

COUNCIL – 25 OCTOBER 2011

SUPPLEMENTARY AGENDA

Agenda item 7

a) Question asked by Councillor Cartwright and addressed to the Executive Member for Rural Affairs

“Many villages in Hinckley and Bosworth have poor and inadequate internet access as mentioned in a motion passed by this council on 24 February 2011, which called on the government to do more to ensure better broadband access in rural areas across Hinckley & Bosworth.

Would the member for rural affairs then welcome the news that, as part of a government scheme, nearly £4 million will be coming to Leicestershire to ensure more people get superfast broadband by 2015.

Fibre optic cabling to every home can only be a dream in the present economic climate, but fibre optic cabling from exchange to each village hub is much more achievable and would bring benefits to everyone connected to that hub.

As an issue that affects everyone, businesses, schools, children and young people, homeowners, the elderly and the prospects and wellbeing of many would the Executive member give me assurances that the administration will do all it can to keep the pressure on the Broadband issue not just with the government but the service providers to bring superfast broadband not just to some but to everyone as quickly as can be, realising that especially rural areas will be very far down a very long list for improvements.”

Response from Councillor WJ Crooks

“Cllr Cartwright – thank you for your question, I welcome the prospect of Leicestershire, and this Borough in particular, getting the Government investment that has been earmarked for super fast broadband provision.

I would draw Members’ attention to a report considered by the Executive at its last meeting. It noted that, whilst Hinckley and Burbage were fortunate to have been provided with super fast broadband in 2010, this has not extended to rural areas of the Borough and a large part of the rural sections of the Borough experience connectivity speeds of less than 2mbits/s. It has been estimated that the cost of improving broadband connectivity in Leicestershire would be circa £20M. Leicester and Leicestershire, however, have only received £3.1M funding from DCMS toward the cost. It is estimated that a minimum of an additional £3.1M funding is required to enable acceptable broadband levels across Leicestershire.

In view of the above, Executive has resolved to support the Broadband Leicestershire Steering Group in challenging the Government to make available the additional funding and has requested further discussions with the County Council to consider the potential opportunities for rolling out broadband community-led projects in the Hinckley and Bosworth area.”

b) Question asked by Councillor PS Bessant and addressed to the Leader of Council

“Would the Planning Portfolio Holder please clarify why he allowed the Hallam Land Management application in Desford for 135 dwellings to be changed, on the actual day of the last planning meeting, (19th July) from an item clearly not for determination (It was listed with the comment *"A further report will be presented to the next available planning committee that addresses all the consultation responses and issues fully"* into an item for determination thus robbing elected members of any opportunity to address the planning committee regards this major development in their ward?”

Response from the Chairman of Planning Committee

“Thank you Councillor Bessant for your question. This application first went to Committee on 21 June. It was for 150 dwellings and was recommended for refusal by officers on the basis that it was significantly in excess of the proposed allocation in the draft Site Allocations Document. Members at the planning committee, led by the former Deputy Leader of the Conservative Group, who coincidentally is also a ward member for the application site and moved deferral of the applications to allow negotiations to continue, “expressed disappointment that the application was recommended for refusal when there had been little objection to the proposals and when it would provide additional housing to meet need”. That is a direct quote from the agreed minutes of the meeting.

Officers, following that instruction from the Committee, went back to the applicant and negotiated a scheme for 135 dwellings which went back to Committee on 16 August.

Whilst it is true to say that the recommendation in the main report was that: “members note the content of this report and indicate an in-principle approval to the amended residential scheme for 135 dwellings, and that a further report will be presented to the next available planning committee that addresses all consultation responses and issues fully”. This was based on the fact that a reconsultation exercise was taking place which would expire on 15 August (the day before the committee).

Officers, having received all the relevant consultation responses, correctly took the view that there was no reason to hold up determination of this application, particularly given the support it had received previously from members, including strong support from one of the ward councillors, the former Deputy Leader of the Conservative Group. Even if the recommendation had not been changed, the original recommendation sought in-principle support for the development.

If this matter was so important to Cllr Bessant, I am surprised he didn't attend the 16 August Committee! The application was recommended for approval in a comprehensive late item report; the Ward Member spoke in support of the application and moved the officer's recommendation. There was no issue raised by any of the party opposite about the change in recommendation. Given the local support I would have thought that Councillor Bessant would support his residents, the parish council (who had no objections to the principle of the development) and his fellow ward councillor.”

c) Question asked by Councillor Mrs J Richards and addressed to the Leader of Council

“Would the leader agree with me that the recent state of the Ashby Road Cemetery was an absolute disgrace, and could he assure me, and local residents, that he will not allow it to get into the same state again?”

Response from Councillor MT Mullaney

“No, I certainly don’t agree that it was a disgrace, therefore the second part of your question is irrelevant.”

d) Question asked by Councillor CW Boothby and addressed to the Leader of Council

“I would be grateful if the Leader could help clear up some confusion that clearly still exists following repeated claims in Liberal Democrat leaflets during the recent Borough Council Elections, claims by Liberal Democrat Councillors in the local media and at a recent well attended planning committee meeting, not just for myself but for the residents of the Borough.

The claims being that the last Conservative Administration accepted and committed this Borough to accepting excessive housing numbers and gypsy/traveller pitches for the Borough.

Could the Leader, having himself been the main promoter of these allegations:

- (a) please clarify for this Council and for the residents of this Borough as to exactly at which full Council meeting the last Conservative Administration adopted the housing numbers and gypsy/traveller pitch numbers.

Would the Leader agree with me that for such a policy commitment to be adopted by the Council, a proposal would have had to be put to the full Council and adopted by resolution.

- (b) In the absence of the Leader being able to confirm that these excessive numbers for housing development and gypsy/traveller pitches were adopted by the full Council, as required, during the last Conservative Administration, could he please confirm the date of the Council meeting at which these numbers were formally adopted and the fact that this was during his Administration.”

Response from Councillor SL Bray

Cllr Boothby, you should be in a position to answer your own question. You were there at this Cabinet Meeting of 13 December 2006 [minute item 398], where you agreed to support the draft East Midlands Regional Plan housing growth programme of 460 dwellings per annum!! This is more than was what finally agreed in the core strategy under this present administration.

At the Conservative Cabinet meeting of 18 April 2007, at which you were present, you adopted the Gypsy and Traveller Needs Assessment report (which identified the 42 pitches required) as evidence for the LDF.

e) Question asked by Councillor JS Moore and addressed to the Leader of Council

- (a) When voicing my concerns at the August Planning Committee meeting asking why the word “minimum” had been included in the Council’s Core Strategy to quantify housing allocation numbers for each ward and that this had proved to have had negative ramifications on Appeal Decisions such as Britannia Road, Burbage and London Road, Markfield, I was advised by senior officers that the word “minimum” had been included on the “advice” of the Core Strategy Inspector. Can the Portfolio Holder for Planning confirm if this claim is correct or not.
- (b) Bearing in mind the negative outcomes for Burbage and Markfield, where in both cases Appeal Inspectors accepted arguments from the developers that the ward/village guideline numbers were not control numbers resulting in both sites having a significantly higher number of houses than envisaged, can the Portfolio Holder for Planning please explain to me, why when his Administration so strongly publicly claims that the housing and gypsy/traveller pitch numbers imposed on this Borough were far too high, that his Administration nevertheless agreed without a fight to include the word “minimum” in the allocation numbers, which clearly by definition has left this Council with a commitment to accept more than the number originally allocated. Can the Portfolio Holder give elected members some reassurance how the Council’s Executive proposes to address this unfortunate “oversight”.

Response from Councillor SL Bray

- (a) I can confirm that the Inspector required the plan to be flexible in accordance with national advice. The word “minimum” in the Core Strategy was included within the pre-submission version of the Core Strategy when it went out to consultation. That document was approved by members and subsequently supported by this Inspector. The Inspector advised that the setting of boundaries to proposed allocations through the Site Allocations Development Plan document would determine the maximum number of housing units. This is not an uncommon approach taken by Local Planning Authorities and Inspectors.

The advice within Government policy at the time was that plans had to be flexible. If this flexibility had not been built into the plan then it would have been found unsound and we would not have a Core Strategy and therefore would not be able to take forward the Area Action Plans and Site Allocations Document. It is clear from the questions asked by the Inspector in writing that flexibility was a major plank of his considerations.

- (b) In relation to the second part of the question the solution is to progress through to adoption the Earl Shilton and Barwell Area Action Plan and

the Site Allocations DPD to establish settlement boundaries and provide sites within those settlement boundaries for housing.

These actions will help resolve the 5 year housing supply position which is the main reason why appeals against housing sites are lost.

In respect of G&T issues I would draw your attention to the report on tonight's agenda in respect of that matter.

f) Question asked by Councillor PR Batty and addressed to the Leader of Council

- (a) Can the portfolio holder please explain to elected members and more importantly to the residents of the Borough why the Borough Council does not have a 5 year housing land supply and what his Administration is doing to address this critical situation.
- (b) Can the portfolio holder for planning please indicate to members whether it is likely that if the Borough Council would have had an identified 5 year housing land supply in place at the time the Council's Core Strategy was adopted, that the Appeals at London Road Markfield, Britannia Road, Burbage and Leicester Road Hinckley, may have been successfully defended.
- (c) Just as examples, can the portfolio holder please confirm to elected members, how the planning permissions that have now been granted on Appeal at; London Road, Markfield, Britannia Road, Burbage and Leicester Road, Hinckley, compare to what was proposed in the Borough Councils strategic Preferred Site Allocations DPD that was published for consultation in January 2009.

Response from Councillor SL Bray

- (a) The main reason why this, and many other authorities, does not have a five year housing supply is because properties are not being built. This position is not something the council can control, it is down to the state of the property market. As mentioned in my response to Cllr Moore the adoption of the Site Allocations Document and the Area Action Plan for Earl Shilton and Barwell will go a significant way towards resolving this issue.
- (b) I think it is very difficult to say whether or not the outcome of those appeals would have been different if the authority had a five year housing supply. What is clear is that it was a significant reason given by Inspectors for allowing those appeals. I would draw attention to the appeal in Stoke Golding which was dismissed despite the lack of a five year housing supply. This demonstrates the inconsistency of the appeal process.
- (c) London Road, Markfield – was included in the draft Site Allocations Document but was a smaller site than that allowed on appeal.

Neither Britannia Road nor Leicester Road were preferred options in the Site Allocations Document.

Agenda Item 8

Position Statement of the Leader of the Council - Council 25 October 2011

Mr Mayor, fellow Councillors, members of the public, Officers and Press

I have a lot of very positive news for you at this meeting - looking backwards and forwards.

Following the last meeting, the Chief Executive wrote to Eric Pickles regarding the issue of the Five Year Land Supply and my colleague, David Bill, reinforced the point with Greg Clarke at a meeting of the District Councils' Network Assembly a few days later. As a result, we have received a response from Greg Clarke and will be seeking further clarification at a meeting with him very shortly.

In the last few weeks, we have submitted responses to a number of Coalition consultations; all of them well argued and supported by hard evidence from the grass roots. In all cases, we have been constructive and sought to provide answers to the concerns we have raised, not merely posed the problems. We have covered:

- * Resource Review - Business Rates Localisation
- * Universal Credit - Council Tax Benefit
- * National Planning Policy Framework
- * Local Planning Regulations
- * Implementing Social Housing Reform

In all cases also, I have sought to ensure that these have been all-party responses and I think it is fair to say that there has been a high level of agreement within this Council on what is good and what needs to be changed about Coalition initiatives in relation to District Councils. On all five of these issues, it is clear that there is a measure of overlap and, whatever the final outcomes, all will pose significant challenges for local authorities in general and District Councils in particular. It is comforting (if that is the right expression) that the responses from this Council have been complemented and reinforced by those from the District Councils' Network.

At this point, can I express my thanks to officers from this Council for providing such helpful and clear presentations for Members at workshops and seminars held recently on these issues, which have enabled the responses to be better informed. I am sure that all Members who attended gained useful (and sometimes disturbing) insights into the realities of what may lie ahead and those members who attended the joint workshop at Oadby and Wigston on Council Tax Reform benefited from the cross-sharing of views between members of two Councils. At least now we understand the issues and will be better placed to deal with them. Officers who have been particularly involved from this Council have been Sanjiv Kohli, Storme Coop, David Bunker, Simon Wood and Valerie Bunting. I would like to thank also Daren Nowlan from Oadby and Wigston.

On 30 September this Council initiated and hosted a discussion on the future of the A5 trunk road - something of great significance to our communities, particularly on this side of the Borough. The event was lead by Bill Cullen and brought together representatives from eleven District Councils, four County Councils, the Highways Agency and three MPs. This was followed-up by what is now a series of productive meetings between Senior Members of this Council and the Highways Agency. An

action plan was agreed at the wider meeting and we will play a leading role in taking this forward.

The Hinckley Christmas lights will be 'switched on' on Friday 18 November. This has been one of the highlights of the year (if you pardon the pun) for sometime now and I expect this year's event to 'outshine' those which have gone before. On the subject of events, the Council is very much engaged with our communities in planning the Queen's Jubilee in 2012 and I am confident that Hinckley and Bosworth can look forward to being a 'Beacon' in 2012 in more ways than one.

In the second week in October, Lindsay Orton, our Creative Communities and Tourism Officer, organised the 'Big Draw' event in the Atkins building. The event was supported by the Community Safety Partnership, who used the event to consult with people on their thoughts about their own communities and families through the medium of art. Well over 500 people participated in the event, many of the contributions were of a very high standard and the positive messages far outweighed the negatives. Whilst this is encouraging, we will be taking account of the constructive criticisms made and seek to address the points raised, in collaboration with the local police, who gave their strong support to the event.

I can confirm that the Council formally took direct responsibility for the management of Housing Repairs ('in-house') on 29 September. Again, I know that this has the full support of Members across the Council. There were some very minor teething problems, in the first couple of weeks, but in the context of the magnitude of the undertaking, the implementation process has worked very well, I know that we will secure greater financial control and continued high quality services into the future.

Our joint working with other Districts continues to move forward. Julie Kenny has now been appointed as the Finance Joint Chief Officer for Hinckley and Bosworth Borough Council and Oadby and Wigston and our partnership with the other six Districts in Leicestershire has resulted in North West Leicestershire and this Council securing 'Achieving' status under the Equalities Framework. Louisa Horton was the Officer Lead on this with Councillor Bron Witherford, the Equalities Lead Member. This is a fantastic achievement and lays the foundation for 'Excellence' in 2014!

On the wider partnership front, the Council is leading on the 'locality management' initiative within Leicestershire. A significant element of this is the work in which Bill Cullen and Rob Parkinson, amongst others have been involved - Project Endeavour, which seeks to bring together and integrate enforcement activities across organisational boundaries in the locality which is Hinckley and Bosworth Borough.

Mr Mayor, there are other positive initiatives on which we lead or in which we are fully involved at Member and/or officer level. These are the issues of current priority. It gives me great pleasure to be the Leader of the Council which is moving forward in such difficult national circumstances and I hope Members across the Chamber will share this pleasure and pride.

Agenda Item 11

It will be proposed by Councillor Bray and seconded by Councillor Bill that Councillor WJ Crooks be appointed to the Stepping Stones Project.

Agenda Item 12

An amendment to motion (c) on the agenda will be proposed by Councillor Gould and seconded by Councillor Hulbert as follows:

“This Council acknowledges the significant benefits that the Sustainable Urban Extensions will bring to the communities of Barwell and Earl Shilton in terms of increased community facilities and the regeneration opportunities. The Council acknowledges the substantial consultation that has already taken place and resolves to continue to consult with the two communities throughout the process.”