

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 28 JUNE 2016

Present: Councillor J Cotterill (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, J Bridges, R Canny, N Clarke, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Houlton, J Houlton, G Jones, J Legrys, S McKendrick, K Merrie MBE, T J Pendleton, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

Officers: Mr S Bambrick, Ms C E Fisher, Mr A Hunkin, Mr G Jones, Mrs M Meredith, Mr P Padaniya, Mrs M Phillips and Miss E Warhurst

18. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Clarke, R Johnson and P Purver.

19. DECLARATION OF INTERESTS

Councillor S Sheahan declared a non pecuniary interest item 10 - Leicester and Leicestershire Strategic Growth Plan – Strategic Growth Statement, as a member of Leicestershire County Council and due to the reference to HS2.

Councillor S Sheahan declared a non pecuniary interest in item 11 – North West Leicestershire Local Plan, due to property interests and potential references to HS2.

Councillor J G Coxon declared a non pecuniary interest in items 10 - Leicester and Leicestershire Strategic Growth Plan – Strategic Growth Statement, and 11 – North West Leicestershire Local Plan, due to the references to HS2.

Councillor N J Rushton declared a non pecuniary interest item 10 - Leicester and Leicestershire Strategic Growth Plan – Strategic Growth Statement, as the Leader of Leicestershire County Council and as a member of Midlands Connect and Midlands Engine.

20. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Chairman referred to the numerous events he had attended since May; the most memorable of which being Picnic in the Park and Proms in the Park, which was a resounding success. He thanked the officers involved for organising such a well attended event. The Chairman announced that on Friday, 1 July he would be attending a service at Leicester Cathedral commemorating the centenary of the Battle of the Somme.

The Chairman invited Councillor N J Rushton to speak.

Councillor N J Rushton stated that at a previous meeting of Council during the debate he accused Councillor J Legrys of being the Labour leader when he knew he was not, and this comment had offended Councillor S McKendrick. He assured Councillor S McKendrick that this comment was intended to be part of the political banter across the chamber. Councillor S McKendrick approached him after the meeting to discuss matter and he now understood that he had made matters worse. He apologised to Councillor S McKendrick for any offence he may have caused.

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Councillor S McKendrick thanked Councillor N J Rushton for the apology and added that she considered the matter closed.

21. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt made reference to the flooding which had badly affected the district on 15 and 16 June. He thanked the staff for stepping in during an unprecedented emergency. He also expressed thanks to partner organisations and volunteer flood wardens who had worked day and night to support the most vulnerable people. He added that the Council had a responsibility to step in, and had done so by providing over 3,000 sandbags and offering advice and support to anyone whose home was at risk of flooding. He reported that 60 urgent requests for sandbags were received on 15 June, following by a further 20 requests on 16 June. He expressed personal thanks to everyone who had pulled together to help during this extremely challenging time.

Councillor D Everitt stated that the people of Thringstone and Whitwick were very much affected by the flooding and he thanked the officers involved. He added that the Methodist Church, which was the highest point in Whitwick had been flooded for the first time. He made reference to his comments at the Planning Committee prior to the flooding raising concerns about the flood risks relating to placing developments on hills. He added that he believed one of the reasons for this was that not enough notice was taken of ground cover and water absorption.

Councillor S McKendrick added thanks on behalf of the Labour Group to everyone who had been involved in all of the work relating to the flooding. She added that it was evident that a lot of time and hard work went into making things as good as they could be under the circumstances.

Councillor D J Stevenson expressed sympathies to those people who had been flooded in Breedon on the Hill. He thanked everybody for helping and highlighted the positive work that was now being done by Leicestershire County Council looking into prevention.

Councillor A V Smith announced that the Council had received a Municipal Journal award for its Dog Watch initiative, developed by the Street Environment team and based on the Neighbourhood Watch scheme. She highlighted that the campaign had led to significant reductions in dog fouling hotspots and had received positive feedback from parish councils. She added that the Municipal Journal awards were a national award recognising best practice across the country. She expressed thanks to the staff involved.

Councillor M Specht welcomed this news. He explained that Coleorton Parish Council had had an issue with dog fouling and had been issued with a stencilling kit. He added that stencilling the road had eradicated the issue. He highlighted the cost and impact of dog fouling. He congratulated the staff on receiving the award, and added that this was a great credit to the team.

Councillor S McKendrick added thanks to the officers on behalf of the Labour Group. She welcomed the award and commented that people did not realise the importance of this issue and how damaging dog fouling could be.

22. QUESTION AND ANSWER SESSION

There were no questions received.

23. QUESTIONS FROM COUNCILLORS

Councillor J Legrys put the following question to Councillor T J Pendleton:

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Officers have been actively working with developer Barrett for Change of Use from neighbourhood equipped area for play (NEAP)/Multi-uses Games Area (MUGA) to informal public open space off Lillehammer Drive Coalville. To date the work has not been carried out. Can the Portfolio Holder please tell if the work will be completed before the start of the 2016 school holidays, and why it is taking so long to complete negotiations between developer and the Council?

Councillor T J Pendleton gave the following response:

Officers have indeed been actively working on this matter for a significant period of time and not for the want of trying progress has been slow.

The current position is that the Council are waiting for the developer Barratts to sign off a Deed of Variation to the S106 agreement.

This will facilitate the changes agreed by our planning committee on the 7 October 2014. These changes will see the current Multi Use Games Area replaced with informal open space for residents and local children to use and enjoy.

However, the area will be subject to our current opening and closing times for parks in order to prevent any use after dark and minimise late night Anti Social Behaviour issues for the immediate neighbours.

Barratts submitted proposals on 1 June for the informal open space landscaping scheme as required through a planning condition. Officers responded with some minor suggestions on 10 June 2016.

Barratts shared the proposals on 16 June with immediate neighbours, interested parties on the wider estate, the Council and the local Ward member for final comment.

The Council now expects to receive feedback from Barratts regarding this final consultation process (noting this was only sent out 12 days ago). Subject to broad agreement from residents it is expected the signing of the Deed of Variation will follow, planning permission granted and subsequent development will follow.

The Deed of Variation is currently drafted to include for the development of a Multi Use Games Area at Scotlands Playing Fields which is deemed a more suitable location.

However, the Council has recently received a proposal from Barratts which disappointingly does not include any resource to facilitate the development of a new Multi Use Games Area. Officers are currently seeking legal advice on this matter. As the school holidays are now less than 4 weeks away it appears unlikely that Barratts will be able to complete the works to the Lillehammer site for use in the summer holidays, despite Officers consistently pushing for this outcome.

Barratts have advised they expect to be undertaking the removal of the Multi Use Games area during the school holidays and commence site preparation in order to be ready for the first available planting season thereafter.

I am reassured that matters are still progressing albeit I am disappointed with Barratts latest communication and that it has taken so long to get to this point.

I am happy to provide the Ward Member with regular updates going forward as soon as we have any news to relay.

Councillor J Legrys declined to ask a supplementary question and stated that he shared Councillor T J Pendleton's disappointment in the outcome.

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24. MOTIONS

No motions were received.

25. PETITIONS

No petitions were received.

26. MINUTES

Consideration was given to the minutes of the meeting held on 17 May 2016.

It was moved by Councillor J Cotterill, seconded by Councillor V Richichi and

RESOLVED THAT:

The minutes of the meeting held on 17 May 2016 be approved and signed by the Chairman as a correct record.

27. LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN - STRATEGIC GROWTH STATEMENT

Councillor T J Pendleton presented the report to members and sought their agreement to the strategic growth plan statement for the purposes of consultation. He reminded members that the Council was working in partnership with the city council, county council, district councils and the LLEP to prepare the strategic growth plan, and having the plan would mean that councils across Leicester and Leicestershire would be able to plan effectively for the future, preparing local plans within a consistent framework and be able to exercise control over the forecast growth for the area. He added that without the strategic growth plan, growth would take place in an unsynchronised sporadic manner, leading to a lack of protection for important assets and also leaving authorities not to demonstrate that they had complied with the duty to cooperate. He outlined the consultation process which would take place once the statement was agreed.

Councillor T J Pendleton moved the recommendations as set out in the report. The motion was seconded by Councillor N J Rushton who reserved his comments.

Councillor S Sheahan commented that this was something of a test of new and emerging governance structures. He expressed concern that the voice of North West Leicestershire was not being heard in this process, and the only issue of any substance for the district was the east midlands gateway. He questioned whether the creation of yet more low wage unskilled jobs should be the sum total of the contribution for North West Leicestershire. He stated that training and opportunities for young people should be promoted, and attempts made to attract businesses that offered this. He commented that there were a lot of weaknesses and threats in the report, and the biggest threat to our prosperity was not even mentioned - Brexit. He felt that the strategy for Leicester and Leicestershire was a weak offering for the district which had an important part to play in the future of Leicestershire. He added that if North West Leicestershire was not given the support to play its part, Leicestershire as a whole would lose out. He concluded that he would support sending the document out for consultation in the hope that it would improve as a result.

Councillor F Fenning noted that there were no resource implications highlighted in the report. He suggested that it should be clarified that this was excluding officer time and funding for consultancy works. He stated that all costs, including time, must be measured in some way.

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Councillor N J Rushton stated that it was most important that this strategic growth plan was approved. He commented that to suggest North West Leicestershire was involved was untrue, and assured members that the district had contributed as much as the other local authorities involved. He commented that logistics was a growing industry and to suggest that such jobs were low value and low paid was appalling and he hoped these comments would be withdrawn.

Councillor T J Pendleton stated that he was very happy to say that the aim of the strategic was to generate prosperity, not just low paid jobs. He highlighted the four transformational priorities outlined in the report, one of which was within North West Leicestershire. He added that there were eleven constituent stakeholders sharing the cost and money was being saved rather than spent. He highlighted the good practice in the work being undertaken and added that cohesion would provide a sound basis for future plans.

The Chairman then put the motion to the vote and it was

RESOLVED THAT:

- a) The strategic growth statement be approved for consultation subject to (b) below;
- b) The Chief Executive in consultation with the Leader be authorised to make minor changes to the draft strategic growth statement prior to consultation.

28. NORTH WEST LEICESTERSHIRE LOCAL PLAN

The Chairman reminded members that the usual rules of debate would apply to this item.

Councillor T J Pendleton presented the report to members, reiterating that the Local Plan was the culmination of years of hard work and was an inspirational strategy that would deliver genuinely sustainable growth across the district. He reminded members that the Local Plan had been the subject of numerous rounds of informed scrutiny by members, carried out in public through the Local Plan Advisory Committee in public, with the aim of garnering cross party support. He added that the Council had set out clear priorities for the district and the Local Plan would put these priorities into action. He stated that the council was unashamedly determined that these priorities of jobs and growth would continue to be supported and would continue to support Coalville's resurgence as an economic powerhouse, capitalising on its fantastic location, proximity to the motorway network, and wealth of talented people. He made reference to the uniqueness of the place and stated that being open for business would not result in the loss of the uniqueness that made this a special place to live, work and thrive. He added that the local distinctiveness and identity of places would be maintained including protecting the Whitwick green wedge and Coalville. He reaffirmed the Council's commitment to the development of the South East Coalville sustainable urban extension which would provide more than 3,000 homes and more than £13 million investment in infrastructure to support those new homes. He highlighted the progress made in the regeneration of Coalville town centre, which had been made possible by the South East Coalville sustainable urban extension. He also made reference to the significant investment in infrastructure which had been secured along the A511 corridor and across the district. He alluded to the risks in the process of preparing the Local Plan and the considerable advice taken about the position in which the Council found itself. He commended the Local Plan to Council and moved the recommendations set out in the report.

The motion was seconded by Councillor D J Stevenson who reserved his comments.

Councillor M B Wyatt sought clarification in respect of the Bardon relief road and its status in the Local Plan. Councillor T J Pendleton stated that this was enshrined within the local planning decision and this could not be reversed.

Councillor J Legrys thanked the officers for their succinct explanations throughout the process. He also thanked Councillor J Bridges as Chairman of the Local Plan Advisory Committee. He expressed disappointment that the Local Plan Advisory Committee had not been listened to or engaged with by many members. He did not feel that the Local Plan was a visionary plan but he believed that the people of North West Leicestershire must be given the opportunity to present their concerns and opposition directly to the independent inspector. He made reference to the explicit timescales set out by the current government. He added that the government had moved the goalposts and several acts had passed through parliament recently which had forced officers to go back to square one on their research. He congratulated the officers on their work. He made reference to the extensive scrutiny undertaken by the Local Plan Advisory Committee and urged members who not happy with the Local Plan to submit their comments to the inspector, providing their planning reasons. He stated that the main concerns were the lack of identifiable infrastructure improvements and when they would be provided. He also noted that Leicestershire County Council would not be supporting the National Forest Line or the A5111 bypass and he expressed concerns in respect of the losses going on in public life at present. He concluded however that the pros and cons had to be balanced and he stressed the importance of preventing greater damage to our communities by uncompromising developers. He urged members to support the motion.

Councillor A C Saffell made reference to the discussions which had taken place in respect of the town centre boundaries in Castle Donington, which the Parish Council had very strongly wished to redraw. He stated that the Portfolio Holder had attended several Parish Council meetings and had indicated that his support. He noted with great disappointment that the proposed boundaries remained unchanged.

Councillor G A Allman stated that he would be voting against the Local Plan, as he had listened to the residents of Ashby de la Zouch and he felt he had to take their views into consideration. He quoted from the Local Plan that the purpose of planning was to help achieve sustainable development, which meant ensuring that providing for the needs of the current generation did not make life worse for future generations. He stated that the increase in the size of Ashby de la Zouch did not sit well with this statement when compared with the overall increase across the district. He added that the minimum affordable housing contribution for Ashby de la Zouch would be 30%; however the Money Hill consortium intended to provide a maximum of 10% and were not providing the nursing home that was promised. He requested a recorded vote.

Councillor J Bridges expressed thanks to the officers who had compiled the Local Plan. He also thanked Councillor J Legrys for his kind words and felt that the Local Plan Advisory Committee had truly operated as a cross party committee. He added that all members had been given the opportunity to comment and had been encouraged to seek feedback from colleagues and parish councils. He congratulated officers on building in as much flexibility as possible whilst making the Local Plan as robust as possible.

Councillor F Fenning thanked those involved for their hard work and thought. He pointed out the cost of preparing the Local Plan to date, which was approximately £394,000 over a 2 year period. He added that this excluded staff costs and he would like officers to consider the amount of time taken.

Councillor T Eynon expressed concerns relating to public health infrastructure, and highlighted the recent report to Policy Development Group pursuing the fate of £1.3 million of developer contributions for health which had been at risk of being paid back. She stated that she was however pleased to see that the Local Plan was taking transport

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infrastructure seriously, as according to the RAC, North West Leicestershire was amongst the top 10 districts where working people were obliged to use their private cars to go to work and she made reference to the many road junctions which repeatedly breached air quality guidelines. She concluded that despite her concerns she supported the Local Plan being sent out for consultation and added that she would be encouraging people interested in health and wellbeing to have their say. She commented that she was particularly pleased to support policy IF5 in which the Council committed itself to supporting the provision of public transport on the Leicester to Burton line and she looked forward to seeing progress on the inevitable revisions to the Local Plan which would take place following the consultation.

Councillor R Blunt paid tribute to those members who had served on the Local Plan Advisory Committee and emphasised the importance of the committee. He thanked the Chief Executive for suggesting this approach which had enabled cross party working on such an important document.

Councillor S McKendrick made reference to the comments made and the concerns raised throughout the process, highlighting that there were some key challenges. She stated that the questions that had to be asked were whether the Council had fulfilled its duty to co-operate, whether the housing figures were robust and whether the proposed Local Plan was sound. She commented that in the next 6 week period it was crucial for everybody to ensure they expressed their views and submitted their comments. She felt that some areas like Ashby de la Zouch would be devastated in by the level of housing development, and in some ways it was difficult to support the Local Plan. She acknowledged that without a Local Plan there was no doubt that it would be an open day for developers, and therefore with reluctance she supported it

Councillor M Specht responded to the earlier comments in respect of Section 106 contributions for health as Chairman of the Policy Development Group. He made reference to the meeting of the Policy Development Group which had discussed this issue. He stated that he was not aware that this authority had had to pay any monies back, and he added that this issue had evolved from the reluctance from the National Health Service to take up Section 106 monies. He acknowledged that some of those agreements were coming to the end of their terms, however he had been assured that the developers would be flexible in terms of timescales. He encouraged members with any concerns to contact the ward member concerned.

Councillor D J Stevenson made reference to the importance of this vote and of putting the Local Plan in place. As Chairman of the Planning Committee he urged members to support the Local Plan.

Councillor T J Pendleton thanked members for their constructive comments and made reference to the collaborative working between the administration and the opposition which had taken place.

In response to Councillor F Fenning's comments, Councillor T J Pendleton stated that permanent staff were needed in order to respond to the changing goalposts. He added that other authorities had experienced similar issues in finalising the Local Plan. He advised that the costs involved were for permanent staff only.

In response to Councillor A C Saffell's comments, Councillor T J Pendleton stated that he had supported the change to the local centre in Castle Donington and minor modifications had been made to the boundary.

In response to Councillor T Eynon's comments he confirmed that to date, no Section 106 monies had been returned to developers and he added that the Kegworth bypass would eliminate a further 2 air quality management areas.

In response to Councillor S McKendrick's comments he stated that the duty to co-operate was not a duty to agree.

Councillor T J Pendleton reiterated the importance of moving forward with the Local Plan and submitting it to the inspectorate. He thanked members for their support and thanked the officers for their work. He commented the Local Plan to members.

The Chairman then put the motion to the vote.

A recorded vote having been requested, the voting was as follows:

For the motion: Councillors R Adams, R Ashman, R D Bayliss, R Blunt, J Bridges, R Boam, R Canny, N Clarke, J Cotterill, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Hault, J Hault, G Jones, J Legrys, S McKendrick, K Merrie, T J Pendleton, V Richichi, N J Rushton, S Sheahan, A V Smith, N Smith, M Specht, D J Stevenson and M B Wyatt (33).

Against the motion: Councillor G A Allman (1).

Abstentions: Councillor A C Saffell (1).

The motion was therefore declared CARRIED.

RESOLVED THAT:

- a) The minutes of the Local Plan Advisory Committee of 29 July 2015, 16 December 2015, 20 January 2016 and 9 March 2016 be received;
- b) The publication Local Plan be approved;
- c) Council agrees to publish and invite representations upon the Local Plan Development Plan Document together with the sustainability appraisal report and habitat regulation assessment for a six week period in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- d) Authority be delegated to the Director of Services, in consultation with the Portfolio Holder for Regeneration and Planning to submit the Local Plan Development Plan Document to the Secretary of State following receipt and consideration of representations including the identification of possible modifications to the inspector;
- e) Authority be delegated to the Director of Services to agree possible modifications where requested by the planning inspector during the examination and;
- f) The appointed inspector be requested to recommend modifications to the submitted Local Plan to the Council in the event that the inspector considers that such modifications would make the plan sound.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.35 pm

Chairman's signature