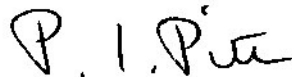


Date: 12 January 2009

Dear Sir/Madam

I hereby summon you to attend a meeting of the **HINCKLEY & BOSWORTH BOROUGH COUNCIL** in the Council Chamber at these offices on **TUESDAY, 20 JANUARY 2009 at 6.30 pm.**

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. I. Pitt'.

Pat Pitt (Mrs)
Corporate Governance Officer

AGENDA

1. Apologies
2. To confirm the minutes of the meeting held on 15 December 2008. Attached marked 'C49'.
3. To be advised of any additional items of business which the Mayor decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. To receive verbally from Members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the Agenda.
5. To receive such communications as the Mayor may decide to lay before the Council.
6. To receive petitions presented in accordance with Council Procedure Rule number 10.11.

7. To deal with questions under Council Procedure Rule number 11.1.
8. Position Statement. The Leader of the Council will give a presentation.
9. To receive for information only the minutes of the Scrutiny Commission meetings held on 16 October and 27 November 2008 attached marked C50 and C51.
10. To consider the following reports:-
 - (a) Calendar of meetings May 2009 to May 2010. Attached marked C52. (Pages 1-3).
 - (b) Local Development Framework: Site Allocations and Generic Development Control Policies Development Plan Document – Preferred Options Consultation. Attached marked C53. (Pages 4-12).
11. To consider the following motion from Mr. D.C. Bill, notice of which has been received in accordance with Council Procedure Rule 13:-

“This Council believes it is being asked to provide an unreasonable amount of both housing and travellers' sites by the Government and by the regional planning bodies.

It is very disappointed that previous representations made by this Council's Executive have been ignored by the Government and Regional Assembly.

It resolves that whilst it is having to comply with legislation, it instructs its officers to continue to make strong representations to secure an overall reduction of both housing and traveller allocations in this Borough”.

To: All Members of the **HINCKLEY & BOSWORTH BOROUGH COUNCIL**
(other recipients for information).

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
15 DECEMBER 2008 AT 6.30 P.M.

PRESENT: MR. J.G. BANNISTER - MAYOR
MR. K. NICHOLS - DEPUTY MAYOR

Mrs. M. Aldridge, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. J.C. Bown, Mr. S.L. Bray, Mrs. R. Camamile, Mr. M.B. Cartwright, Mr. D.S. Cope, Mr. W.J. Crooks, Mrs. S. Francks, Mr. D.M. Gould, Mrs. A. Hall, Mr. P.A.S. Hall, Mr. D.W. Inman, Mr. C.G. Joyce, Mr. C. Ladkin, Mr. M. R. Lay, Mr. K.W.P. Lynch, Mr. R. Mayne, Dr. J.L. Moore, Ms. W.A. Moore, Mr. K. Morrell, Mr. L.J.P. O'Shea, Mr. A. J. Smith, Mrs. S. Sprason, Mr. B.E. Sutton, Mr. R. Ward and Mr. D.O. Wright.

Also in attendance: Mr. R. Birch, Standards Committee Chairman.

Officers in attendance: Mr. S.J. Atkinson, Mr. Michael Brymer, Mr. B. Cullen, Miss L. Horton, Mrs. B. Imison, Mr. S. Jones, Mr. S. Kohli, Mr. R. Parkinson, Mrs. P.I. Pitt, Mr. T.M. Prowse and Mrs S. Stacey.

308 **PRAYER**

In the absence of a chaplain the Chief Executive offered prayer.

309 **APOLOGIES**

Apologies for absence were submitted on behalf of Mr. P.R. Batty, Mr. P.S. Bessant, Mrs. J. Richards and Ms. B.M. Witherford.

310 **MINUTES (C47)**

On the motion of Mr. Lay, seconded by Mr. Crooks it was

RESOLVED - the minutes of the meeting held on 20 November 2008 be confirmed and signed by the Mayor.

311 **DECLARATIONS OF INTEREST**

No interests were declared at this stage.

312 **MAYOR'S COMMUNICATIONS**

The Mayor stated that to date he had attended some 200 events, 50 of which had taken place in December. The Mayor referred to the carol concert on 14 December when the collection had raised £600. Following a request from two local swimmers for financial assistance towards participating in next year's Special Olympics in Leicester the Mayor had approached Asda, which had kindly agreed to sponsor the two swimmers. The Mayor then invited Geoff Wells, of Hinckley Club for Young People, to address the Council. Mr Wells paid tribute to the Council

Officers involved with partners in securing "My Place Funding" to develop a new facility within Richmond Park for young people. Mr Wells concluded by thanking the Council for its continued support for this project.

313 PETITIONS

On behalf of residents of the Tilton area of Burbage Mr Bray presented a petition containing some 260 signatures objecting to the proposal to erect a phone mast at Boyslade Road, Burbage. It was understood that a planning application relating to this proposal was due to be considered by the Planning Committee on 16 December 2008.

314 QUESTIONS

The following questions and replies were received in accordance with Council Procedure Rule 11.1.

(a) Question raised by Mr. D.W. Inman and addressed to Mr. D.C. Bill

"In view of the concern recently expressed in the local media about access by disabled people to shops in Hinckley and Earl Shilton, will the Leader of the Council please inform Members of any action that is being taken to improve access to public buildings and business premises within the Borough, bearing in mind that it is now 13 years since Parliament passed the Disability Discrimination Act.

He and other Members will know that I am permanently disabled, and have great difficulty in gaining access to certain business premises and other buildings, and feel that not enough is being done to enforce the Act, for example in premises which are given licences by this Council. I would also draw his attention to an article in the Local Government Association's magazine 'First' (page 14 of issue 399) which explains the work of an organisation called DisabledGo which produces an online guide for disabled facilities and mentions that 57 local authorities have provided information about premises in their areas. Unfortunately this Council is not one of the 57. Will he urge the officers to remedy this omission?"

Response from Mr. Bill

" I would like to thank Councillor Inman for his question on this very important matter for a significant number of people living in and visiting our Borough.

Part M of the Building Regulations requires all new shops, offices and factories plus certain extensions and alterations to make reasonable provision for disabled access. Under the Disability Discrimination Act 2005 shops , offices & service providers have a legal duty to make 'reasonable adjustments' to ensure that people are not prevented from accessing or using their services because they have a disability.

In both scenarios the requirement revolves around whether the provision of an adjustment is reasonable. Owners & service providers can consider issues such as whether level or ramped access are restricted by existing

ground and floor levels, and ownership of land, e.g. it may not be practical to install a ramp on land owned by the highway authority, the cost of the adjustment, the practicality of making it, health and safety factors, the size of the organisation, and whether it will achieve the desired effect.

It is the responsibility of Hinckley & Bosworth Borough Council to enforce breaches of the Building Regulations in newly built properties only, whether the LA or private sector is appointed to oversee their construction. Third parties can also use the regulations to enforce compliance.

In terms of existing buildings enforcement of the Disability Discrimination Act 2005 rests with the Equality & Human Rights Commission, however due to available resources this organisation will only take enforcement action on high profile precedent setting cases. Thus the normal route for an individual to seek redress is by taking civil action through the County Courts.

The various licence systems the Council administers are not designed to promote disabled access but control a particular type of trade or activity & therefore there are no licensing conditions or enforcement measures that the Council is able to take in issuing these licenses.

Shopmobility did carry out a survey of shops in Hinckley Town Centre some 8 years or more ago and it therefore requires updating. Shopmobility are willing to review this survey free of charge and I would very much welcome discussing this further.

I would like to thank Councillor Inman for drawing my attention to the partnership work between the disability organisation, Disabled Go, and local authorities, enabling disabled people to get out and do what they want. The organisation has produced an online guide tailored to each area so that people can check whether certain premises are suitable for those with disabilities.

Officers within the Council will examine both these proposals in order that suitable information can be made available for the benefit of disabled people".

In response to a supplementary question from Mr. Inman Mr. Bill reiterated that he would ensure that the provision of suitable information for the benefit of disabled people was investigated, with a view to details being provided on the Council's website and in paper form.

(b) Question raised by Mrs. S. Sprason and addressed to Mr. S.L. Bray

"Hinckley and Bosworth Borough Council is proposing to allocate a minimum of 450 extra houses, at least 350 on green fields, in the rural villages by extending settlement boundaries but without any new infrastructure funding, so would the Leader please explain:

1. What is the maximum number of houses that will be built on the allocated sites?
2. What guarantees will this Authority provide that the necessary

infrastructure and increased capacity of local services will be in hand before any new sites are built, learning from the mistakes this Council made in Bagworth?

3. Why he is not announcing to local residents the preferred locations, which have been selected by his administration, for new housing development and traveller sites within Hinckley and Bosworth?
4. Why this Authority is ignoring Government guidance on the sustainability of housing development by failing to avoid:
 - (a) Increased congestion on rural roads that will cause extra greenhouse gas emissions?
 - (b) Unsustainable extensions of rural settlement boundaries?
5. Why this Authority is ignoring the land availability report produced by consultants in 2004 which identifies enough sustainable brown field sites in Hinckley that would allow this Council to meet its housing needs?"

Response from Mr. S.L. Bray

"In response to the statement that the Borough Council is proposing to allocate a minimum of 450 extra houses it is not clear how this figure has been produced. The core strategy submission document paragraph 4.8 (p21) makes clear the Authority's stance in respect of meeting future housing provision up to 2026. The additional housing provision has been strongly supported by the Government Office.

We have repeatedly challenged the figures on traveller pitches as we believe that Hinckley & Bosworth is not receiving a fair deal from the Regional Assembly. We will continue to press for a reduction in these numbers.

In relation to the specific questions raised I respond as follows:-

1. The anticipated number of homes constructed on allocated sites outside the urban core (ie Hinckley/Burbage, Earl Shilton and Barwell) is estimated at around 885 units, this is based on 30 dwellings per hectare. Clearly, this could be revised slightly depending on final design, site densities and layout plans for individual sites.
2. The Authority has engaged with statutory services and infrastructure providers in producing future policy proposals contained in the Core Strategy to ensure that proposed development plans are understood and fully supported. In respect of the sustainable urban extensions bids have been submitted through the Government's New Growth Point Initiative for complementary infrastructure, working in partnership with providers such as the PCT.
3. As Councillor Sprason and all Members should be aware, no

decisions have been taken in respect of the precise locations for future development. The Local Development Scheme provides clear information for the public in respect of key milestones associated with the site allocations. The Site Allocations Document is currently being drafted and is programmed for consideration by Council in January. Should the document be endorsed at the January meeting of Council it will then be subjected to a 6 week public consultation exercise as required by the Development Plan regulations.

- 4 The Authority commissioned White Young Green to produce an assessment of the sustainability and transport implications of developing small residential extensions within each of the key rural centres.

This assessment was undertaken to inform the core strategy preferred options. The methodology employed by the Consultants is provided in the supporting evidence document (Hinckley Core Strategy Village Transportation Review (Assessment of Highways and Transportation Implications of Small Residential Village extensions). The document is publicly available as background evidence to the core strategy.

Elsewhere, the core strategy itself (submission document PP34-53) provides a clear description of the Authority's stance in respect of the proposed strategy approach for the rural areas.

- 5 The Authority has taken into account the implications of the 2004 land availability report, which has been updated through the recent Strategic Housing Land Availability Assessment."

Mr Bray, in response to a supplementary question from Mrs. Sprason, reminded the Council that a series of cross-party workshops on housing allocations had provided Members with the opportunity to put their views forward. The Council would continue to press for reductions in housing numbers.

Mr. Bown left the meeting at 6.56 pm.

315 POSITION STATEMENT BY THE LEADER OF THE COUNCIL

In his presentation the Leader highlighted

- The success achieved by the Hinckley Town Centre Partnership in securing a very positive vote from local businesses in favour of the Hinckley Business Improvement District (BID).
- The success of Hinckley Club for Young People in securing, with the support of the Council, £4.5 million from the "My Place" fund to provide a new state-of-the-art facility for young people.
- The shortlisting, with local partners, for an "after dark" beacon award.
- Progress on town centre regeneration, particularly on the bus station site and with North Warwickshire and Hinckley College .

- Completion of the Council's new "touch down" centre at Markfield Community Centre.
- The success of the Parish and Community Initiative Fund to the extent that 2008 was the first year when the Fund was over-subscribed.

316 ELECTION RESULT, MARKFIELD/STANTON UNDER BARDON/FIELD HEAD BY-ELECTION

The number of votes cast in the by-election held on 13 November 2008 were noted, with the successful candidate being Mrs. Sue Sprason.

317 APPOINTMENTS ON COMMITTEES/OUTSIDE BODIES

Consequent upon the resignation of Mr. J. Cort it was moved by Mr. Ward, seconded by Mr. Sutton and

RESOLVED –

- (i) Mrs. S. Sprason be appointed to serve on the Licensing, Licensing (Regulatory) Committee, Scrutiny Commission and Cliffe Hill Quarry Liaison Committee; and
- (ii) Mr. R. Ward be appointed to serve on the Planning Committee.

318 VACANCY ON STEPPING STONES COUNTRYSIDE MANAGEMENT PROJECT MEMBERS' STEERING GROUP

In consequence of Mrs. Camamile now serving on this Steering Group in her capacity as a County Councillor it was moved by Mr. Ward, seconded by Mr. Sutton and

RESOLVED – Mr. M.B. Cartwright be appointed to this Body to serve alongside Mr. O'Shea.

319 APPOINTMENT OF ADDITIONAL PARISH REPRESENTATIVE ONTO THE STANDARDS COMMITTEE

The Council was advised of the appointment to this position of Mr. T. Gallagher, a Parish Councillor for Newbold Verdon.

320 MOTION IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 13

It was moved by Mr. Ward, seconded by Mr. Morrell that

"this Council notes the proposal for an Open Window Composting facility on a site at Fenn Lane, Fenny Drayton to be considered by the Planning Committee of the County Council.

In respect of consultation, it would have been beneficial for Hinckley and Bosworth Borough Council's Planning Department, as a statutory consultee, to place this application before members of the Planning Committee in order that the views of Councillors form part of the authority's response.

As such the Monitoring Officer, in conjunction with the Standards Committee, be asked to review the scheme of delegation within the Constitution, to consider any amendments and report to the Council meeting in May 2009”.

Following a brief response from the Executive member for Leisure, Culture and Regeneration it was agreed unanimously that this motion be supported.

321 COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA) FINAL REPORT (C48)

Mr. Ladkin entered the meeting at 6.57 p.m.

The Council was advised of the judgement made in the final report of the Audit Commission in relation to the Council’s request for re-categorisation. This report would be used as the basis for improvement plans by the Council.

The Leader of the Council in welcoming the CPA judgement of ‘Excellent’ paid tribute to everyone involved in bringing about this outstanding achievement. The Chief Executive thanked Members for their support and acknowledged the efforts of the Corporate Operations Board, senior managers, Mr. Peter Cash and the Council’s various partners. Of importance now was for the Council to maintain progress by responding positively and effectively to the recommendations of the report, whilst remaining focused on those areas in which there had already been improvement.

Following further tributes by Members to Scrutiny’s positive contribution towards improving services and to the significant role of the Chief Executive in securing this very positive outcome it was moved by Mr. Bill and seconded by Mr. Bray and:

RESOLVED – this Council

- (i) welcomes the very positive content in the report of the Audit Commission and, in particular, the CPA judgement of 'Excellent' now secured;
- (ii) acknowledges the contribution of Members, employees at all levels and our partners in securing this outcome for the Borough as a whole;
- (iii) endorses the proposal that an 'Excellence in Partnership' event be arranged as early as possible in 2009 to celebrate this achievement as another stage in the continuing improvement of public, private and voluntary services across the Borough and to learn and plan for future achievements as part of the Comprehensive Area Assessment (CAA) process.

(the meeting closed at 7:35 pm)

HINCKLEY & BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

16 OCTOBER 2008 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mrs R Camamile - Joint Vice-Chairman
Mr P Hall - Joint Vice-Chairman

Mr JG Bannister, Mr PR Batty, Mr PS Bessant, Mrs A Hall, Mr DW Inman, Mr CG Joyce, Mr C Ladkin, Dr JR Moore, Mr K Morrell, Mr K Nichols and Mrs BM Witherford.

Officers in attendance: Mr S Atkinson, Mr Michael Brymer, Mr B Cullen, Miss L Horton, Mr S Kohli, Mr D Moore, Mr R Palmer, Mr TM Prowse, Mrs S Stacey and Miss R Owen.

In accordance with Council Procedure Rule 4.4, Mr DS Cope, Mrs J Richards and Mr R Ward also attended the meeting.

Also in attendance:

Mr M Baxter, Echelon; Mr S Lappage, PricewaterhouseCoopers LLP and Messrs C Roxbrough and P Wood, Bentley-Jennison.

217 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr Gould with the substitution of Mr Bannister authorised in accordance with Council Procedure Rule 4.3.

218 MINUTES (SC30)

On the motion of Mr Hall, seconded by Mrs Camamile, it was

RESOLVED – the minutes of the meeting held on 28 August 2008 be confirmed and signed by the Chairman.

Mr Ladkin arrived at 6.31pm.

219 DECLARATIONS OF INTEREST

No interests were declared at this stage.

220 HOUSING REPAIRS AND MAINTENANCE CAPITAL AND REVENUE BUDGETS (SC31)

The representatives of Echelon, Bentley-Jennison and PricewaterhouseCoopers LLP presented their reports and gave some background to their investigations and recommendations.

During questions and discussion on the report and introduction by Echelon, Members expressed concern about the following:

- The reason for accelerating works when it had previously been stated that works were behind schedule;
- The apparently high costs of the works not matching the generally low standard in the sample investigated;
- The prescribed 'lifecycle' of works being changed by undertaking work earlier than necessary.

The key failings which had led to the overspend and which had been investigated by Bentley-Jennison were highlighted as non-compliance with the contract, inability to justify costs, communication problems, internal management and ineffective procedures. During discussion of this report, Members raised the following concerns:

- There were anomalies between the reports of Echelon and Bentley-Jennison. In response it was explained that the Echelon report looked at larger-scale works, and the report of Bentley-Jennison looked at day-to-day repairs;
- There seemed to be uncertainty with regard to who had responsibility for monitoring the budget;
- The excessive amounts charged for jobs and the monitoring carried out on this;
- The appropriateness of open book accounting in the partnership with Inspace.

It was explained that carrying out too many checks on works undertaken would have diminished the advantages of partnership working and that such a partnership was based on trust and therefore a balance had to be reached. Trust was also highlighted as an important factor in open book accounting. Members questioned whether this system often worked in such partnership arrangements and if it could have worked in this case. It was explained that the benefits of open book accounting were that all parties knew the budget and could plan ahead, but that a full understanding of the methodology was needed to be able to monitor the system. It was also explained that in order for open book accounting to work there needed to be a flow of accurate and timely information from the contractor regarding works completed, and that this had not taken place during 2007/08.

Therefore it was reported that one of the problems that had led to the overspend had been the lack of timely information to be able to manage performance, for example the contract was paid monthly, but inspection reports were only available after much later throughout 2007/08. It was however reported that this had been addressed during 2008/09 and

information was being received more quickly and by the end of November the records would be up to date.

Mr Lappage from PricewaterhouseCoopers LLP explained the reasons for the statements in his report which stated that two areas of the authority (systems of internal control and performance against budgets) had been classified as 'inadequate', but said that there were no other areas of concern and robust progress had been made to address the issues since they had been identified.

Members raised the following points and questions during debate on the overspend:

- The need to ensure we were getting value for money and a reliable service for tenants;
- The significant costs to the Council of addressing the issues since the problems were identified and the cost of monitoring the open book accounting system;
- Possible savings to the Council of a successful system of open book accounting;
- The need to continue to reinforce the importance for staff to understand financial regulations and to undertake training;
- The level of confidence in continuing the partnership;
- The need to examine the contract and future viability;
- The need to recover the confidence of the public by ensuring a high quality service within budgets;
- Concern with regard to the lack of an audit trail.

It was reported that there had been lengthy negotiations to secure the current position. Members expressed concern with regard to the payment to Inspace towards redundancy costs. In response it was explained that as the Council had changed their specification in certain areas eg. giving decorating vouchers for voids and reduced the budget for housing repairs in 2008/09, Inspace accordingly had had to reduce the number of staff. The settlement of £10,000 was against the contractor's claim of just under £45,000.

It was requested that a report be prepared for the Council Services Select Committee with regard to the costs of the investigations by the external consultants. It was also suggested that it may be useful to receive information on successful models of open book accounting and potential alternatives.

RESOLVED –

- (i) The actions taken to address issues since March 2008 be endorsed;
- (ii) Bentley-Jennison be asked to undertake further investigations with regard to open book accounting, the state of the partnership and its monitoring, to be reported back to the Commission at its meeting in January 2009;

- (iii) A report be produced for the Council Services Select Committee with regard to the costs of the consultancy work and the additional internal work which had been necessary;
- (iv) An appraisal of open book accounting systems be undertaken after receipt of Bentley-Jennison's report;
- (v) Consideration be given to monitoring of the arrangements by an appropriate Council body;
- (vi) Training for staff continue to be provided on financial and contract procedure rules as necessary.

Messrs Bessant and Cope left the meeting at 9.11pm and Mr Inman left at 9.12pm.

221 OUT-OF-HOURS ACCESS TO HEALTHCARE REVIEW – FINAL REPORT (SC32)

Members received a report which concluded the Out-of-hours healthcare review undertaken by the Scrutiny Commission. It was noted that input into the Community Hospital Consultation had been submitted within the deadline. It was noted that further information was awaited with regard to the service provided by the East Midlands Ambulance Service, particularly in relation to the Community Paramedic based in Earl Shilton.

RESOLVED –

- (i) the Scrutiny Commission requests, as part of the Community Hospital Consultation:
 - (a) that a minor injuries unit be established at the community Hospital site in Hinckley, with provision until midnight and with GP provision attached;
 - (b) that the proposal for a healthcare hub be supported but that the out of hours provision be extended to 12 midnight;
 - (c) that the proposal for a nurse led service at the Community Hospital be supported but concern be expressed and a request submitted for a GP led services from 8am to 10pm or later;
 - (d) that transport be considered extremely carefully by the PCT before instigating the move to a one-stop hub, in particular that the bus service be extended to enter the hospital site rather than stopping on the main road.
- (ii) the additional service provided by the East Midlands Ambulance Service be reviewed annually by the Scrutiny Commission.

Messrs Bessant and Inman returned to the meeting at 9.17pm.

222 EAST MIDLANDS REGIONAL PLAN – SECRETARY OF STATE'S PROPOSED CHANGES – PUBLIC CONSULTATION (SC36)

Members were advised of the proposed changes to the Regional Plan. It was noted that consultation was due to end on 17 October. Members expressed concern with regard to the definition of 'pitches' on travellers' sites, as in some places there were up to six caravans on a pitch, and with regard to the review of green wedge policies. In response to concerns about affordable housing targets, it was reported that the figures were interim and work was ongoing as part of the Strategic Housing Market Assessment.

RESOLVED – the officer response highlighted in appendix A to the report be endorsed.

223 LOCAL ACCOUNTABILITY CONSULTATION (SC40)

The Scrutiny Commission received a copy of the 'Communities in Control' Improving local accountability consultation from the Department of Communities and Local Government and was provided with draft responses to the part of the consultation relating to the evolving role of Overview and Scrutiny committees.

RESOLVED – the draft response be agreed.

224 LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (SC34) & HINCKLEY TOWN CENTRE AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENT – PROPOSED SUBMISSION DOCUMENT (SC35) – PROPOSED SUBMISSION DOCUMENTS

It was agreed that as these reports would be considered by Council on 28 October, that would be the appropriate forum for a full debate.

RECOMMENDED – the report be discussed at Council on 28 October.

225 SCRUTINY ENVIRONMENT GROUP (SC38)

Members' support was sought for the establishment of a Members' group to monitor and oversee the environmental activities of the Council relating specifically to the Environmental Management System, climate change agenda and other environmental initiatives. It was agreed that the group need not be politically balanced and that the number of Members be flexible depending upon the number expressing an interest.

RESOLVED – the creation of a Scrutiny Environment Group be agreed.

226 REVIEW OF ENVIRONMENTAL POLICY (SC39)

Members received a report which reviewed and updated the Environmental Policy. It was agreed that this would be an appropriate piece of work for the Scrutiny Environment Group.

RECOMMENDED – the Scrutiny Environment Group discuss the Environmental Policy.

227 EXTENSION OF MEETING

Having reached 9.30pm, in accordance with Council Procedure Rule 9, it was moved by Mrs Camamile, seconded by Mr Nichols and

RESOLVED – the meeting be extended for a further 10 minutes to allow the business to be completed.

228 OVERVIEW AND SCRUTINY WORK PROGRAMME 2008/09 (SC41)

Members gave consideration to the Overview and Scrutiny Work Programme for 2008/09. It was requested that Barwell and Earl Shilton regeneration be added to the work programme, however in response it was stated that a group had been set up by the Commission to look at this. A Member felt that the group was not effective, and it was therefore suggested that the focus of the group be addressed and the minutes of the meetings be included on the Scrutiny Commission agenda.

RESOLVED – the Work Programme be agreed.

229 FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (SC42)

Members received the Forward Plan of Executive and Council decisions.

RESOLVED – the Forward Plan be noted.

230 MINUTES OF SELECT COMMITTEES

Minutes of the following meetings were received:

- (i) Finance & Audit Services Select Committee, 18 August 2008 (SC43);
- (ii) Council Services Select Committee, 21 August 2008 (SC44).

231 CITIZENS' PANEL – CONSULTATION RESULTS OF COUNCIL PRIORITIES AND BUDGET SPEND (SC33)

Members received a research report by the Consultant.

RESOLVED – the report be endorsed.

232 REVIEW OF ENVIRONMENTAL HEALTH GENERAL ENFORCEMENT
POLICY (SC37)

RESOLVED – this item be deferred to the next meeting of the Scrutiny Commission.

(The meeting closed at 9.39 pm)

HINCKLEY & BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

27 NOVEMBER 2008 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mrs R Camamile - Joint Vice-Chairman
Mr P Hall - Joint Vice-Chairman

Mr PR Batty, Mr PS Bessant, Mr DM Gould, Mrs A Hall, Mr DW Inman, Mr CG Joyce, Mr C Ladkin, Mr K Morrell, Mr K Nichols and Mrs BM Witherford.

Officers in attendance: Mr S Atkinson, Mr D Bunker Mr M Evans, Miss L Horton, Mrs B Imison, Mr P Langham, Miss R Owen, Mr TM Prowse, Mrs J Puffett, Mrs S Stacey, Mrs J Stay and Ms J Wykes.

281 MINUTES (SC45)

On the motion of Mr Nichols, seconded by Mrs Hall, it was

RESOLVED – the minutes of the meeting held on 16 October 2008 be confirmed and signed by the Chairman.

282 DECLARATIONS OF INTEREST

No interests were declared at this stage.

283 PROGRESS REPORT ON KEY CAPITAL PROJECTS (SC46)

Mr Gould arrived at 6.35pm.

Members were briefed on the current position of key capital projects, namely the Bus Station redevelopment, Atkins Site and the Leisure Centre. It was reported that the Capital Programme and Medium Term Financial Strategy were being reviewed in light of the current economic climate and would be presented to the Finance & Audit Services Select Committee and Scrutiny Commission in due course, however it was explained that the Bus Station redevelopment would have no major impact on the Medium Term Financial Strategy. It was also noted that in response to the economic situation, the Council were looking to be tenants of part of the Atkins Site.

Mr Batty arrived at 6.40pm.

A Member questioned the financial stability of the Tin Hat Partnership, and in response it was stated that this had been considered as part of the appraisals.

With regard to the Leisure Centre, concern was expressed that provision should compliment, but not overlap, what was already in existence in Earl

Shilton and Barwell, and it was suggested that the Council liaise with the Town and Parish Councils for those areas.

RESOLVED – the progress made on the Key Capital projects be endorsed.

284 FLEXIBLE WORKING (SC47)

The Scrutiny Commission received a report which outlined progress on implementing flexible working initiatives and plans for further development of the proposals. It was noted that a Scrutiny Group had worked alongside an officer group to look at the issue of flexible working, and that this initiative had been piloted in the Revenues and Benefits service areas. Members acknowledged the hard work of officers and the outstanding quality of the report.

It was reported that a successful Touch Down site had been created in Markfield and Members requested that further Touch Down sites be opened.

Concern was expressed with regard to the culture change required in order to achieve 40% homeworking and the fact that this project had been created by the issue of office accommodation. In response however it was stated that flexible working had been discussed as part of single status – before the issue of office accommodation had become critical.

In response to a Member's question, it was explained that whilst flexible working would be voluntary for existing staff, when new staff were recruited the job description would specify if homeworking was expected and the member of staff would be appointed on those terms, however no-one would work from home 100% of the time as it was felt that interaction with colleagues was important. Members felt that it was essential that any new office accommodation had sufficient meeting rooms and drop-in areas in order for flexible working to be successful.

With regard to the potential temporary accommodation available in the Goddard building, officers agreed to bring a further report in three months' time. Members also requested that the working group continues to meet and to look into issues such as how to manage staff whilst operating flexible working.

RESOLVED –

- (i) the co-ordinated and phased implementation of flexible working be endorsed;
- (ii) the proposal to explore the opportunity to move to the Goddard Building for a limited period be endorsed;
- (iii) a further detailed report be brought to the Scrutiny Commission in three months.

285 REVIEW OF ENVIRONMENTAL HEALTH GENERAL ENFORCEMENT POLICY (SC48)

Members received a report which presented the reviewed and updated Environmental Health General Enforcement Policy. It was reported that this had been agreed by the Executive subject to the Scrutiny Commission's comments. It was noted that the majority of enforcement cases were noise nuisance or dog fouling, and that there had been eight cases in the past year, all of which had been successful. It was stated that penalties ranged from conditional discharge to large fines.

It was reported that there was a high level of customer satisfaction with the Enforcement Service, but that as many cases were resolved informally, there was often no recognition of these.

Mr Gould left the meeting at 7.27pm.

RESOLVED – the report be endorsed.

286 HOMELESSNESS STRATEGY (SC49)

Members were presented with the Homelessness Strategy 2008-2013. It was stated that this would also be sent to partner agencies for their comments.

Mr Gould returned at 7.32pm.

Members suggested that more work needed to be done to engage private landlords, particularly due to the potential for repossessions and therefore an increase in demand for rented properties. In response officers stated that this had been recognised and that landlords should receive reassurance that the Council could intervene if there were problems with private tenants.

Concern was also expressed with regard to the effects of the 'credit crunch' and the risk of homelessness, inability to purchase properties, negative equity, job loss and reduction in buy-to-let properties. In response it was reported that the Council worked closely with the Citizens Advice Bureau with regard to early intervention to help to prevent homelessness, and that the Government had a Rescue Package to assist those who the local authority had a duty to help. It was stated that the Anti-Poverty group would also be looking at these issues.

RESOLVED – the Homelessness Strategy be endorsed.

287 ANTI POVERTY STRATEGY (SC50)

The Scrutiny Commission was updated on the work commissioned on its behalf, and it was noted that a working party had been established which included Members, officers and external agencies – although disappointment was expressed with regard to the low Member attendance.

It was highlighted that poverty was now becoming apparent in affluent areas, particular in households of older people, but that these areas were not as

easy to identify or address. It was reported that new ways of doing this were being developed, but that some people may be too proud to ask for help, or may not qualify for help. It was agreed that the issue of helping isolated people in affluent communities be raised at the working group.

RESOLVED – the report be noted and progress made be endorsed.

288 OVERVIEW AND SCRUTINY WORK PROGRAMME 2008/09 (SC51)

Members gave consideration to the Overview and Scrutiny Work Programme for 2008/09. It was agreed that a report on flexible working and an anti-poverty update be added to the work programme for 2 April 2009.

RESOLVED – the Work Programme be agreed.

289 FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (SC52)

Members received the Forward Plan of Executive and Council decisions.

RESOLVED – the Forward Plan be noted.

290 MINUTES OF SELECT COMMITTEES

Minutes of the following meetings were received:

- Finance & Audit Services Select Committee, 29 September 2008 (SC53).

(The meeting closed at 8.15 pm)

COUNCIL - 20 JANUARY 2009

REPORT OF HEAD OF CORPORATE AND SCRUTINY SERVICES
RE: CALENDAR OF MEETINGS – MAY 2009 TO MAY 2010

1. PURPOSE OF REPORT

To decide the dates of meetings for the above period.

2. RECOMMENDATION

That the attached proposed schedule of meetings be approved.

3. BACKGROUND TO THE REPORT

The attached schedule follows the current pattern of statutory meeting dates. It provides generally for Council, Executive, Personnel Committee, Scrutiny Commission and the Council Services and Finance & Audit Services Select Committees to meet at six-weekly intervals. Planning Committee will continue to be held every four weeks and the schedule provides for the Standards Committee to meet at two monthly intervals.

4. FINANCIAL IMPLICATIONS (DB)

There are none arising from this report. Any expenditure incurred will be met from existing budgets.

5. LEGAL IMPLICATIONS (AB)

None.

6. CORPORATE PLAN IMPLICATIONS

All corporate aims and outcomes are covered.

7. CONSULTATION

There has been engagement between officers to ensure that meetings have been scheduled to take into account financial timescales. It should be noted that certain meetings of the Council, Executive and Finance & Audit Services Select Committee are required to be held at specific times, in order to meet statutory deadlines. These meetings have been factored into the schedule.

8. **RISK IMPLICATIONS**

- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent the delivery of business objectives.
- 8.2 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 officers' opinion, based on the information available that the following significant risks associated with this report were identified:

Management of Significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Need to comply with Access to Information Procedure Rules and to meet statutory deadlines.	Copies of agendas and accompanying reports are made publicly available at least five clear working days before a meeting.	Pat Pitt
Annual Statement of Accounts and Budget Setting need Members' consideration in timely fashion	Calendar of meetings ensures that Accounts and Audit Regulations are complied with and ensures a robust financial planning framework.	David Bunker Pat Pitt

9. **RURAL IMPLICATIONS**

By agreeing a schedule for the full year, Members and the public who live in rural areas will have a better opportunity to be present at relevant meetings.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the author has taken into account the following service area implications:-

Community Safety
Health & Environment
I.C.T.
Asset Management
Human Resources

Background Papers: None

Contact Officer: Pat Pitt, ext. 5770

Portfolio Holder:

(1C20Jan09)
PP/jdb 9.01.09

2008

2009

	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	<u>MAY</u>
Monday					1			1					
Tuesday			1 Plan.C.		2			2					
Wednesday			2		3 Exec	1		3 Exec				1	
Thursday	1 S.C.		3		4	2 CSSC		4	1 NYD			2 SC	
Friday	2		4	1	5	3		5	2			3	1
Saturday	3		5	2	6	4	1	6	3			4	2
Sunday	4	1	6	3	7	5	2	7	4	1	1	5	3
Monday	5 Bank Hol.	2	7 FASC	4	8	6	3 FASC	8	5	2 FASC	2	6	4 Bank.H.
Tuesday	6 Plan.C.	3 Plan. C.	8	5 Council	9 Council	7	4	9 Council	6	3	3	7 Plan C	5 Plan C
Wednesday	7 Pers.C.	4	9	6 Pers.C.	10	8	5	10 Pers.C.	7	4	4 Pers.C.	8 Exec	6
Thursday	8	5	10 CSSC	7	11	9	6	11	8 S.C.	5	5	9	7 S.C.
Friday	9	6	11	8	12	10	7	12	9	6	6	10 G.F.	8
Saturday	10	7	12	9	13	11	8	13	10	7	7	11	9
Sunday	11	8	13	10	14	12	9	14	11	8	8	12	10
Monday	12	9	14	11	15	13	10	15	12	9	9	13 E.M.	11
Tuesday	13	10	15	12	16	14	11	16Plan C	13 Plan C	10 Plan C	10 Plan C	14 Council	12
Wednesday	14 Exec	11	16	13	17 Pers.C.	15	12	17	14 Exec.	11	11	15 Pers.C.	13 Exec
Thursday	15	12 S.C.	17	14	18	16 SC	13 CSSC	18 CSSC	15	12 S.C.	12	16	14
Friday	16	13 Stand.C.	18	15 Stand.C.	19	17 Stand.C.	14	19 Stand.C.	16	13 Stand.C.	13	17 Stand.C.	15
Saturday	17	14	19	16	20	18	15	20	17	14	14	18	16
Sunday	18	15	20	17	21	19	16	21	18	15	15	19	17
Monday	19 FASC	16 FASC	21	18 FASC	22	20	17	22 FASC	19	16	16 FASC	20	18
Tuesday	20 Annual Cl	17	22	19	23 Plan C	21 Plan C	18Plan C	23	20 Council	17	17	21	19 Annual.Cl.
Wednesday	21	18 Exec	23	20	24	22 Exec	19	24	21 Pers.C.	18 Exec	18	22	20
Thursday	22	19	24 S.C.	21 CSSC	25	23	20	25 C.Day	22	19	19 CSSC	23	21
Friday	23	20	25	22	26	24	21	26 B.Day	23	20	20	24	22
Saturday	24	21	26	23	27	25	22	27	24	21	21	25	23
Sunday	25	22	27	24	28	26	23	28	25	22	22	26	24
Monday	26 Bank Hol.	23	28	25 Bank.H.	29 FASC	27	24	29	26	23	23	27	25 Bank.H.
Tuesday	27	24 Council	29 Plan.C.	26 Plan.C.	30	28 Council	25	30	27	24 Council	24	28	26
Wednesday	28	25 Pers.C.	30 Exec	27	29 Pers.C.	26	23	31	28	25	25	29	27
Thursday	29 CSSC	26	31	28 S.C.	30	27 SC			29 CSSC	26	26	30	28
Friday	30	27		29		31	28		30	27	27		29
Saturday	31	28		30			29		31	28	28		30
Sunday		29		31			30				29		31
Monday		30									30		
Tuesday											31		

Key

- CSSC** Council Services Select Committee
- FASC** Finance & Audit Services Select Committee
- Pers.C.** Personnel Committee
- Plan.C.** Planning Committee
- S.C.** Scrutiny Commission
- Stand.C.** Standards Committee

COUNCIL - 20TH JANUARY 2009

REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES

RE: LOCAL DEVELOPMENT FRAMEWORK: SITE ALLOCATIONS & GENERIC DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN DOCUMENT – PREFERRED OPTIONS CONSULTATION

1. PURPOSE OF THE REPORT

To seek Members approval to consult on the Site Allocations & Generic Development Control Policies Development Plan Document (DPD): Preferred Options and Sustainability Appraisal in accordance with the Town and Country Planning Regulations (Local Development) (England) 2004 (as amended 2008) and the Local Development Scheme.

The Site Allocations & Generic Development Control Preferred Options is available on the Council's website and in the Members' Room. The final draft of the Sustainability Appraisal will be available at these locations from 19th January 2009.

2. RECOMMENDATIONS

That Members approve:

- (i) The undertaking of a six-week period of consultation on the Site Allocations & Generic Development Control Policies DPD: Preferred Options and Sustainability Appraisal from Tuesday 27th January 2009 to Tuesday 10th March 2009 inclusive.
- (ii) That the results of the consultation be reported to a future Council meeting, together with any amendments proposed to the Site Allocations & Generic Development Control Policies DPD for approval prior to a future period of consultation in advance of submission to the Secretary of State.
- (iii) That the Director of Community & Planning Services write to the appropriate Government Department expressing this Council's strongly and long-held concern over the number of sites that it is required to allocate for gypsies and travellers and the guidance issued by Central Government regarding their location.

3. BACKGROUND

Hinckley & Bosworth Borough Council is in the process of replacing the Local Plan (adopted 2001) with a new Local Development Framework (LDF), a folder of documents that, once adopted, will provide the planning framework for the Borough. As the first stage in this process, the Council will be focussing on a number of key development plan documents (DPDs):

- The Core Strategy;
- Site Allocations and Generic Development Control Policies; and
- Hinckley Town Centre Area Action Plan

The Core Strategy is the key document in the LDF. It sets out the long term vision for Hinckley & Bosworth and provides the overarching strategy and core policies to guide the future development of the borough to 2026, providing a key delivery mechanism for the spatial aspirations of the Leicestershire Sustainable Community Strategy and the Hinckley & Bosworth Community Plan. It must be in general conformity with the East Midlands Regional Plan and National Guidance. The Core Strategy does not allocate sites for development. This is done in the Site Allocations Development Plan Document. It does however set out the general areas where development will be appropriate. All other DPD's must be in conformity with the Core Strategy.

All LDF documents are subject to periods of public consultation in accordance with Planning Policy Statement 12 and the Town and Country Planning Regulations (Local Development) (England) 2004 (as amended 2008). These should follow the procedures set out in the Borough Council's Statement of Community Involvement.

In the Preferred Options stage of consultation, the Council puts forward its preferred way forward and the other options considered, and asks the community whether they agree with this approach, or whether there is a better way forward.

This is the stage that has now been reached in respect of the Site Allocations and Generic Development Control Policies DPD and officers have prepared a document, covering the whole of the Borough and based on national guidance and best practice, on which to consult the public, subject to Members' approval. It needs to be emphasised that Members are not making decisions on sites at this meeting, only on a whole series of options on which to consult. There will follow a six week period of formal public consultation after which the document will be brought back to Council for agreement to submit to the Secretary of State. After that, a Government Inspector will examine the proposals in public, and only after that will the sites ultimately be approved. It is anticipated that it will be November 2010 before the document is finally adopted.

Site Allocations & Generic Development Control Policies DPD: Preferred Options

In the initial phases of devising the programme of works for the LDF it was proposed that the Site Allocations and the Generic DC Policies DPD's be produced independently and consulted on as separate documents. Following the consultation phases which took place between August – October 2007, these two documents have been amalgamated for consistency and clarity.

The Site Allocations & Generic Development Control Policies DPD supports the policies set out in the Core Strategy and allocates land for specific uses in the Borough. In light of the emerging policies in the draft East Midlands Regional Plan the Borough has a requirement to allocate additional land for housing, employment, show people, gypsy and traveller sites and community uses. Whilst the Core Strategy sets out the broad locations for development in the Borough, it is the role of the Site Allocations & Generic Development Control Policies DPD to determine the exact locations of development and to allocate sites.

Based on Policy 3 of the draft East Midlands Regional Plan (proposed changes 2008), the order of preference for allocating development sites is directed towards urban areas, and on previously developed land within existing development boundaries as set out by the HBBC Local Plan (adopted 2001). In addition, the development needs of other settlements and rural areas should also be provided for.

The identification of land within the DPD which is presented in the Preferred Options consultation draft of the document has been based upon strong evidence bases, including:

- Strategic Housing Land Availability Assessment (SHLAA);
- Leicestershire Housing Market Assessment;
- Urban Housing Potential Study;
- Employment Land & Premises Study;
- Green Infrastructure Strategy;
- Landscape Character Assessment;
- Leicester & Leicestershire HMA Employment Land Study;
- Leicestershire, Leicester & Rutland Gypsies' & Travellers' Accommodation Needs Assessment (April 2007)

The sites included within the consultation draft of the DPD have been robustly assessed for their suitability taking into consideration the evidence bases and the opinions of other professional bodies including the relevant departments at the County Council.

The sites which are proposed in this document cover all types of land allocation in accordance with the requirements set by national, regional and local policy, including residential, employment and gypsy and travellers. Failure to provide associated land would most likely result in the development plan document being found unsound at examination. It is important to note that the sites set out at this stage do not constitute the final decision for allocations, but it is officers opinion that they represent the sites which meet the necessary criteria and represent the best options which serve the requirements and needs for the Borough. A full list of these sites are detailed in the document, which can be found on the Council's website and reference copies will be made available in the members room. Further information on the national design guidance definition of Gypsy and Traveller pitch sizes has also been provided for information in appendix A.

Supporting the implementation of the Core Strategy & the Site Allocations are the Generic Development Control Policies. The 20 policies set out in the document are intended to be used in day-to-day decision-making on planning applications and contain more technical policy to guide the application process.

Following the approval of the document, there will be a 6-week period of public consultation, which is in line with practice adopted elsewhere in the country. The primary aim of this consultation is to seek public opinion on the Council's preferred options and use feedback to amend and reconsider these options where applicable. These comments can then be used in the preparation of the submission draft of the document which will be finalised for October 2009, with anticipated public examination in 2010.

Officers are mindful of Members' genuine concerns on behalf of their communities and the Borough as a whole over particular aspects of the allocation of sites, particularly in respect of housing numbers and the Gypsies and Travellers allocations. These are essentially matters which are dealt with through the Core Strategy. However, in respect of the housing numbers, it is acknowledged that these will need to be reviewed over the plan period and this authority should commit to participating fully in such reviews and be prepared to adjust its housing delivery numbers accordingly. However, at the present time, the evidence suggests that over the period of the Local Development Framework to 2026 the numbers will need to be increased. The Government Office of the East Midlands has supported, in writing, the proposed housing numbers and state that it introduces flexibility to the Core Strategy.

In respect of the provision for Gypsies and Travellers sites, Members are reminded that objections to the number of pitches to be provided have been submitted on two separate occasions (5th June 2007 at the Examination in Public and October 2008) as part of consultations on the draft East Midlands Regional Plan. On both occasions, those objections have not changed the outcome. This authority now needs to allocate sites for an additional 42 permanent pitches (3 of which have already been given planning permission), 3 pitches for show people and a transit site for up to 10 caravans in order to ensure that the Core Strategy and Site Allocations document meet the statutory requirement of being in conformity with the East Midlands Regional Plan.

The Government guidance in respect of the location of these sites states that they should be located close to settlements and local services. This is reflected in the proposals contained in the document. Officers are aware that repeated representations have been made that neither the settled nor the travelling communities support this element of the guidance.

Members, therefore, may wish that the Director of Community and Planning Services write to the appropriate Government Department expressing this Council's concerns over the guidance and particularly emphasising that there

is evidence that it does not serve the best interests of either the settled or travelling communities.

4. FINANCIAL IMPLICATIONS (DB)

There are none arising from this report. The costs of the consultation can be met from within existing budgets.

5. LEGAL IMPLICATIONS (AB)

Under the terms of Section 24 of the Planning and Compulsory Purchase Act 2004 The “Act”) it is a requirement that this Council’s DPDs conform with the East Midlands Regional Plan. The extent to which the DPD complies with the Regional plan is one of the criteria which will be considered by the Secretary of State on submission of the DPD. The Secretary of State has the power under S 21 of the Act to direct the modification of the DPD to comply with the Regional Plan

Although the consultation proposed in this report is not the formal pre-submission consultation required under the Town and Country Planning Regulations (Local Development) (England) 2004 (as amended 2008) it is considered important that consultation takes place as early as possible in the process of drafting the document under the terms of this council’s statement of Community Involvement

6. CORPORATE PLAN IMPLICATIONS

The Core Strategy supports the following aims of the Corporate Plan 2008-2013

- Cleaner & greener neighbourhoods
- Thriving economy
- Safer and healthier borough
- Strong and distinctive communities
- Decent, well managed & affordable housing.

7. CONSULTATION

Consultation on both the Site Allocations and the Generic DC policies has been extensive with the initial issues and options public consultation taking place between August and October 2007. The feedback from these events has fed into the joint Site Allocations & Generic Development Control document, and a full report of the responses and officers comments can be found in Summary of Consultation Responses reports on the Councils website.

In addition, preparation of the document has taken place alongside regular updates to the LDF Members Working party, most recently on 2nd September 2008. Further consultation and briefing of members on the Site Allocations took place at all-party member confidential workshops on 20th November 2008

and 11th December 2008. Other members have been briefed individually if this has been requested.

This report was considered by the Strategic Leadership Board at the meeting on 22nd November 2008.

8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

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.

Management of Significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Development Plan Documents found unsound at examination.	Evidence based justification used to underpin the preferred options in the DPD.	Richard Palmer
Failure to consider and make provision of sites for all uses as set out by national, regional and local policy.	Robust consideration of sites for all purposes and extensive consultation with the public, officers and members to seek opinion and involve in the process of finding sufficient and the most suitable sites.	Richard Palmer
Fail to allocate sufficient land for future development needs, thus receiving applications for unallocated sites which may not be defensible at appeal.	Identified sites as necessary in line with policy.	Richard Palmer

9. RURAL IMPLICATIONS

The Site Allocations & Generic DC Preferred Options DPD addresses the needs of both urban and rural areas equally and offers options in accordance with the spatial strategy of the Core Strategy and the East Midlands Regional Plan. Whilst more sites have been allocated to the urban areas, this is to secure conformity to Policy 3 of the Draft East Midlands regional plan. The balance of green spaces and community facilities for the Borough as a whole have been considered and where deficits of such areas have been identified, whether rural or urban, this document seeks to make provision for the future.

10. CORPORATE IMPLICATIONS

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

- Community Safety Implications – None Identified.
 - Environmental Implications – None Identified.
 - ICT Implications – None identified.
 - Asset Management Implications – The Estates and Asset Manager has been involved in the consultation of this document.
 - Human Resources Implications – None identified.
 - Planning Implications – Contained in report.
-

Background Papers:

Appendix A: Gypsy & Travellers Pitch Size Definition

- Site Allocations & Generic Development Control Policies Development Plan Document – Preferred Options Consultation Draft 2009 – *Available on the Councils website & in the members room.*
- Sustainability Appraisal for Site Allocations & Generic Development Control Policies Development Plan Document - Preferred Options Consultation Draft 2009 - *Available on the Councils website & in the members room from 19th January 2009.*

In addition an extensive evidence base has been utilised in the production of this document including the Core Strategy (Pre-Submission 2008) DPD & the East Midlands Regional Plan (Suggested Changes 2008). A full list of these documents can be found on the website at the following address:

<http://www.hinckley-bosworth.gov.uk/pp/gold/viewGold.asp?IDType=Page&ID=13164>

Contact Officer: Rachel Starmer & Marie Wykes – Planning Policy Officer
(Ext 5749/5786)

Executive Member: Cllr Stuart Bray

Appendix A - Gypsy and Traveller Pitches Definition

Residential Pitch

There is no set definition for a Gypsy and Traveller residential pitch. In the same way as the settled community, gypsies and travellers require various accommodation sizes, depending on the number of family members.

'Designing Gypsy and Traveller Sites: Good Practice Guide' (CLG, 2008) does however state that:

"As a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers) drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc), parking space for two vehicles and a small garden area.

Smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle).

Where space permits the inclusion of a garden or play space on each pitch is recommended." (pp. 40-41)

Transit Pitch

Transit sites are permanent sites intended for temporary use by residents (i.e. travellers/gypsies). The length of stay generally varies between 28 days and three months. As transit sites are not intended to be used as a permanent base, the site requirements are different to those of permanent sites. (Any evidence of usage from other areas would be very helpful here)

In terms of transit pitches, 'Designing Gypsy and Traveller Sites: Good Practice Guide' (CLG, 2008) states:

Size of pitch – It is important to ensure that wherever possible each pitch is of a size sufficient to accommodate two touring caravans, two parking spaces and private amenities.

Private amenities – It has been found that the majority of Gypsies and Travellers prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold water supply. An illustration of a simple fixed utility building for a transit site is at Annex B.8 of the government paper).

Depending on the degree of usage, consideration could be given to providing portable facilities on a transit site to meet these needs. Where transit sites are empty for lengthy periods there is a risk of vandalism to facilities and it may be preferable for these to be removed until the site is reoccupied. In adopting this

approach, it is sensible to ensure that permanent waste and water pipework is in place for facilities to be easily reinstalled.

Travelling Showperson Pitch

'Travelling Showpeople's Sites – A Planning Focus: Model Standard Package' was issued by the Showman's Guild of Great Britain in September 2007 and contains good practice information on the requirements of sites for travelling showpeople.

Regarding the land use characterisation of pitches, the document states:

"Showpeople's sites do not neatly fit into any definition of any one land use category. The sites combine a residential use, attained by the siting of their mobile caravans, with a commercial use, attained by storing and maintaining fairground equipment."

The document highlights the need for a pitch to contain an area for the siting of mobile homes, caravans and parking; a recreational area; a storage and maintenance area; and associated drainage and refuse facilities.

The model pitch size of a travelling show person is suggested by the guidance to be approximately 1500 square meters.