

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

18 July 2023 AT 6.30 pm

PRESENT: CLLR SM GIBBENS - MAYOR
CLLR R WEBBER-JONES – DEPUTY MAYOR

Cllr CM Allen, Cllr RG Allen, Cllr MC Bools, Cllr CW Boothby, Cllr SL Bray, Cllr MB Cartwright, Cllr MA Cook, Cllr MJ Crooks, Cllr WJ Crooks, Cllr REH Flemming, Cllr C Gibbens, Cllr DT Glenville, Cllr CE Green, Cllr L Hodgkins, Cllr E Hollick, Cllr C Lambert, Cllr KWP Lynch, Cllr J Moore, Cllr LJ Mullaney, Cllr MT Mullaney, Cllr LJP O'Shea, Cllr A Pendlebury, Cllr M Simmons, Cllr H Smith, Cllr P Stead-Davis, Cllr MJ Surtees, Cllr BE Sutton, Cllr BR Walker, Cllr A Weightman and Cllr P Williams

Officers in attendance: Ilyas Bham, Bill Cullen, Julie Kenny, Stephen Meynell, Rebecca Owen and Sharon Stacey

38. **Apologies**

Apologies for absence were submitted on behalf of Councillor Cope and Harris.

39. **Minutes of the previous meetings**

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

RESOLVED – the minutes of the meetings held on 18 April and 23 May be approved as a correct record.

40. **Declarations of interest**

Councillors Boothby, Smith and Stead-Davis declared a pecuniary interest in item 10 “Council house repairs backlog and pay challenges” as council tenants. Councillor Boothby also declared an interest in item 11 “Pilot project – housing and respiratory illness”.

41. **Mayor's Communications**

The Mayor reported on recent events attended.

42. **Questions**

(a) Question from Councillor Williams to the Executive member for Planning

“The headline in the Times newspaper on 7 April “UK housing crisis: planning targets scrapped in win for nimbys” is typical of headlines seen over the last six months. Residents in Hinckley & Bosworth are understandably confused when they see yet more housing approved against the wishes of local councillors. Please confirm the factual position, for the borough, of the government’s position on housing targets and mechanisms they have in place to enforce them.”

Response from Councillor Crooks:

“The council is required to follow the government’s standard method for assessing local housing need. The standard method was introduced to the planning system on the back of the housing white paper published in 2017. The standard uses a formula to identify the minimum number of homes expected to be planned for, addressing both projected household growth and any historic under-supply. This is the starting point for determining the borough’s overall housing requirement figure. The current standard method figure for the borough is 472 dwellings per annum.

Local planning authorities such as the borough council are required to cooperate with each other and other bodies on policies addressing strategic and cross-boundary matters. This is called the Duty to Cooperate (DtC). Housing is such a strategic / cross-boundary matter. Hinckley and Bosworth Borough Council is part of the Leicester and Leicestershire Housing Market Area (HMA) and therefore has a duty alongside the other local planning authorities in this HMA to help address any unmet housing need arising from other partners. Leicester City Council has declared an unmet need, meaning it can’t meet all of its housing requirements within its boundary.

In a consultation earlier this year on proposed changes to the National Planning Policy Framework (NPPF), the government indicated that they planned to replace the DtC with an alignment policy. This new alignment policy would be enacted through a full review of the NPPF which would be required once the emerging Levelling Up and Regeneration Bill (LURB) gains Royal Assent. Full details as to how the alignment policy will function have not yet been provided. However, it has been made clear that local planning authorities must still plan for their full housing requirement, including unmet need from elsewhere, unless there are ‘exceptional circumstances’ why they are not able to do so such as green belt and areas of outstanding natural beauty. Hinckley & Bosworth Borough Council is not likely to be able to demonstrate exceptional circumstances.

It is expected that an initial interim update to the NPPF will not be published before October this year and not before the LURB is enacted. It is also likely that the proposed alignment policy, how to deal with unmet need and changes to the standard methodology will also be subject to further consultation and will need to be set out in a full review of the NPPF. Although no details have been publicly released at this stage, it is anticipated that this won’t be until at least autumn 2024 and will include transition arrangements from the old system to the new. Therefore, the Duty to Cooperate will remain in force until the new plan making system is in place.”

(b) Question from Councillor Williams to the Executive member for Planning

“There are roads in Burbage which have been built as clutter free, with no overhead services being delivered to homes, and have for the last fifty years been free from telephone wires and telegraph poles. Residents in these roads are particularly annoyed that telegraph poles are being installed in these roads, only weeks since the new fibre services have been installed in the pavements, with no advance warning to residents of this activity. Please provide the planning

position which government has made to enable these services to be installed with no advance notice to residents.”

Response from Councillor Crooks:

“The Council has noted that a number of wooden telegraph poles have been erected in the borough, notably in Burbage and Ratby, in recent weeks. The erection of telegraph poles does not require planning permission nor an application to be submitted, instead they are considered permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015. The operator, in recent examples as Openreach, has a requirement only to notify the council 28 days in advance of any works.

Such notifications are not for the determination as to whether prior approval is required for siting and appearance or an application for planning permission and therefore there are no consultation or publication on such notifications.

The local planning authority has 28 days to reply to the code operator and the only reason to condition such notification applications is when there is an article 4 direction relating to the proposed site and would restrict an electronic communication operator permitted development right. However, NPPF paragraph 116 states that local planning authorities should not impose a ban on new electronic communication development in certain areas, impose blanket article 4 direction over a wide area or a wide range of electronic communication development.”

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

“Will the Executive member for Planning confirm the number of applications currently at or post their policy decision date, irrespective of whether they have an agreed extension with the applicant in place or not, please?”

Response from Councillor Crooks:

“There are currently (as of 10 July) 318 planning applications pending consideration (live). This is down from over 500 in July / August 2022. These include all applications and pre-applications from major development to discharges of planning conditions and pre-app requests. Of these, 179 are within an eight week period from validation and a further four are major applications that are within a 13 week deadline from validation. Of the remaining 135, a number of these have extensions of time or planning performance agreements in place already and there is ongoing dialogue with the applicant and likely to be information outstanding, either from the applicant or a statutory consultee, that requires resolution prior to determination. Applications pending consideration are reported on a weekly basis to the development management team leaders and Head of Planning, with all development management officers (whether full time, part time or agency) all having regular one to one progress meetings with their manager to manage caseloads. At present, no planning officer has above 45 applications at any one time and performance for Q2 (April to June) this year was 88% of minor applications determined within the eight weeks or an agreed timeframe.”

By way of supplementary question, Councillor Boothby asked whether 45 applications was still too many and whether more planning officers should be recruited. In response it was explained that the team was now at its intended level and the Head of Planning was happy with the caseload.

(d) Question from Councillor Cook to the Executive member for Finance

“Can the administration advise when members and Council will have sight of the flooding and drainage report on the crematorium site please?”

Response from Councillor Lynch:

“Thank you Councillor Cook for your very timely question. Officers have been considering the findings from the site monitoring that has taken place and we are aiming to provide an update report to members at the next Scrutiny Commission meeting”.

By way of supplementary question, Councillor Cook sought clarification that the report would be taken to the meeting on 31 August. It was confirmed that this was the current intention.

(e) Question from Councillor C Allen to the Executive member for town centres

“Will the Executive member for town centres confirm that business owners and market stall holders in the centre of Hinckley will be fully informed and consulted on any proposals arising from the Heritage Action Zone group, prior to any decisions being made or work commenced?”

Response from Councillor Bray:

“I think Councillor Allen for her question.

I am pleased to say that progress on the various projects within the Hinckley High Street Heritage Action Zone (HAZ) continues to be made. We will continue to consult with relevant stakeholders as proposals are finalised particularly on the public realm works at Church Walk. Whilst this project has already been the subject of extensive consultation, I can confirm that as we look to start implementing the works this autumn we will involve relevant stakeholders.”

(f) Question from Councillor Smith to the Leader of Council

“Can the Leader confirm what, if any, plans for refurbishment or development are being considered for the Jubilee Hall in Barwell please? Can he also confirm that Barwell Parish Council will be fully involved and informed of all and any proposals?”

Response from Councillor Lynch:

“I would like to thank Councillor Smith for the question. I can confirm there are no current plans for the complete refurbishment or redevelopment of Jubilee Hall due to the age and nature of original construction. However, we have for several years been in dialogue with Barwell Parish Council about bringing forward a new

community facility that could provide flexible accommodation within a modern designed, energy efficient structure. Whilst these discussions continue, we aim to maintain Jubilee Hall to an appropriate standard to ensure this valuable community facility remains open”.

43. Leader of the Council's Position Statement

In his position statement, the leader referred to summer events, supporting local businesses, the proposed big bin service, jobs fairs, cost of living support, revamped tennis courts at Hollycroft Park and improved planning performance.

44. Hinckley High Street Heritage Action Zone enhancements to 39 Castle Street - budget increase request

Consideration was given to a supplementary budget request for planned repairs and renovation to 39 Castle Street, Hinckley as part of the Hinckley High Street Heritage Action Zone. It was moved by Councillor Bray, seconded by Councillor Bools and

RESOLVED – the request for a supplementary budget of £70,000 to support the completion of proposed enhancement works to 39 Castle Street be approved.

Having declared a pecuniary interest in the following item of business, Councillors Boothby, Smith and Stead-Davis left the meeting at this juncture.

45. Council house repairs backlog and pay challenges

Council received a report which provided an update on the responsive repairs backlog and highlighted challenges in relation to recruitment and retention of trade personnel. It was moved by Councillor M Mullaney, seconded by Councillor Bray and

RESOLVED –

- (i) The application of market supplements to repairs operative salaries and the recruitment of two additional temporary operatives be approved;
- (ii) A supplementary budget of £149,999 in year one and £75,947 thereafter, funded through the housing revenue account, be approved.

Councillors Boothby, Smith and Stead-Davis returned to the meeting.

46. Pilot Project - Housing & Respiratory Illness

Members were informed of a joint pilot project led by the borough council to address housing conditions likely to exacerbate respiratory illness. It was moved by Councillor M Mullaney, seconded by Councillor Bray and

RESOLVED – a supplementary income and expenditure budget of £147,000 per year over the next two years, funded by the Better Care Fund, be approved.

47. Financial outturn 2022/23

The financial outturn for 2022/23 was presented to Council. It was moved by Councillor Lynch, seconded by Councillor Bray and

RESOLVED –

- (i) The general fund outturn for 2022/23 be approved;
- (ii) The transfer to earmarked reserves and balances be approved;
- (iii) The general fund revenue carry forwards into 2023/24 be approved;
- (iv) The housing revenue and housing repairs account outturn for 2022/23 and transfers to and from balances be approved;
- (v) The capital programme outturn for the general fund and housing revenue account from 2022/23 be approved;
- (vi) The HRA carry forwards be approved;
- (vii) The capital carry forwards be approved;
- (viii) HRA write offs of £29,517 be approved;
- (ix) The changes to the network and server resilience budgets for 2023/24 be approved.

48. Achievements to the Corporate Plan 2022-23

The key corporate achievements against the corporate plan 2022/23 were considered. It was moved by Councillor Bray, seconded by Councillor Bools and

RESOLVED – the progress and achievements for 2022/23 be noted.

49. Calendar of meetings 2024

The calendar of meetings for January to May of the 2023/24 municipal year and May to December of the 2024/25 municipal year was moved by Councillor Bray, seconded by Councillor Bools and

RESOLVED – the calendar of meetings be approved.

50. **Appointment to charitable bodies**

(a) Hinckley JCC foundation

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

RESOLVED – Mr D Bill be appointed to Hinckley JCC Foundation for a term of three years with immediate effect.

(b) Poors Platt charity, Barwell

It was moved by Councillor R Allen, seconded by Councillor C Allen and

RESOLVED – Councillor M Simmons be appointed to Poors Platt Charity, Barwell, for a term of four years from September 2023.

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

(a) Motion from Councillor Cartwright, seconded by Councillor Pendlebury

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

“Hinckley & Bosworth Borough Council notes the Kunming-Montreal Global Biodiversity Framework (GBF) that was agreed at COP15 in December 2022. The framework contains a series of goals and targets as well as financial commitments and details on implementation to tackle the biodiversity loss this decade.

We recognise the importance of a healthy and biodiverse environment that ensures our borough’s future prosperity and assists the wellbeing of all who live and work in the borough.

We therefore pledge to provide leadership and to ensure that we work with council services, partners, businesses and our communities to help reverse the decline in biodiversity.

The borough council:

1. Declares its recognition of the global biodiversity emergency and the local impact this could have on the communities, residents and businesses we serve;
2. Will refresh the Climate Change Strategy with biodiversity as a key priority, creating a single Climate Change and Biodiversity Strategy;
3. Will work in collaboration with the upper tier authority on the delivery of the county council’s Nature pact and with parish councils to help deliver solutions for the ecological challenges;
4. Will expand the remit of the Climate Change Member Working Group to include the council’s biodiversity emergency declaration.”

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

RESOLVED –

- (i) Council declares its recognition of the global biodiversity emergency and the impact this could have on communities, residents and businesses;
- (ii) The Climate Change Strategy be refreshed with biodiversity as a key priority, creating a single Climate Change & Biodiversity Strategy;
- (iii) Work be progressed in collaboration with Leicestershire County Council on delivery of their nature pact and with parish councils to help deliver solutions for the ecological challenges;
- (iv) The remit of the Climate Change Member Working Group be expanded to include the council's biodiversity emergency declaration.

(b) Motion from Councillor C Allen, seconded by Councillor Cartwright

Councillor C Allen, seconded by Councillor Cartwright, proposed the following motion:

“This motion notes the ambition of Hinckley & Bosworth Borough Council to promote environmentally sustainable development and as a step in taking a lead and positive measures on this subject, proposes that:

1. This Council encourages in the strongest possible terms, that applicants submitting planning proposals for new residential and especially ‘big box’ commercial developments install solar panels with battery storage systems or other such sustainable power generation capacity within their developments;
2. We write to the Secretary of State requesting that the provision of renewable energy generation systems, with associated storage infrastructure, be made mandatory for all new dwellings and large scale commercial developments as part of the ongoing review of the National Planning Policy Framework and government white paper on planning policy.”

During discussion, it was requested that applicants also be encouraged to include ground source heat pumps and water retention tanks in new residential and commercial developments. Councillors Allen and Cartwright as mover and seconder of the motion agreed to the amendment which, upon being put to the vote, was CARRIED and

RESOLVED –

- (i) Council encourages applicants submitting planning proposals for new residential and especially ‘big box’ commercial developments to install solar panels with battery storage systems or other such sustainable power generation capacity, ground source heat pumps and water retention tanks within their developments;
- (ii) Council writes to the Secretary of State requesting that the provision of renewable energy generation systems with associated storage infrastructure be made mandatory for all new dwellings and large scale commercial developments as part of the ongoing review of the National Planning Policy Framework and government white paper on planning.

(c) Urgent motion from Councillor M Mullaney, seconded by Councillor C Gibbens

Councillor M Mullaney, seconded by Councillor C Gibbens, proposed the following motion which had been accepted by the Mayor as an urgent matter:

“Save Hinckley rail ticket office

Council notes with concern recent reports that all 980 staffed ticket offices in England could be closed, following discussions between the Department for Transport and the Rail Delivery Group and changes to the government’s guidance relating to ticket office opening hours.

Council believes that ticket offices provide a vital service to residents in Hinckley. Having a clearly sign-posted place in the station for people with ticket enquiries provides certainty and confidence for customers who may struggle to otherwise locate station staff.

Not all residents are able to use station ticket machines, or have the means to book a ticket in advance. Complicated journeys involving connections are likely to require human assistance to ensure customers purchase the most appropriate and cheapest tickets, and do not incur penalties from mis-booked tickets.

Council is concerned that the closure of ticket offices will disproportionately affect elderly and disabled residents in the Hinckley area – as well as those with poor literacy and IT skills. Council also notes the possible implications for current station staff and the concerns that have been raised over possible staff redundancies.

Council therefore resolves to:

- (i) Instruct the Chief Executive to write to the Secretary of State for Transport and the Government Railways Minister expressing Council’s opposition to the possible closure of staffed rail ticket offices – and in particular the office at Hinckley;

- (ii) Instruct the Chief Executive to write to East Midlands Railways expressing the Council's opposition to any plans to close the staffed ticket office at Hinckley."

Councillor R Allen, seconded by Councillor Cook, proposed an amendment that "all 980 staffed ticket offices" in the first sentence be amended to "most staffed ticket offices" and that two additional proposals be added:

- (i) This Council writes to East Midlands Railways as operator of Hinckley train station, requesting figures for passenger usage and tickets purchased at the ticket office for a period of not less than 12 months to 30 June 2023. This information to be used as a statistical base for future representations by this Council;
- (ii) This Council uses all resources at its disposal to inform residents of the proposals and encourage them to submit their views and comments to the consultation by the deadline of 26 July 2023 at www.transportfocus.org.uk/train-station-ticket-office-consultation/.

Councillors Mullaney and Gibbens, as mover and seconder of the original motion, supported the amendment which was therefore adopted as the substantive motion. Upon being put to the vote, the motion as amended was CARRIED and it was

RESOLVED –

- (i) The Chief Executive be instructed to write to the Secretary of State for Transport and the Government Railways Minister expressing the Council's opposition to the possible closure of staffed rail ticket offices – and in particular the office at Hinckley;
- (ii) The Chief Executive be instructed to write to East Midlands Railways expressing the Council's opposition to any plans to close the staffed ticket office at Hinckley;
- (iii) Council writes to East Midlands Railways as operator of Hinckley train station requesting figures for passenger usage and tickets purchased at the ticket office for a period of not less than 12 months to 30 June 2023;
- (iv) Council uses all resources at its disposal to inform residents of the proposals and encourage them to submit their views and comments to the consultation by the deadline of 26 July 2023.

(The Meeting closed at 7.45 pm)

MAYOR