk of partial or even no regeneration meaning the desired economic and regeneration aspect would have been lost.

Net income from Block in 2019/20 before financing costs was £194k, after financing costs of £190.7k, the regeneration investment makes a small surplus of £3.3k. This is after allowing for any untenanted costs that the Council has to fund but excludes business rates that are collected from the development. Once the empty units are let, the return will increase substantially. The Hoped for rental of the two remaining units will be between £100k to £140k depending on future negotiations. Obviously the pandemic has had an impact on filling the units during the current year, which hopefully will change in the near future.

The direct return is not the only way in which the Council has benefited from the Crescent development. Whole site has rates of £0.6m, with HBBC being better off by its share being £0.24m. This add to the overall return. Block C's element alone for business rates is £194.4k, the 40% HBBC element being £77.8k

Loans

Between 2012/13 and 2015/16 a total of £10.849m was financed, but only £5m was actual PWLB borrowing. The £10.849m financing was also in relation to the Leisure Centre (£4,931m) and Crescent Development (£4.060m). If an assumption is made that £5m loan was taken to underpin £10.849m of capital financing, the Crescent element of financing £190.7k, which is MRP of £135.3k and interest of £55.4k However, the split of the loan is notional for internal purposes.

The £5m loan, that has a notional allocation to Block C, will not be fully repaid for a further 42 years, as HBBC will be servicing HRA loans of almost £3m a year until 2037, therefore fits into a portfolio of debt financing to suit treasury management requirements .

There was a few short term loans amounting £7m to help with cash flows to the developer, but this has all been repaid and none was for over a year.

It is worth noting that loan decision are made in relation to treasury management requirements and not automatically taken out at the commencement of a project unless cash flow requirements merit."

In a supplementary question, Councillor Allen requested figures for the total amount invested in the project, the total amount that had come back and the return on investment. In relation to the loans, he asked for confirmation of the anticipated interest payments.

In response, Councillors Lynch agreed to send a written response to Councillor Allen outside of the meeting.

(b) Question from Councillor Ladkin to the Executive member for Finance:

“I would like to ask the Executive member responsible for a full and considered update on the planning and construction of the Hinckley crematorium”

Response from Councillor Lynch:

“Kier Construction have been appointed as the Main Contractor for developing Hinckley Crematorium. Following detailed talks, complicated by the Covid19 pandemic and Brexit trade negotiations, Kier have signed the JCT Design and Build 2016 form of contract within the project budget approved at the Extraordinary Full Council meeting of 14th July 2020.

I am pleased to announce that works will commence on site on the 11th January and are to follow a 50 week programme and we are now in preparation organising the Councils Wholly Owned Company to take occupation and run the future Crematorium Services for the benefit of the people living in Hinckley and Bosworth”.

By way of supplementary questions, Councillor Ladkin asked whether reserves would need to be used to make up the shortfall due to the delay in the project, whether there would be financial penalties for the contractor should completion take longer than 50 weeks and whether the financial models that had been used to select the method of running the crematorium could be considered by the Scrutiny Commission.

In response, Councillor Lynch stated that the delays had been accounted for in the previous budget. He agreed to check whether the Scrutiny Commission had already reviewed the financial model and if not, ask them to receive a report. In relation to delays by the contractor, he explained that there could not be a penalty clause in a building contract, only liquidated damages claims for matters within the control of the contractor.

(c) Question from Councillor Crooks to the Executive member for Planning:

“Can the Executive member for Planning please advise if there is anything that can be done through existing or proposed legislation to minimise and, if possible, prevent the removal of hedgerows from fields etc? We believe there has been an increasing number of hedgerows being removed as we see it through the planning process which appears at odds with our adopted position on climate change”

Response from Councillor Bill:

“Thank you Councillor Crooks for your question. I personally feel strongly about this topic as I am sure you and many more of my fellow Councillors do. Unfortunately I am sorry to report that our ability to protect hedgerows is quite limited.

However, if the removal of a hedgerow is proposed as part of a planning application then each case will be considered on its individual merits, taking account of ecology and its role in wider landscape terms.

The vast majority of new development seeks to retain the existing hedgerows albeit there may be requirements to puncture through parts of the hedgerow to form vehicular access etc. Officers in their assessment of applications also seek to retain hedgerows where ever possible.

As part of planning applications it is often conditioned that certain hedgerows are retained however the condition can only be enforced if the development has been commenced. If they remove the hedge prior to the commencement of development then there is no breach of planning control. There is no condition or agreement that can be put in place through the planning process that can prevent this from happening.

If work to a hedgerow is undertaken outside of the planning process, then regard should be had to the Hedgerow Regulations 1997. However, consent is only required if the Hedgerow is deemed "important". This is defined within the Hedgerow Regulations 1997 Paras 1-8 and unfortunately I understand that only a small number of hedgerows fall into the category of requiring protection.

I would like to see stronger legislation to ensure we retain and protect as much of our important hedgerows as we can."

In his supplementary question, Councillor Crooks explained that his concern related more to removal of hedgerows on farms by the landowner rather than by a developer to make way for housing. In response, Councillor Bill undertook to ask officers to investigate further and he would provide a written response.

586 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the leader wished members, officers and residents a happy Christmas and expressed his pride in the work of staff. He congratulated Dr Evans, MP, for his recent Patchwork Foundation award, expressed his disappointment that the borough had been placed in tier 3, encouraged members to shop locally and highlighted the installation of electric vehicle charging points in two town centre car parks. He also referred to Britishvolt setting up its new global headquarters at MIRA Technology Park, progress on enforcement linked to the Klondyke and the national financial settlement.

In response to a question about the electric vehicle charging points, Councillor Bray agreed to arrange for a briefing note to be sent out to members.

587 MINUTES OF THE SCRUTINY COMMISSION

Councillor Lay presented the minutes of the last Scrutiny Commission meeting, commending the presentation of the work of the VCS in partnership with the council and thanking the Chief Executive for the impromptu covid briefing.

588 STATEMENT OF LICENSING POLICY

Consideration was given to the Statement of Licensing Policy as required by the Licensing Act 2003. It was moved by Councillor Cartwright, seconded by Councillor Sheppard-Bools and

RESOLVED – the Licensing Policy be adopted.

589 REFRESH OF RURAL STRATEGY

The refreshed Rural Strategy was presented to Council. It was noted that some of the items on the parish councils' "wish lists" were not within this authority's control or financially viable. In relation to an action plan, it was noted that this was being developed and work was still ongoing with parishes.

Concern was expressed about local policing and it was confirmed that the new LPU Commander was happy to attend member meetings. Members were reminded that the next Community Safety Partnership Joint Scrutiny meeting was scheduled for March.

On the motion of Councillor Cartwright, seconded by Councillor Webber-Jones, it was

RESOLVED – the refreshed Rural Strategy and appendices be endorsed.

590 REVIEW OF COUNCIL'S CONSTITUTION

In presenting the amendments to the council's constitution, Councillor Bray highlighted an addition in the supplementary agenda proposing a change to how motions and amendments were handled. It was moved by Councillor Bray, seconded by Councillor J Crooks and unanimously

RESOLVED – the amendments listed in the appendices to the report and the supplementary agenda be approved.

591 PETITION SCHEME

In presenting the updated Petition Scheme, Councillor Bray drew attention to the addition in the supplementary agenda in relation to single parish or village issues. In response to a question from a councillor, it was noted that petition organisers and signatories had to be over 18 years old, but there may be exceptional circumstances where a supplementary petition from those under 18 would be accepted in support of the main petition. It was moved by Councillor Bray, seconded by Councillor J Crooks and

RESOLVED – the Petition Scheme be adopted.

592 APPOINTMENTS TO CHARITABLE BODIES

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

RESOLVED – the following appointments to charitable bodies be approved:

- (i) Alderman Newton's Educational Foundation, Barwell:
Mr M Hulbert;
- (ii) The Dixie Educational Foundation:
Cllr M Cartwright
Cllr M Cook
Cllr W Crooks
Mrs J Glennon.

593 MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 17

- (a) Motion from Councillor Bray, seconded by Councillor Nichols

Having declared an interest in this item, Councillor Pendlebury left the meeting at 7.37pm.

Councillor Bray, seconded by Councillor Nichols, proposed the following motion:

“This Council notes the Government’s decision to place Hinckley and Bosworth, along with the rest of Leicestershire in Tier 3. The Council also notes that Hinckley and Bosworth has the lowest Covid rate per 100,000 in the County, significantly lower than Leicester and a number of other places.

This Council further notes that case rates in Hinckley and Bosworth are falling.

The Council expresses its thanks and congratulations to the residents in the borough for their efforts and sacrifices which have helped to bring our numbers down.

This council believes the Tier 3 restrictions will a devastating blow on businesses in the Borough, particularly our hospitality and leisure sector, many of whom have invested significantly in measures to keep their customers safe.

The Council instructs the Chief Executive to write to the Government to:

1. Express the Council’s concerns for businesses in the Borough and request that further resources be given to the Council to help support these businesses.
2. Ask the Government to reconsider the decision to lump together the whole county when deciding on which tiers put each local authority in.
3. Urge the Government to look again at Hinckley and Bosworth’s progress in the first promised review on December 16th with a view to moving the Borough down the tier system before Christmas.”

RESOLVED – the motion be supported.

- (b) Motion from Councillor Ladkin, seconded by Councillor Morrell

This motion was withdrawn.

Councillor Pendlebury returned to the meeting at 8.11pm.

- (c) Motion from Councillor Roberts, seconded by Councillor Smith

This motion was withdrawn.

- (d) Motion from Councillor Bill, seconded by Councillor Walker

Councillor Bill, seconded by Councillor Walker, proposed the following motion:

“The Leicester and Leicestershire Local Enterprise Partnership (LLLEP), of which this Council is a member, has a Strategic Economic Plan (SEP) which covers the period 2014 to 2020 and is therefore now due for renewal.

A key element of the plan is the designation of a wide section of the County as the “South West Leicestershire Growth Area” an area which encompasses the so called

Golden Triangle formed by the M69, M1 and A5 and which spreads well into the Hinckley & Bosworth area. The significance of this designation is outlined on page 47 of the plan, which states:

“The South-West Leicestershire Growth Area offers a unique combination of key commercial and employment hubs. These provide the opportunity to harness major employment and housing opportunities for Leicester and Leicestershire. The M1 corridor (including the M69/M1 junction 21 location) and A5 corridor are crucial economic areas in their own right, with established and expanding services, distribution, retail and leisure roles providing thousands of jobs for the sub-region”

The emergence of the proposal for a rail freight terminal adjacent to Burbage Common demonstrates how the SEP could be taken as a justification for this unwelcome over-development over important countryside.

Countryside and green spaces are vitally important for localities and are highly valued environmental, community and economic assets.

The Council will, through its membership of the LEP, strive to ensure that the LEP’s future plans and strategies recognise the benefits of the provision of countryside and green space and ensure that protecting the natural environment and the interests of the people who live here is given at least as much weight as the ambitions of the ever increasing logistics industry.”

RESOLVED – the motion be supported.

(The Meeting closed at 8.28 pm)

MAYOR