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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 27 November 2018

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 **TUESDAY, 27 NOVEMBER 2018** at **6.30 pm**.

Yours sincerely

Rebecca Owen
Democratic Services Officer

SUPPLEMENTARY AGENDA

6. **QUESTIONS**

Question from Councillor Cartwright to the Executive member for Planning:

"I am sure you are aware of the recent events at the Klondyke and have seen my aerial photographs showing dumping of soil. Officers have been advised by the person responsible for this that the waste is coming from Glenfield Hospital, this is very serious indeed. Officers have reported this to the Environmental Agency and the Envirocrime section along with the instruction for this transfer of waste without the relevant licences and monitoring in place.

Would the Planning and enforcement executive member please advise members as to the current situation at the next Full Council. I appreciate more will have come to light between me penciling the question and the council date.

Furthermore as part of the CPO process that is still live, test digs for contamination were promised not just on this part of the Klondyke but all other plots whereby tipping has occurred. A further request for a contamination report was proposed at Full Council and unanimously agreed by members. Would the executive member for planning not the leader of the Borough council please update on the progress of this report."

Response from Councillor Allen:

"I thank Cllr Cartwright for his question. As he is aware I attended a meeting with him and fellow borough and county ward members along with representatives of Groby Parish Council last Monday where officers updated their actions on the current incident of materials being brought onto part of the Klondyke site. I can confirm that officers continue to liaise with the Environment Agency as the responsible enforcement agency, as to their determination as to any waste offences that may be occurring. Officers have and will continue to update all parties on the outcomes from the EAs investigations and the enforcement actions on the other sites as discussed. Members will be aware of the necessity for appropriate confidentiality in matters which could potentially result in formal legal actions by an enforcement agency. Further activity over the last weekend is currently being investigated by officers.

He will also be aware that the December 2013 report to council regarding the compulsory purchase of land at the Klondyke was not progressed as advised by the previous Chief Executive in 2015. Officers have not identified further commitments given at Council. Following more recent requests from the Groby Parish Council and a Steering Group meeting (which he chairs) in November 2017 and January 2018, officers agreed to seek to determine the contamination and remediation costs for the site as part of the consideration for new proposals for the site being requested by that group. Officers are awaiting details of those proposals prior to seeking estimates for these costs as part of a consideration for a new Compulsory Purchase Order by the Council as requested by the Group. I can confirm that officers continue the offer to work with the consultants appointed by Groby Parish Council to develop these proposals. I am pleased to hear however that it is anticipated that these proposals will be submitted to the Council shortly. I look forward to seeing them so that they can assist to bring a report to Council at the earliest opportunity."

8. LEADER OF THE COUNCIL'S POSITION STATEMENT

We have lots on our agenda tonight and I'm sure members will wish to get into the main business as soon as possible, but there are a few items which I wish to update Council on.

Firstly, I have an update on the work of the A5 Partnership. The group met last week and our strategy, having been approved, will now be distributed to all MPs who represent constituencies by the A5 between the M6 J12 and the M1. Early next year we can look forward to a report from Midlands Connect of the Enhanced Strategic Case, similar to that which we have seen recently for the A46. There will also be a draft strategic business plan from Highways England, which will lead to funding allocations for road projects in RIS 2 (2020-2025). Funding for improvements on the Longshoot to Dodwells section is still in place for delivery once work on the M6 has completed, expected for 2020/21.

At the last A5 Partnership meeting I also took the opportunity to discuss with Sarah Spinks the position with the A46 and the recent Enhanced Strategic Case document. For me there are two key points resulting from this document, firstly that Midlands Connect is not just looking at the expressway option, but also in combination with or without other upgrade options for the A46, particularly from the M69/M1 intersection through to the Syston Hobby Horse Interchange. Secondly that the preliminary environmental risk assessment has considered a number of factors along possible routes and correctly identified the environmental risks around J2 of the M69. I believe this is significant and makes that point less likely to be the location for any new road to connect to the M69.

The Strategic Growth Plan before us this evening includes an A46 bypass to the south and east of Leicester, but with no defined route, and leaves us scope to update our Local Plan to 2036 and beyond without the delivery of this new road. This Council has already opposed any link to J1 and J2 and we shall continue to do this, but we should accept that there is a risk that no route will be found, or that funding is not approved. Because decisions, funding, and building of new roads can take many years I believe we shall need a backstop arrangement, at which point we shall need to review the strategic plan if the new A46 road is not delivered. This should start no later than the end of 2024, when we shall know if the A46 will be delivered between 2031 and 2035.

Moving to other matters, we have seen some excellent community spirit across our borough in recent weeks, with Remembrance services being held to mark 100 years since the end of the First World War, and to remember all of those who have in the past and those who continue today to defend nations in the quest for peace. We are now into the Christmas period with our towns and villages being lit up in celebration. This should be a time of happiness and goodwill, but we know that may not always be the case and as tonight we raise awareness of violence against women with the white ribbon pledge, we should also be aware that at this time of year domestic violence, burglary, homelessness and loneliness also tend to increase, and whilst we do not have endless powers I know that this council plays a valuable role in ensuring people's safety, health and well-being, not just at Christmas but throughout the year.

Members will be aware that, at the end of October, Government removed the borrowing cap on councils, Housing Revenue Accounts, and the strategy that we have before us this evening will allow us to make full use of this change to ensure that we help to provide the type and quality of housing that people want to rent or buy.

I recently attended our annual rural conference and was pleased that this council's contribution to improved community facilities in Barlestone and Sheepy Magna had been well received by so many community groups. Without the support of this council these projects would not have been delivered and this evening members have the chance to approve a timetable for opening up a second wave of applications.

I have also had the pleasure of attending our most recent young people's democracy event, there have been sports awards, and of course last Sunday's Civic Carol Service. Officers and members put a great deal of time and effort into these events and it is a credit to this council that they are so well liked.

Later this week I shall be attending a conference for 11-18 year olds and helping to evaluate applications for funding through our VCS scheme.

Finally members will have seen that there is little chance that any unitary proposals will be considered by the secretary of state and that there is not sufficient support for some of the changes being proposed. I have however agreed to attend a scrutiny meeting with the Leader of Harborough Council, and District Leaders will be meeting with the County Council Leader before Christmas, where we shall continue to push our collaborative approach to improving local government.

10. HOUSING STRATEGY 2018 - 2021 (Pages 1 - 2)

To present the Housing Strategy 2018-2023.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

11. HRA INVESTMENT PLAN (Pages 3 - 4)

To seek approval of the HRA investment plan and purchase of 11 two-bedroomed properties on the Middlefield development.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

12. CULTURAL STRATEGY (Pages 5 - 6)

To seek adoption of the new Cultural Strategy.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

13. NEW DIRECTIONS FOR GROWTH - FURTHER OPTIONS CONSULTATION LOCAL PLAN REVIEW (Pages 7 - 8)

To consider the new Directions for Growth Local Plan review.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

14. LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN (Pages 9 - 10)

To consider the revised Leicester & Leicestershire Strategic Growth Plan.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

Updated recommendation:

2. RECOMMENDATION

2.1 It is recommended that:

- a) The Strategic Growth Plan (SGP) "*Leicester and Leicestershire 2050: Our Vision for Growth*" be approved;
- b) The Chief Executive of each SGP partner authority, following consultation with the Leader of that authority and the Joint Strategic Planning Manager, be authorised to agree, prior to publication, any final minor amendments to the SGP which do not significantly change the overall content or purpose of the document;
- c) Members note and consider concerns raised at Scrutiny Commission regarding the potential connection of the A46 to the M69 which is of great concern, in particular due to the potentially devastating local impact this could have on the locality; and
- d) That Members note that the SGP does not include the proposed strategic rail freight proposal at junction 2 of the M69.

Note for Reference:

The Midlands Connect Stage One Study for A46: <https://www.midlandsconnect.uk/publications>

Appendix C 2.4 (Section 2) Preliminary Environmental Risk Assessment - please note this section of the environmental assessment with reference to the potential Leicestershire environmental impacts and in particular reference to local impacts in the vicinity of junction 2 the M69 and Burbage woods.

15. REVIEW OF THE DEVELOPING COMMUNITIES FUND (Pages 11 - 12)

To review the operation of the Developing Communities Fund.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

17. CONSTITUTION UPDATE (Pages 13 - 14)

To consider a proposed change to the constitution in relation to neighbourhood development plans.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

18. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Schedule 12A of the 1972 Act.

19. BLOCK C REVIEW (Pages 15 - 16)

To consider a report about Block C.

This report was considered by the Scrutiny Commission on 8 November. An extract from the minutes of that meeting is attached.

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MINUTE EXTRACT

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

8 NOVEMBER 2018 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mr KWP Lynch – Vice-Chairman

Mr DC Bill MBE, Mr DS Cope (for Mr SL Bray), Mr WJ Crooks, Mr BE Sutton and Mr R Ward

Also in attendance: Councillor M Hall and Councillor MJ Surtees

Officers in attendance: Valerie Bunting, Bill Cullen, Malcolm Evans, Rob Foers, Simon D Jones, Julie Kenny, Jacqui Kissai, Rebecca Owen, Rob Parkinson, Kirstie Rea, Caroline Roffey, Nicola Smith, Sharon Stacey and Ashley Wilson

239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

244 HOUSING STRATEGY 2018 - 2021

The Scrutiny Commission's comments were sought on the Housing Strategy. During discussion, the following points were raised:

- Rules for houses in multiple occupation (HMOs) had been expanded and more would require licences
- There were now more powers available in relation to the private rented sector
- The standard of private rented housing had an effect on the housing options and homelessness services
- Data around enforcement action taken and the types of issues was requested
- The council would enable people to access options appropriate to them, including signposting shared ownership and help to buy schemes
- It had become more difficult to find landlords to take on affordable housing in new developments
- Housing which had been transferred to Orbit during the 1990s had been offered back to the authority as per the original agreement. A decision would need to be made about whether these were purchased as this would not increase the overall housing available to the authority and it may be prudent to use that money to bring forward new properties instead.

RESOLVED – the report be noted and RECOMMENDED to Council.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

245 HRA INVESTMENT PLAN

The Scrutiny Commission gave consideration to the HRA investment plan including purchase of properties on the Middlefield development. It was acknowledged that the lifting of the HRA cap was significant but it was emphasised that the key was to ensure the rental income could meet the costs to avoid over-borrowing. It was noted that some local authorities had already carried out more work on their ACW build proposals and were reporting that it was affordable, but detail such as the type of properties they were proposing wasn't available so further research was required.

Concern was expressed that it would not be feasible to offer the properties at council rent levels and in response it was explained that there was an option to offer at an affordable level below market rent as had been the case with the Southfield Road properties.

In response to a question it was noted that right to buy would still apply to the new properties, but that the receipt could be retained to replace the property and during the first ten years a lower discount could be offered to cover the build costs.

RESOLVED –

- (i) The report be RECOMMENDED to Council;
- (ii) An update be brought to a future meeting of the Scrutiny Commission in relation to the lifting of the HRA cap.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

243 CULTURAL STRATEGY

In reviewing the Cultural Strategy, attention was drawn to the key achievements, vision and key delivery themes. In response to a question, it was noted that external funding helped to develop the leisure and culture offer in the borough.

RESOLVED –

- (i) the report be welcomed and endorsed;
- (ii) the work of the Cultural Services team be commended.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

246 NEW DIRECTIONS FOR GROWTH - FURTHER OPTIONS CONSULTATION LOCAL PLAN REVIEW

Members received a report in relation to the New Directions for Growth – Local Plan Review consultation document. Concern was expressed that developers were holding a lot of land but were not willing to develop nor sell it, and that the system favoured large developers rather than local people wanting to stay in their local area.

Discussion ensued on the government's introduction of a housing delivery test to judge local authorities on housing built. The mechanisms to achieve this were still being investigated.

RESOLVED –

- (i) The New Directions for Growth – Local Plan Review consultation document be endorsed;
- (ii) Council be RECOMMENDED to:
 - a. Approve the undertaking of a six-week period of consultation on the document during January and February 2019;
 - b. Delegate authority to the Head of Planning in liaison with the relevant Executive member to make minor drafting /presentational changes to the documents in order to assist with clarification and/or explanation prior to it being published for consultation.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

247 LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN

The Scrutiny Commission gave consideration to the revised Leicester & Leicestershire Strategic Growth Plan (SGP). It was acknowledged that this was a standardised report which was being presented to all authorities in Leicester and Leicestershire.

A member queried the proposed 38,000 houses on the A46 eastern bypass. In response it was noted that the defined route had not been determined but that the SGP had a strategy to deal with growth along that corridor in a reasonable way.

The benefits of endorsing the plan were set out, notably commitments to major infrastructure/transport improvements and projects including the A5. The risks to the authority of not continuing to be involved in discussions by failing to endorse the SGP were also highlighted and it was noted that this would mean the council could not progress its own local plan. The importance of retaining involvement in the debate was acknowledged and supported by the Commission.

Concern was expressed about the proposed rail freight depot, the link to the A46 and a recent document from Midlands Connect in relation to the A46 itself. In response, it was noted that the rail freight depot was not part of this plan but was a national scheme which would need to be addressed separately and that the SGP didn't contain a link from the M69 or M1 to the A46 in the location stated and officers had not had sight of the document mentioned.

It was suggested by Councillor Lay that the SGP be acknowledged and a statement be included in the resolution to say "While we understand the benefits of the A46 eastern bypass, the connection is of great concern due to the potentially devastating impact of the location of this". The Commission supported this recommendation.

It was requested that a representative of Midland Connect be invited to a meeting in spring 2019.

RESOLVED –

- (i) The Strategic Growth Plan be acknowledged;
- (ii) It be noted that the connection to the A46 is of great concern due to the potentially devastating local impact;
- (iii) A representative of Midland Connect be invited to a future meeting of the Scrutiny Commission.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

242 REVIEW OF THE DEVELOPING COMMUNITIES FUND

In reviewing the operation of the developing communities fund, it was noted that during the first programme some issues had come to light such as the capacity of parishes to run projects, the level of grant, time taken for the process and VAT issues. Minor changes to the criteria were proposed for the second phase of funding.

It was acknowledged that more assistance was required for assessing the applications and it had also come to light that many parishes did not have the skills or resources to manage such large projects so support to parishes in managing the projects would be beneficial.

In relation to the suggestion that the minimum level of funding should be lowered, a member suggested that increasing the upper limit for the Parish & Community Initiative Fund may be more appropriate.

A member expressed concern about linking eligibility for the fund to neighbourhood development plans, and it was also suggested that a community's neighbourhood plan may be preventing access to higher levels of funding.

RESOLVED – Council be RECOMMENDED to consider the following:

- (i) Officer support for project management is required, but the fine line between enabling and project managing be addressed;
- (ii) Expansion of the Parish & Community Initiative Fund rather than reducing the lower limit of the Developing Communities Fund;
- (iii) Changes to the challenging timescales;
- (iv) Creation of a toolkit to support parishes through the application and project management processes.

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239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

248 CONSTITUTION UPDATE

The Scrutiny Commission was asked to support a recommended change to the constitution to streamline the processes for approval of Neighbourhood Development Plans.

RESOLVED – the report be welcomed and RECOMMENDED to Council.

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By virtue of paragraph(s) 3, 10 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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