

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

12 JULY 2016 AT 6.30 PM

PRESENT: MR RG ALLEN - MAYOR
MR LJP O'SHEA – DEPUTY MAYOR

Mr PS Bessant, Mr DC Bill MBE, Mr SL Bray, Mrs R Camamile,
Mr MB Cartwright, Mrs MA Cook, Mr MA Hall, Mrs L Hodgkins,
Mr E Hollick, Mrs J Kirby, Mr C Ladkin, Mr MR Lay, Mr KWP Lynch,
Mr K Morrell, Mr K Nichols, Mr M Nickerson, Mrs J Richards,
Mr SL Rooney, Mrs H Smith, Mrs MJ Surtees, Mr BE Sutton,
Mr P Wallace, Mr R Ward, Mr HG Williams, Ms BM Witherford and
Ms AV Wright

Officers in attendance: Steve Atkinson, Bill Cullen, Julie Kenny, Andrew Killip, Lisa Kirby, Rebecca Owen, Rob Parkinson, Caroline Roffey and Ashley Wilson

78 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Boothby, Mr Cope, Mrs Cope, Crooks and Roberts.

79 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the meetings held on 12 April, 17 May and 31 May 2016 be approved and signed by the Mayor.

80 DECLARATIONS OF INTEREST

No interests were declared at this stage.

81 MAYOR'S COMMUNICATIONS

The Mayor spoke about his recent visit to Grand Quevilly, sporting achievements and local events including the opening of the new leisure centre and residents of the borough who had been awarded of British Empire Medals in the Queen's Birthday Honours – Jim and Sue Houghton, John Wallace and Vicky Macqueen. As part of this, he presented a gift to Vicky MacQueen. He reminded members of the request for non-Executive members to participate in the forthcoming peer challenge.

82 QUESTIONS

The following questions had been submitted in accordance with Council Procedure Rule 11.1 and answers given:

- a) Question from Councillor Crooks to the Executive Member for Neighbourhood Services

“Would the portfolio holder please advise me if our waste management team will adopt the new policy brought in by Central Government, where councils are allowed to issue on the spot fixed penalty notices to small time fly tippers? Would he also confirm that local authorities will be able to recoup all prosecution costs should we take large fly tippers to court, under the new legislation?”

Response from Councillor Nickerson:

"I can confirm that the Executive agreed to the introduction of a new fixed penalty notice for fly tipping on 29 June.

The legislation under which we would take large scale fly tippers to court has not changed. We always seek to recover costs of prosecuting fly tippers, however the amount recovered is at the discretion of the magistrate".

- b) Question from Councillor Bray to the Executive Member for Town & Urban Communities

"It is regrettable that the Co-op store and it's car park was allowed to close. The car park in particular was used by people visiting Castle Street. Its closure has had an impact on businesses in the area and in addition on local residents living in the streets nearby who have seen an increase in parking in their streets. Could I urge the Lead Member to do all he can to get this car park re-opened as quickly as possible?"

Response from Councillor Ladkin:

"HBBC did not allow the Co-op Store to close. It was closed by a sovereign decision of the Management of the Heart of England Co-operative Society.

We have repeatedly asked the Co-op to allow us to operate this car park thus keeping it open to shoppers visiting Hinckley. This Council successfully operated the Britannia centre car park last year when the owners went into receivership. For reasons known only to themselves, the Co-op will not allow this to happen.

We continue to look at alternative methods to open this car park."

- c) Question from Councillor Bray to the Executive Member for Town & Urban Communities

"Could the Lead member for town centres look again at his administration's decision to extend car park charges to 6pm in the evening? This has a huge impact on local residents living in the town centre who have no alternative but to park in nearby public car parks when they come home from work as there is no available on-street parking".

Response from Councillor Ladkin:

"As Councillor Bray will be aware, this change was consulted on as part of the changes to the parking places order which were implemented in May. No adverse comments about this change were received. I am also not aware of any complaints received by the Council about this change.

If Councillor Bray considers this to be a substantial problem then we can introduce a limited number of residents evening permits for long stay car parks which would permit residents to park from 4pm to 8.30am. A small charge of £25 per year per permit would be needed to cover the administration of this scheme.

Another option would be for Councillor Bray as a county councillor to request LCC look again at introducing a residents parking scheme in this area as this would benefit residents at all times of the day."

In response to a supplementary question from Cllr Bray, Cllr Ladkin confirmed that his house had a driveway.

d) Question from Councillor Witherford to the Executive Member for Neighbourhood Services

“My question relates to the Garden Waste Service Charge. On the HBBC Website it states that payments would be accepted from 29th February 2016, with a need to pay by 1st April 2016, to ensure the collections continue uninterrupted, allowing 10 working days for the payment sticker to arrive. A press release was published on 19th April 2016, announcing that the Council would continue to collect all brown bins during April, but from 9th May garden waste bins would not be collected unless they display the payment sticker.

I understand that this press release was issue to try to increase the uptake of the service, however my question relates to the renewal dates for the service in 2017.

Do we assume that those residents who had signed up originally have a renewal date of 1st April, and those who reacted positively to the press release renew on 9th May?

Or are all renewals from 1st April? In which case those who reacted to the press release would have paid for 12 months service with only 11 months actual paid collection and those who paid as from 1st April had in fact overpaid by one month due to all residents getting a free continued service during April.

If there are in fact two renewal dates then surely the administration charge to set up and accommodate these two different systems outweighs the benefit to the revenue account?

Would Cllr Nickerson agree that the renewal date should be 9th May 2017, with the benefit going to those residents who complied with the original instruction?

Can Cllr Nickerson also advise Council of the increase in fly tipping, both in numbers and costs, since this new initiative which necessitated the publication of yet another recent press release?”

Response from Councillor Nickerson:

“Residents were notified of the charging system from early March with a flyer in every council tax notification, giving plenty of opportunity to sign up. By slightly extending the period into May, we achieved a significant further uptake benefitting all residents from the increased contribution towards the cost of the service. Residents were signing up throughout March and April whilst continuing to receive the full service. I can confirm there is only one renewal date – all residents need to sign up by 1 April 2017 for their service to continue without interruption. There will be no variation to this next year as we will commence taking payments much earlier, and residents will have had ample opportunity to sign up before 1 April. Can I also take this opportunity to ask all members to encourage residents to register now to pay for this service by direct debit in future years. This is the easiest payment method for residents and their subscription is automatically renewed following notification of the cost.

As Councillor Witherford will be aware, because of changes to the way LCC is operating its recycling centres it is difficult to attribute any changes in fly tipping levels solely to the garden waste service. Fly tipping is also on the increase

nationally and across Leicestershire. The fly tipping levels for the last three years are:

April – June 2014: 90

April – June 2015: 124

April – June 2016: 161.

Scrutiny has requested further analysis of fly tipping and this will be reported in October.

Where we do get incidents of garden waste fly tipping, we are using “report it” cards to ensure residents are aware that this is fly tipping and to encourage them to sign up to the brown bin service, but these have been few and far between. We will continue to monitor the situation and take action to deter all types of fly tipping.”

By way of supplementary question, Cllr Witherford asked if an increase to the charge could be ruled out for the following year. The Executive member confirmed that an increase could be ruled out.

Councillor Wright arrived at 6.40pm.

83 PETITION RE CAR PARKING IN HINCKLEY TOWN CENTRE

The President of Hinckley Chamber of Trade presented and spoke in support of a petition which had been received in accordance with the Petitions Scheme:

“Petition to save the top of town businesses suffering from lack of suitable parking.

Since the closing of the Co-op car park, businesses and customers have experienced unacceptable trading/access conditions. We realise that the problem is neglect by forward planning over many years. However business will not accept a long term remedy – action needed now.

Precedent already set for the Borough Council to purchase a car park for the top of the town with no delay – it has done in other areas why not this one?”

Councillor Ladkin spoke in response and, seconded by Councillor Hall, moved the following:

“HBBC is committed to ensure that the availability of car parking in Hinckley town centre matches demand and supports businesses and customers.

This council acknowledges the steps already taken to secure additional parking to meet the needs of shoppers.

This council requests a report at its next full meeting to identify cost effective proposals for the reopening of the Co-op car park”.

It was requested by Councillor Lay that any report be brought to the Scrutiny Commission before being presented to Council, which was agreed by the mover and seconder of the motion.

Upon being put to the vote, the motion as amended was CARRIED and it was therefore

RESOLVED – a report on the reopening of the Co-op car park be brought to the next meeting of Council, following consultation with the Scrutiny Commission.

84 LEADER OF THE COUNCIL'S POSITION STATEMENT

In presenting his position statement, the Leader referred to national events in relation to the EU and the incoming Prime Minister, the draft financial outturn being presented at the meeting, and the future regeneration of the borough.

85 MINUTES OF THE SCRUTINY COMMISSION

The minutes of the Scrutiny Commission on 14 April and 16 June were received for information. The Chief Executive confirmed that actions were in hand to ensure that the contributions of the Scrutiny Commission were fully recognised in final reports to Council.

86 PUBLIC SPACE PROTECTION ORDER

A report which recommended establishment of a Public Space Protection Order was considered by Council. The comments made by the Scrutiny Commission were acknowledged and the amended recommendation in the supplementary agenda was highlighted. It was suggested that, if signs were to be erected in relation to the Order, they contain a contact number so any breaches could be reported. It was moved by Councillor Nickerson, seconded by Councillor Hall and

RESOLVED –

- (i) The creation of a borough wide Public Space Protection Order, incorporating the controls outlined within the report, be approved;
- (ii) The delegation of authority to the Chief Officer (Environmental Health), the Chief Officer (Housing, Community Safety & Partnerships), the Executive member for Neighbourhood Services and the Executive member for Housing & Community Safety to implement this order, to make minor amendments should they be necessary following any response from the Police and Crime Commissioner, and to authorise suitably qualified officers for enforcement, be approved.

87 SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

Members received a report which recommended adoption of the Site Allocations and Development Management Policies Development Plan Document (DPD). It was noted that modifications, as recommended by the Inspector, had been made and the Document would be in operation the day following approval.

Councillor Richards wished her concern regarding the need for improved infrastructure resulting from increased housing development in Barwell and Earl Shilton to be recorded.

It was moved by Councillor Surtees, seconded by Councillor Rooney and

RESOLVED –

- (i) The Inspector's report on the Examination into the Site Allocations and Development Management Policies DPD be noted;

- (ii) The adoption of the Site Allocations and Development Management Policies DPD be approved.

88 STRATEGIC GROWTH STATEMENT AND GROWTH PLAN BUDGET

The Strategic Growth Statement for Leicester and Leicestershire was presented to Council. It was moved by Councillor Surtees and seconded by Councillor Hall that the recommendations within the report be approved.

During discussion on the motion, concern was expressed that awareness with regard to the need for housing should be raised – it was noted that the Scrutiny Commission had asked for the Communications team to work with the other Leicestershire authorities on this matter. Members highlighted the positive aspect of Neighbourhood Planning which would allow some control for parishes.

Some members felt that they had not had adequate opportunity to review the document and there was insufficient detail within the document upon which consultation could take place. Members were advised that the document had been presented to the Planning Policy working group and had been endorsed by the Scrutiny Commission on 16 June 2016.

Councillor Bill proposed an amendment to the motion but it was confirmed that the amendment was considered significant and therefore, in accordance with Council Procedure Rule 15.6(b), should have been submitted in writing by 5pm. The amendment was therefore not pursued.

Councillor Bill, along with four other Councillors, stood to request that voting upon the original motion be recorded. The vote was taken as follows:

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

Councillors Bill, Bray, Cartwright, Hodgkins, Hollick, Lynch and Witherford voted AGAINST the motion (7);

Councillors Allen, Lay, Nichols and O'Shea abstained from voting.

The motion was declared CARRIED and it was

RESOLVED –

- (i) Consultation on the Strategic Growth Statement for Leicester and Leicestershire starting in late July 2016 be approved;
- (ii) The costs related to the production of the Leicester and Leicestershire Strategic Growth Plan be approved.

89 DRAFT FINANCIAL OUTTURN 2015/16

Council received the draft financial outturn for 2015/16. It was moved by Councillor Hall, seconded by Councillor Surtees and

RESOLVED –

- (i) The draft general fund outturn for 2015/16 as outlined in section 3.3 be approved;
- (ii) The transfer to earmarked reserves and balances outlined within the report be approved;
- (iii) The revenue carry forwards of expenditure and income to 2016/17 be approved;
- (iv) The draft housing revenue and housing repairs account (HRA) outturn for 2015/16 and transfers to/from balances be approved;
- (v) The draft capital programme outturn for the general fund and housing revenue account for 2015/16 be approved;
- (vi) The capital carry forwards to 2016/17 be approved;
- (vii) The outturn for the Leicestershire Revenues and Benefits Partnership for 2015/16 be noted.

90 EQUALITY POLICY

Members received the Equality Policy and Workforce Monitoring Information. It was moved by Councillor Wright, seconded by Councillor Morrell and

RESOLVED – the Equality Policy be approved and the monitoring information be noted.

91 CORPORATE PLAN ANNUAL SUMMARY OF ACHIEVEMENTS

The annual summary of achievements against the council's Corporate Plan 2013-16 was presented to Council. It was moved by Councillor Wright, seconded by Councillor Hall and

RESOLVED – the summary of achievements be approved for publication.

92 APPOINTMENT TO CHARITABLE BODY: HINCKLEY JCC FOUNDATION

It was moved by Councillor Morrell and seconded by Councillor Hall that Ian Daniels be appointed as the Council's representative on the Hinckley JCC Foundation. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – Ian Daniels be appointed to Hinckley JCC Foundation.

93 MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES 13.1 AND 13.2

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

"As an elected member of Hinckley & Bosworth Borough Council I am very concerned in the reported rise in racism, xenophobia and hate crimes. I believe that we all have a duty to stand up and stamp out racism and xenophobia.

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Hinckley & Bosworth Borough Council through its members, officers and employees condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Hinckley & Bosworth Borough Council will work to ensure we have the support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in the Borough that they are valued members of our community.

I would also like you to publicly condemn any such attacks and make it clear the council will do all within its powers to tackle this racist, xenophobic and criminal behaviour.

As Groby ward member a number of my constituents share my concerns".

Some members expressed concern that the motion suggested there had been an increase in hate crime in Hinckley & Bosworth, which was not the case, and that the good work undertaken by the police and the council had not been mentioned. As a consequence, an amendment to the motion was requested by the Leader of the Council.

The meeting was adjourned at 8.27pm for the Leader and Councillor Cartwright to discuss a potential change in wording of the motion.

The meeting reconvened at 8.35pm.

Councillor Hall, seconded by Councillor Cartwright, proposed the following amended motion, recognising that Cllr Cartwright had indicated that a number of his constituents shared the concerns expressed in the motion he had proposed and the one he now supported:

"As elected members of Hinckley and Bosworth Borough Council we are very concerned about racism, xenophobia and hate crimes.

Members of this council remain committed to stamping out all forms of racism, xenophobia and hate crimes.

HBBC already works with the police and other agencies to raise awareness of the causes and problems created by hate crimes and addresses these problems, and will continue to do so.

We are proud to live in a diverse and tolerant society where racism, xenophobia and hate crime have no place.

We reassure all people living in the Borough that they are valued members of our community, and publicly condemn any such crimes".

Upon being put to the vote, the amendment was CARRIED and it was

RESOLVED – the following motion be supported:

As elected members of Hinckley and Bosworth Borough Council we are very concerned about racism, xenophobia and hate crimes.

Members of this council remain committed to stamping out all forms of racism, xenophobia and hate crimes.

HBBC already works with the police and other agencies to raise awareness of the causes and problems created by hate crimes and addresses these problems, and will continue to do so.

We are proud to live in a diverse and tolerant society where racism, xenophobia and hate crime have no place.

We reassure all people living in the Borough that they are valued members of our community, and publicly condemn any such crimes.

(The Meeting closed at 8.40 pm)

MAYOR