



Date: 21 February 2013

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **All Members of Council**

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **COUNCIL** on **THURSDAY, 21 FEBRUARY 2013 at 6.30 pm.**

Yours sincerely

A handwritten signature in black ink, appearing to read "R Owen".

Rebecca Owen
Democratic Services Officer

SUPPLEMENTARY AGENDA

6. **TO RECEIVE PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITIONS' SCHEME.**

Councillor Mullaney will present a petition to be sent on to Leicestershire County Council.

7. **TO DEAL WITH QUESTIONS UNDER COUNCIL PROCEDURE RULE NUMBER 11.1.**

(a) Question from Councillor Batty addressed to the Leader of the Council

"Is the Leader of the Council aware of the inadequate level of consultation carried out by this Council with local communities in respect of Wind Turbine applications and that the same principle is being applied as for normal built development.

Does the Leader of the Council believe that posting notices on gates at the entrance to fields in the middle of nowhere and the sending of a small number of neighbour consultation letters to residents within a relatively close radius of the application site is an adequate level of public consultation in respect of "sensitive" applications that could impact on the amenity value enjoyed by hundreds if not thousands of people.

Will the Leader agree with me that in such instances whilst the Council may not have a legal obligation to prominently advertise such applications to encourage full public engagement in the planning process, the Council certainly does have a moral obligation and duty of care in the interest of openness and transparency to do so?

Finally, will the Leader agree that officers should in future engage with local members on such applications to ensure that the views of communities have been taken fully into account and that as a matter of Council policy **all** Wind Turbine applications should be determined by the Council's planning committee."

Response from Councillor Mayne, Chairman of the Planning Committee

"I would like to thank Councillor Batty for his question.

I'm assuming that Councillor Batty is making specific reference to the application on Land North of Anstey Lane close to Groby.

In that particular case the application was determined in accordance with the Constitution. There is no record of a Council Member calling the matter to Planning Committee, although I understand the Chief Executive is checking why an e-mail sent by you was not received.

In respect of the number of representations received this was below the five required to automatically require the application to be determined by Planning Committee.

Representations were also received from both Charnwood and Blaby Councils, neither of whom objected to the proposal.

The regulations governing the advertising of planning applications are set out in the Development Management Procedure Order 2010.

In respect of a minor application, which this was, the Local Planning Authority must **either** display a site notice on or near the land to which the application relates **or** serve notice on any adjoining owner or occupier.

The application that Cllr Batty is specifically concerned about was publicised in accordance with the regulations.

I would accept that there may well be occasions where there needs to be additional consultation over and above the statutory requirements, and there are occasions where that is carried out.

I would also agree that Members and Officers should work constructively together and given that Members are advised in writing on a weekly basis of applications within their ward there is nothing stopping them being proactive and contacting officers directly to discuss any relevant matters.

If Councillor Batty wants all wind turbines to be determined before Planning Committee then that will require a change to the Constitution.”

(b) Question from Councillor Bessant addressed to the Leader of the Council

“Could the leader of the council please advise members when his Administration aims to adopt the Area Action Plan in relation to the proposed Barwell SUE, in order to secure the proper planning of the area, and avoid the risk of the Barwell SUE being developed in isolation?”

Response from Councillor Bray

“Cllr Bessant - Thank you for your question. I can confirm that the Area Action Plan (AAP) for Barwell and Earl Shilton was first published for consultation in January 2011. The final draft version for adoption will be informed by the extensive technical work that has been carried out in connection with the Barwell Planning Application. Whilst the AAP is at an advanced stage, it can only be completed once the County Council has completed its highway modelling work assessing the impacts of both SUEs. This work has been considerably delayed, but I have been assured by officers that LCC are committing to conclude this work by 1 March 2013.

I would remind you that the adopted Local Plan Core Strategy is the key strategic document guiding the development of growth and the SUEs in the Borough. By having this plan in place, it mitigates any risk of the Barwell SUE being developed in isolation. I would reiterate that technical work for the AAP, which is at an advanced stage, has informed this application for Barwell SUE. Senior officers of the County Council have worked extensively with our officers on a range of key requirements, including transport modelling and impact, educational requirements, community facilities and libraries.”

(c) Question from Councillor Bessant addressed to the Leader of the Council

“Could the leader of the council please advise Members of the status of his Administration’s proposed Earl Shilton SUE, especially in light of the recent County

Council Decision that they could not support the proposed Barwell SUE because,

- i) The County Council had previously stated that the two SUEs needed to be planned and delivered together;
- ii) The two SUES have not been planned together and an Area Action Plan, to which any proposed development should conform, has not been concluded and adopted; and
- iii) The County Council believes the Barwell SUE proposal has not been adequately assessed by the Borough Council and cannot be supported.”

Response from Councillor Bray

“Earl Shilton SUE is featured in the adopted Local Plan Core Strategy.

The formal response recently received from the County Council is astonishing, given the extensive joint work that County officers have supported over the Area Action Plan (AAP) and Barwell and Earl Shilton SUEs. In fact, the County Council has been leading on the delivery of transport modelling work and on community facilities studies in connection with both SUEs.

The report to the Borough Council's Planning Committee will include an assessment of the application. Until that is public, the statement the application has not been adequately assessed is meaningless.

The Council has sought to ensure the planning framework for Barwell and Earl Shilton has been developed. This is why they feature in the adopted Core Strategy and consultation draft of the AAP. It is the County's insistence to the use of its LLITM Transport Model, and their complex procurement arrangements for this work, that are the key reasons for delay in the AAP. It is not necessary for the AAP to be adopted prior to determination of the Barwell SUE. The formal process for adoption of the AAP through to examination and receiving the Inspector's decision is likely to take up to eighteen months. It is unrealistic to expect to delay consideration of the application and delivery of new homes and the regeneration benefits for Barwell for that length of time. This also falls well outside Government guidelines which it has given to its own Planning Inspectors for dealing with such applications, ie within a twelve-month period.

At no point previously in the lengthy consideration of the Barwell application and emerging plans for Earl Shilton has the County Council raised any substantive planning objections to the detail or principle of the scheme.

I would remind Cllr Bessant that the County supported Lubbethorpe SUE in Blaby which did not have the benefit of either an adopted Core Strategy or AAP in place. On this basis I find it astonishing and very disappointing that they have expressed the views in the way they have.”

- (d) Question from Councillor O'Shea addressed to the Leader of the Council

“In light of the disturbing reports that this Authority is considering ways of restricting public involvement in the proposed Barwell SUE application, can the leader please confirm that the 'usual' commitment to openness and transparency in the planning process will not, in the case of the SUE application, be sacrificed in order to spare the Administration's political blushes?”

Response from Councillor Bray

“The Council has had extensive consultation on the Barwell SUE application and continues to do so. It is nonsense to suggest we are considering restricting public involvement. “

(e) Question from Councillor Moore addressed to the Leader of the Council

“Paragraph 4.12 of the Core Strategy requires the Council to have an alternative strategy for the Borough housing supply should the Barwell SUE fail to deliver the necessary housing requirements. Given the timetable for delivering units is already significantly behind schedule, the consequences of further delay would have serious implications for the Council to demonstrate a 5 year housing supply. Could the leader of the council please advise members on the status of the alternative strategy and what the preferred option is that will prevent the Council losing future planning appeals because of the lack of 5 year housing supply? “

Response from Councillor Bray

“I would like to thank Cllr Moore for his question.

I can confirm the Council has a five year housing supply which is predicted on the Barwell SUE coming forward – as it is identified as a commitment within the Core Strategy.

The programme for delivery of units was presented at the Examination into the Core Strategy. The Inspector at this Examination accepted that there would be a time lag during the early part of the Plan Period, acknowledging it would take time for the SUE's to come forward. This view was more recently echoed by the Inspector into the Ratby Appeal.

The Strategy for ensuring that we continue to meet the five year housing land requirement is to continue to make effective progress on delivering the two SUE's at Barwell and Earl Shilton and the emerging Site Allocations document.”

8. TO RECEIVE THE LEADER OF THE COUNCIL'S POSITION STATEMENT.

Mr Mayor

As at the January meeting of the Council, there is a lengthy agenda tonight, with a number of complex budget and other financial issues for us to determine. Thankfully, these have been set out thoroughly and clearly in the papers before us, so there should be little doubt about the detail, the strategy and the positive future direction of the Council, its services and financial base. However, I do acknowledge that there will be inevitable political debate on these matters, some of which I expect will be robust; although I expect also that there will be much on which we can and will agree.

Since the last meeting of the Council, the Executive has agreed the reductions in the car parking charges for the town centre, which I announced at the January meeting, and these have been very well received by the Town Centre Partnership on behalf of local businesses.

I can tell you also that the Town Centre vacant unit rate, announced at the partnership meeting on 4 February, now stands at its lowest rate for over five years, at 11.15%. This is significantly below the national rate of 14.25%. We are seeing also an increase, described

as 'dramatic' by the BID Manager, in the number of independent businesses opening in secondary retail locations throughout the town centre.

I am pleased to report also that Greggs, the bakers, have confirmed their commitment to developing a major food production plant on the Sketchley Brook site, which is being developed by Goodmans. This will create up to 300 jobs for the local area. Subject to planning permission, it is expected that the plant could be operational within eighteen months.

Taken together, Mr Mayor, these give a powerful message of hope to the town, contrary to that given by those who seek to peddle doom and gloom and write letters which many local people find extremely insulting. The reality is quite different and I am pleased that this Council, in collaboration with our partners, is able to make that reality happen, as recognised by the Deputy Prime Minister on his recent visit to the town to discuss these very issues with local business people.

The Executive has given its support also for 'signing up' to climate Local, a refreshed version of the Nottingham declaration on Climate Change, which the council signed in 2004 and reaffirmed in 2006. Our subsequent Climate change Strategy and Action Plan was adopted in April 2009 and a refreshed version (2011 – 14) has now been implemented. By signing Climate Local, the Council is declaring its ongoing commitment to reducing carbon emissions and responding to changes in the climate within our own operations, services and the local community. The Executive was happy to give those commitments and a Climate Local Action Plan is under development.

The Council continues to play its part on the national stage. The District Councils' Network last week launched 'Districts' Action on Public Health', which highlights the contributions District Councils make to public health improvements locally. Examples of good practice and successful initiatives from Hinckley and Bosworth were prominent in that publication, thanks to the efforts of Simon Jones and his team, supported by Cllr David Bill, our Member Lead on Partnership matters.

In addition, as part of their work on the impending Spending Review for 2015/16, officers from DCLG will be visiting the Council during March to see what we are doing in relation to economic development (Atkins Building, MIRA, Enterprise Zone and the cross border work on skills development) and our collaborative working on the Hub concept. That this Council is recognised as being able to make a valuable contribution is testament to the standing in which we are now held.

Finally, the Deputy Prime Minister announced on Monday evening that all 20 City Deal submissions had been approved to move forward to the negotiation stage. The objectives and benefits of City Deals were set out for Members at the last meeting of the Council, so I need not repeat them now. Suffice to say that the Borough Council remains very much involved (I think uniquely) in two adjacent City Deals, through David Bill and me, as well as Steve Atkinson and Bill Cullen, and that we will continue to support both 'Deals' in order to secure the maximum benefits for our businesses and taxpayers over the next few years.

Mr Mayor, I commend this Position Statement to the Council.

18. DRAFT CALENDAR OF MEETINGS 2013/14 (Pages 1 - 2)

Since the publication of the agenda, representations have been received and to avoid a clash of meetings it is suggested that the September meeting of the Planning Committee be changed from Tuesday, 17 September to Wednesday, 18 September. This would keep the meetings to the four-weekly schedule and would prevent dates either side having to be changed. Typographical errors in the column headings have also been corrected.

SCHEDULE OF MEETINGS

1 May 2013 - 31 May 2014

		MAY '13	JUN '13	JUL '13	AUG '13	SEP '13	OCT '13	NOV '13	DEC '13	JAN '14	FEB '14	MAR '14	APR '14	MAY '14
Council	Tuesday	14		16		24			3		Thu 20		8	13
Executive	Wednesday	1		3		11		19		21		26		28
Finance, Audit & Performance Committee	Monday		3	15		16		11		6	17	31		12
Ethical Governance & Personnel Committee	Wednesday		12		7		2	27		22		19		14
Planning Committee	Tuesday	21	25	23	20	Wed 18	15	12	10	7	4	4	1 29	27
Scrutiny Commission	Thursday		6	18	29		10	21		16	27		10	22

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