



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

Scrutiny Commission

28 March 2018

WARDS AFFECTED: Groby

KLONDYKE UPDATE

Report of Director (Environment and Planning)

1. PURPOSE OF REPORT

- 1.1 To advise Scrutiny on the history of planning and other Council enforcement activity relating to the Klondyke Site, Newtown Linford Lane, Groby

2. RECOMMENDATION

- 2.1 Scrutiny notes the report and considers what further action it considers necessary relating to this matter, including the establishment of a Scrutiny Task and Finish Group and its terms of reference.

3. BACKGROUND TO THE REPORT

- 3.1 The site of interest lies to the north of Newtown Linford Lane, Groby and is known locally as 'The Klondyke'. The 2 hectare site is located within the Green Wedge as well as within the National Forest. It is outside of any settlement boundary therefore is located within the open countryside. Groby Pool Site of Special Scientific Interest is located to the west on the opposite side of Newtown Linford Lane. The access to the site is on the corner shortly before the entrance to the Groby Pool car park.



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- 3.2. The Klondyke site was originally allotment gardens; divided up into a number of different sections in various ownerships with only a number registered with the Land Registry. Over the years various activities have taken place on the site resulting in the current situation of a mixture of activities occurring on the site some of which are non conforming to the planning uses for the area.
- 3.3. Concern has for a number of years been raised by individuals, ward members and Groby Parish Council as to the site and the need to control activities particularly following the occupation of part of the site in 2005 with residential caravans. This has resulted in a significant amount of Council resources being exercised to seek to control these activities. Some areas now have established uses; some are not subject to enforcement by time expired and others are subject to consideration and active planning enforcement actions. The site has also been subject to extensive planning enforcement actions including injunctions to prevent occupation of land for caravans and for the restoration to be carried out. (Details in Appendix 1)
- 3.4 In 2013 Council resolved to seek to compulsorily purchase the site subject to delegated actions seeking to acquire the land for tree planting and uses in keeping with the planning policies for the area. The resolution of Council on 3rd December 2013 is set out in minute 300. The key points from the minute were to approve the making of the HBBC (Klondyke Allotments) CPO 2013 and to submit it to the Secretary of State for confirmation; to delegate authority to the then chief executive to enter into negotiations with Mineral Quarry Products Ltd in order to agree the terms of an indemnity agreement to contribute to the cost of the compulsory purchase; and remediation of the site. As detailed in Appendix 1 this was not progressed to completion following review by the former Chief Executive in 2014.
- 3.5 Despite the resources deployed on this site by the Council over the years, residents have continued to raise concerns and a Steering Group has been established by the Groby Parish Council comprised of Parish Councillors and interested residents. This group arranged a formal Parish Poll in June 2017 calling on the Council to take action to resolve outstanding issues through the advancement of the Compulsory Purchase Order originally proposed in 2013 along with the clearance costs of the site to be borne by the Hinckley and Bosworth Borough Council. The results of the poll (from a turn out of 26.2%) further indicate local concern over the site, although it has not been formally presented to and it is not binding on the Council.

- 3.6 Officers and members subsequently met with the Steering Group on 31 August 2017 and amongst other agreed actions, the Chair of Scrutiny subsequently agreed that the history of the Council's actions relating to the site could be reviewed by Scrutiny in parallel to actions seeking to resolve the outstanding site issues. This was reinforced at the recent meeting on 22 January 2018.
- 3.7 It is considered that if Scrutiny agrees that it is required, a task and finish group be formed to look into the history of Council actions. They can also receive evidence from officers, interested members and residents as well as representatives of the Klondyke Steering Group. This will require suitable terms of reference for its scope and outcomes e.g.
1. To review the history and actions taken relating to the 3 December 2013 Council decision relating to compulsory purchase of the site.
 2. To review planning and other enforcement actions taken relating to the site since 2005.
 3. To recommend if further actions are required and lessons learnt for the future.
- 3.8 The Council continues to work with the Steering Group and Parish Council and has recently received confirmation that the Groby Parish Council requests that the council continue to seek to compulsory purchase the site for the provision of a sports and recreational facility and if not supported, for the provision of woodland or any other project to restore the site to a proper planning purpose as identified in Policy 9 of the HBBC Core Strategy adopted in 2009.
- 3.9 A summary of some of the key actions and history of the site is attached at Appendix 1.
4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES
- 4.1 Open session
5. FINANCIAL IMPLICATIONS [IB]
- 5.1 None arising directly from the report.
6. LEGAL IMPLICATIONS [AR]
- 6.1 None arising directly from this report.
7. CORPORATE PLAN IMPLICATIONS
- 7.1 Support our rural communities
Keep our borough clean and green
8. CONSULTATION
- 8.1 None
9. RISK IMPLICATIONS
- 9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 This report only affects the Parish of Groby. Occupiers of the site have legal interests in the land which may be affected by enforcement actions carried out by the council.

11. CORPORATE IMPLICATIONS

11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: Planning records for Klondyke

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