

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 29 OCTOBER 2013

Present: Councillor G Jones (Chairman).

Councillors R Adams, G Allman, R D Bayliss, A Bridges, J Bridges, N Clarke, P Clayfield, J Cotterill, J G Coxon, D De Lacy, D Everitt, T Gillard, J Houlton, P Hyde, R Johnson, C Large, J Legrys, L Massey, C Meynell, T Neilson, T J Pendleton, V Richichi, J Ruff, A C Saffell, S Sheahan, A V Smith MBE, N Smith, M Specht, L Spence, D J Stevenson, R Woodward and M B Wyatt.

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mrs M Meredith, Mrs R Wallace and Miss E Warhurst.

46. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Blunt, J Geary, R Holland, D Howe and N J Rushton.

47. DECLARATION OF INTERESTS

Councillor S Sheahan referred to his declarations at previous meetings in respect of the Core Strategy. He explained that the land pertaining to this item had now been granted outline planning permission, and as such, with the principal of development having been established, there was no longer any requirement to declare an interest in this matter.

48. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- The Chairman announced that on Monday, 28 October he had had the pleasure and privilege of welcoming HRH The Princess Royal to the District. Oak trees were planted to mark the official opening of the Paralympic Grove in the Diamond Jubilee Wood.

- On Saturday, 26 October the Chairman attended the launch of the Poppy Appeal at the war memorial. The Normandy Veterans were in attendance.

- The Chairman congratulated students at Ashby School for their success in their A Level results. The Chairman proposed that a letter of congratulations and best wishes for the future be sent to the students.

- The Chairman read the following message from Councillor R Blunt:

"I have just completed the restoration of St Helen's House in Derby, which is Grade 1 listed and the project has been short listed by the Georgian Group as the best restoration in the country. It is a great honour to be nominated and I am only sorry that the awards ceremony clashes with Full Council which I would not normally miss".

The Chairman wished him the best of luck.

49. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor A V Smith was delighted to announce that the Council's Street Action team had won another National Award at the Annual Keep Britain Tidy awards last week. This

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was the third year in a row that the team had won such an award. She explained that the Council's Street Environment Managers and the Street Cleansing team had identified a need to reduce roadside litter, especially as there were a number of large busy roads running through the District which were all blighted by litter issues, irrespective of how frequently they were visited. They developed a Roadside Litter Campaign and designed a Charter for the haulage companies based in the District to sign up to. Pallex were the first to come on board and numerous others have since signed up including McVities and United Biscuits.

Councillor A V Smith reported that the campaign and Charter including an 'In Cab Pack' and a message of 'Keep Your Cab Fab' won the Partnership Award category, won runner up in the Innovation Award category and was also classified as Overall Winner at the awards. She added that to win three years in a row at a National Awards ceremony was a fantastic achievement for the Council and testimony to the focus on keeping our District clean and tidy and having the Green Footprints Challenge as a Corporate Priority.

Councillor A V Smith referred to the number of complaints received by Members relating to litter and highlighted the importance of positive campaigns such as this. She added that as resources get tighter, working in partnership was an efficient way of delivering our environmental messages and preventing littering at source was far more efficient than having to clean it up later.

Councillor A V Smith thanked the staff and Street Environment Managers in particular for not only developing this campaign but for continuing to champion keeping North West Leicestershire tidy for the benefit of our residents, businesses and visitors.

Councillor M Specht added thanks to the Parish Councils and volunteer groups who worked in partnership with officers.

Councillor D De Lacy added his congratulations to the team on their achievement and an outstanding job done.

50. QUESTION AND ANSWER SESSION

Mrs P Chander put the following question to Councillor R D Bayliss:

"It is my understanding that this Council, when calculating qualification for discretionary housing payments uses Disability Living Allowance (DLA) as an income. As far as I am aware DLA is not means tested and is not listed as income on any Government literature. DLA is meant for the specific purpose of helping disabled people live independently and to have the adaptations and treatments they require. This policy disadvantages the disabled when requesting discretionary housing payments, as it is extremely difficult and challenging for many to identify all costs related to their disability when assessments are made. If DLA was not used as income this disadvantage could be removed.

I ask that this Council reviews this policy as a matter of urgency, and considers removing DLA from calculations when assessing peoples income".

Councillor R D Bayliss gave the following response:

"Discretionary Housing Payments are very different to state benefits or Council Tax Support. They are intended to be paid for a very short period of time to people in desperate and immediate need until they are able to make any changes necessary so

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that they can live within their means. They are not a replacement or compensation for reductions in welfare benefits. The funds provided by Central Government are limited, £103k in 2013/14, so objective criteria are applied to ensure that the limited resources are made available to the most needy.

The assessment of awards of Discretionary Housing Payments is therefore quite different from that of state benefits. Yes, Disability Allowance Income is taken into account, but so are the costs which this income is intended to cover. These include mobility costs, care costs, special dietary needs and additional fuel costs.

If Disability Living Allowance was to be disregarded as income then the costs associated with the disability would also be excluded from calculations. The current process allows additional costs to be included making it a fairer assessment of need".

Mrs P Chander declined to ask a supplementary question.

Councillor N Clarke thanked Mrs P Chander for raising this issue and felt that it deserved further debate. He moved that an item be placed on the agenda of the next Policy Development Group meeting where it could be debated further. This was seconded by Councillor T Neilson.

Councillor R D Bayliss indicated that he had no objection to the proposal.

The motion having been moved and seconded, the Chairman then put it to the vote and it was declared CARRIED.

RESOLVED THAT:

An item in respect of Discretionary Housing Payments be considered at the next meeting of the Policy Development Group.

51. QUESTIONS FROM COUNCILLORS

Councillor J Ruff put the following question to Councillor R D Bayliss:

"With the ever increasing waiting lists for social housing it seems a disgraceful situation to have council houses standing empty in desperate need of repair for over 6 months. Can the Portfolio Holder please explain how the council could speed up the process of getting these homes habitable for tenants in desperate need of a home, under the "Decent Homes programme"."

Councillor R D Bayliss gave the following response:

"The allocation of social housing is a core function for the Housing Service and undertaking essential works to bring the properties up to the 'Void Lettable Standard' (a standard developed with our involved tenants), is a priority service area. Over the past 2 years we have had a number of properties become empty which require in excess of £10k per property to bring them up to this standard, works included rectifying damp issues and red ash floors. Had the service undertaken the work without regard for the cost, the service would have far exceeded its budget. Therefore a procurement exercise has been completed to undertake the specialist work at a reduced cost, achieving value for money for the Council. Work on these properties commenced earlier this month.

Properties which have identified works as part of the Decent Homes Improvement Programme have the work undertaken whilst the property is empty ensuring our home

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seekers have a better quality of home to move into. This approach has exceeded the period of time the properties are empty for.

This year we have experienced a 17% increase in the amount of properties which have become empty and early indications show more tenants are moving from one council property to another. Further analysis of tenancy terminations is being undertaken.

As at 1 October 2013, there are a total of 228 properties empty or 5% of the total council housing stock.

This is broken down as follows:

- 125 are in the process of or work is scheduled to bring the properties to a lettable condition ready for allocation.
- 92 are sheltered housing units where we are considering the long term future use of the buildings. This includes 53 properties in scheme Cabinet approved to decommission.
- 6 in supported housing where we are considering redesignating general needs due to low demand.
- 4 properties, which are being considered for conversion/disposal.
- 1 property which is currently being used by one of the Decent Homes Contractors as office accommodation as approved by Planning Committee".

As a supplementary question, Councillor J Ruff stated that she felt the question had not been answered. She asked if this meant that renovation had started or was about to start. She also asked why four properties were being considered for disposal or conversion.

Councillor R D Bayliss responded that it was not a case of speeding up, but of carrying through the process. He added that there were currently in the region of 34 properties which would require in excess of £10,000 expenditure to bring them up to the 'Void Lettable Standard', and which were effectively out of use. He added that at any one time there were approximately 200 properties being worked on under the Decent Homes Improvement Programme and work was commencing on new properties each week. He explained that the out of debit properties had not previously been included in the Decent Homes Improvement Programme due to the cost. He added that all the current out of debit properties could now be dealt with and it was anticipated that this would be completed by the end of the year.

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

"Will the Portfolio Holder please provide me with a detailed breakdown of all annual costs to this Council from May 2007 to September 2013 for work undertaken by its staff and Consultants (including legal fees) for work associated with the submitted Core Strategy".

Councillor T J Pendleton gave the following response:

"After the meeting I will provide Councillor Legrys with a series of detailed spreadsheets which show a breakdown by year of the costs borne by the Council both in terms of employee and agency costs and in terms of consultancy fees for specific pieces of work relating to the submitted Core Strategy.

I'm sure Councillor Legrys will accept that there are a number of assumptions built into these figures, particularly in trying to calculate the amount of time spent by officers on certain pieces of work over a 7 year period.

Nevertheless what these figures show is that since 2007 approximately £570,000 was

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spent by the Council on employee and agency costs in planning policy in the preparation of the Core Strategy. Of course the preparation of planning policy is an ongoing statutory duty placed on the Council and therefore these costs would be costs that the Council would have had to meet whether it was part of the submitted Core Strategy or any other Local Plan document.

In addition, the Council spent over £18,000 on corporate and support service costs, including internal and external legal costs, over the same 7 year period. The corporate and support services would include the costs of writing and checking Council reports and arranging and attending Council meetings etc.

In addition just over £314,000 was spent on consultancy fees for specific pieces of work in compiling the Core Strategy evidence base. It is also important here to stress that should Council later this evening choose to withdraw the Core Strategy but also to re-submit the document next year, then much of this evidence base will still be relevant and will not have been abortive work".

Councillor J Legrys indicated that he wished to reserve his supplementary question for the debate on item 10 and thanked Councillor T J Pendleton and the officers for providing the information.

Councillor R Johnson put the following question to Councillor A V Smith:

"In March this year I put a question to you as the Portfolio holder, as follows:-

"Could the portfolio holder tell me what provision the Council is giving weight to in filling in the potholes on our car parks within the district, especially the council offices car park, in my view a poor advertisement to both visitors and residents visiting our town"

Your answer then was at council

"I thank Cllr Johnson for this question although the details were provided at the last full council meeting within the capital programme for 13/14. We have made provision for the following car parks to be resurfaced in the forthcoming financial year:

Market Hall car park in Coalville
Council offices rear extension car park
Council offices rear main car park

All car parks are assessed on an annual basis and a programme of works are put forward for consideration during the annual budget process.

These car parks are in need of attention and following budget approval the costs and programme of works are now being developed. The exact dates will be communicated to all Members in due course".

So my question is after seven months why hasn't anything been done, well apart from cosmetically filling in the pot holes, this council has had ample time in this time period to do this, after all we have had a decent summer for these works to happen.

What sums of money has been put aside for the resurfacing of the public car parks in our town, as our council tax payers need Value For Money".

Councillor A V Smith gave the following response:

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"I indicated to Cllr Johnson in March that works were programmed to be completed within this financial year, and that remains the case today.

Work to date has included the writing of a detailed technical specification and the completion of the procurement process.

The tenders for two of the three car parks have been evaluated and were awarded last week with contracts signed on Friday 25 October.

There are however external factors which are affecting the timescales for delivery that are outside of the Council's control. Western Power Distribution have scheduled cabling works in the Market Hall car park which will require the car park to be dug up in order to lay new cables. We are therefore waiting for these works to be completed before progressing our resurfacing works. I cannot give a definitive timescale but way leave agreements are currently in the process of being signed.

The timeframe for resurfacing the main Council Offices car park is currently being agreed with the contractor and I am hopeful this will be before the end of the calendar year but this will be dependent on weather conditions.

The Council Offices rear extension car park is currently on hold pending further ground investigations into root damage and as a result works are likely to be reprogrammed for 14/15.

Pot holes have been filled in the interim to ensure on-going safe use of the car parks.

All car parks are assessed on an annual basis and decisions are made through the budget process for any capital requirements. At present, South Street Car Park in Ashby (estimate £26,000) is planned for resurfacing in 14/15".

In formulating his supplementary question, Councillor R Johnson sought to make a statement and attempted to debate. In accordance with Council Procedure Rule 11.8, the Chairman reminded Councillor R Johnson to confine his contribution to a supplementary question only.

As a supplementary question, Councillor R Johnson asked if the Portfolio Holder thought it was fair that the car parks were in such a poor state when the Administration proposed to increase car parking charges.

Councillor A V Smith responded that it would be foolish to resurface a car park only for the utility services to dig it up, and this would not provide value for money. She reminded Councillor R Johnson that the issue of car parking charges did not arise in his original question and invited him to put this question to her at another time. She added that if there were no car parking charges, there would be no money available to resurface car parks.

Councillor A C Saffell put the following question to Councillor A V Smith:

"Last Saturday Evening large parts of my Ward, Castle Donington, had to suffer significant noise pollution from the Gatecrasher Event held at Donington Park. The noise went on from early evening till 6am and prevented many people getting a full night's sleep. The Parish Council has received many complaints.

The Licence granted to the Operators of Donington Park specifically bans noise after 11pm which can be heard inside neighbouring properties. The objectors to (and even

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some supporters of) the event all agreed that the noise was very evident inside all properties in the southern two thirds of the village. My own house which has very thick walls and double glazing and is in the very middle of the village was also affected badly.

This is the second time in as many months we have had this trouble, it was also a problem at Download, when the entertainment on the camp site was very noisy and went on every night of the event until 3am or later.

Our Local Authority is supposed to protect us from events that reduce our wellbeing, but we are under constant attack at the moment and the impression is that both in Planning and Environment terms the District Council does not seem to want, or is not able to, exert any control whatsoever. We are in danger of attracting far more of these events because they know they will be allowed to do whatever they want without fear of reprisal and can come again next year to be welcomed with open arms.

I repeat my allegation that this District Council will stand idly by and in the process destroy the Ancient Market Town that is Castle Donington.

I don't believe we would have known about the Zoo Event in September if I had not phoned to ask what was in place to protect my voters. We were told nothing about this latest event which following what happened at the Zoo Event I find reprehensible. The voters expect us to be able to represent them which we cannot do if we have no involvement.

So I would ask the Portfolio Holder:

- a) Are the terms of the Event License adequate for these events?
- b) Why are the Council not enforcing the regulations? And
- c) Why were Ward Members not involved in either of the last two events?"

Councillor A V Smith gave the following response:

"1) The Premises Licence held by Donington Park was initially granted permitting outdoor and indoor music events in 2005. The conditions on the licence were agreed following a full consultation process in accordance with the Licensing Act. The adequacy of the licence has been challenged on a number of occasions since 2005. The licence was reviewed in 2008 following an application submitted by Leicestershire Police regarding crime and disorder concerns. A full consultation process was undertaken and extra conditions added to the licence.

In 2008 an application was received requesting an extension of the licensable area and an extension of operating hours. Following consultation representations were received from the Councils noise team, health and safety team, East Midlands Airport, Melbourne Parish Council, Castle Donington Parish Council and 2 residents. The request to extend the permitted hours for regulated entertainments was refused.

In 2010 and 2012 the Council received an application to increase the maximum capacity from 79,999 to 120,000. Full consultation was undertaken with each application which resulted in representations being received. A decision to grant the licence was made by a Licensing Sub-Committee in 2010 and 2012.

The Council has never received an application to review the licence relating to public nuisance concerns nor have we prosecuted for a breach of the licence. As such, it is felt that to date the conditions in the licence have been adequate for the events taking place.

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2) The Council continues to direct significant resource to both working with the event organisers to agree event planning documentation and monitoring compliance with licence conditions. Specifically in relation to the 2013 Download and Zoo festivals, analysis of the noise levels recorded during those events has shown that the noise limits specified within the licence were not exceeded and that there was no evidence of a breach of the licence.

The analysis of the data relating to the Gatecrasher event held on 19/20 October has yet to be completed. Should that analysis identify any breaches of noise limits or noise conditions, further action will be considered.

3) In relation to involving Ward Members in the planning of such events, officers' work is normally focussed on working with the event organiser and agreeing event management plans where required.

The organisers of the Zoo festival and Gatecrasher event did not require permission from the District Council to hold these events as authorisation was already provided for by the premises licence initially granted in 2005 and last varied in 2012. Where a licence is already in place to hold an event the Licensing Act 2003 and Statutory Guidance does not provide a District Council with a mechanism for consulting with Ward Members. However this does not prevent a District Council taking the decision to notify Ward Members of events, outside of the statutory process.

In relation to the Zoo festival the District Council did notify Ward Members of the event and process in place to enable residents to make a complaint should they suffer noise disturbance. Ward Members were not notified of the Gatecrasher event as noise disturbance and the number of resident complaints was not anticipated. The previous Gatecrasher event held in May of this year was fully compliant and generated just 2 complaints. Events are risk assessed by Officers taking into consideration factors such as attendance, nature of the entertainment and adequacy of event plans. Ward Members are notified of events where resident issues are anticipated.

Should it be the view that more is required of the licence holder in terms of resident and Ward Member involvement, this is a matter which could be addressed through a review of the licence by suggesting additional licence conditions.

Looking forward, officers will continue to notify Ward Members in advance of music events that they are aware of which are likely to generate issues for nearby residents. This will offer an opportunity for the Ward Members to discuss any concerns or issues with the organisers and officers.

In addition to following all statutory requirements regarding consultation and notification the licensing team will continue to notify by email Parish Councils and Ward Members of all applications for new and variations to existing premises licences".

In formulating his supplementary question, Councillor A C Saffell sought to make a statement. In accordance with Council Procedure Rule 11.8, the Chairman reminded Councillor A C Saffell to confine his contribution to a supplementary question only.

Councillor A C Saffell stated that he was disappointed with the response and felt that this did not portray the full picture. He referred to the sad state of affairs in Castle Donington and felt that this could not continue. He stated that the licence was not adequate and the Parish Council had previously requested a review.

Councillor A V Smith responded that the data in respect of the Gatecrasher event was

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still being analysed. She stated that the Council had no knowledge of a request from the Parish Council to review the licence, and added that the requisite steps would be taken if such a request was received.

Councillor T Neilson put the following question to Councillor A V Smith:

"What is the current cost to the council, including staff time of the Local Government Boundary Review and what is the expected additional cost to the Council in maintaining 38 separate wards instead of the current 20?"

Councillor A V Smith gave the following response:

"When the decision was made by Council to request that the Local Government Boundary Commission for England undertake a boundary review, there was a clear timetable of when work on this review was likely to commence and at what stage further work would be required to be undertaken.

Therefore there was sufficient time to allocate resources to the work which needed to be done without detriment to the service. No work has been undertaken outside normal working hours save for attendance at evening meetings at which officers would be required to attend in any case.

The Local Government Boundary Commission for England does not recharge the Council for any of the work it has undertaken.

In the interests of transparency I have set out below a breakdown of the staff time and estimated cost allocated to the work to date relating to the review.

Legal Services

Nature of work	Hours
Attending meetings	6
Writing Reports	22.5
General Administration	16
Checking Reports	0.5
Collation and provision of data and statistics	2.5
Total	47.5
Estimated cost	£1,685

Democratic Services

Nature of work	Hours
Attending meetings	6
Writing Reports	6
General Administration	4
Collation and provision of data and statistics	56.25
Plotting draft boundaries on maps	150
Total	222.25
Estimated Cost	£5,556

In terms of the expected additional cost to the Council in maintaining 38 separate wards instead of the current 20, I am reliably informed that because we have the same number of Members, the same number of polling stations and therefore the same number of staff working at those polling stations, there will be no additional cost save for a very minimal amount for the cost of new signage at the count depicting the new wards.

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Members may also be aware that as soon as practicably possible after the completion of the boundary review the Council is required to undertake a polling places review. Under normal circumstances this may have incurred additional cost because it would coincide with another polling places review which the Council is required to undertake within 16 months of 1 October 2013 and every 5 years thereafter. To prevent this duplication of work, staff in Democratic Services have re-prioritised their workloads to time the polling places review it so that it has only to be undertaken the once and on the new boundaries should they be approved by Parliament".

Councillor T Neilson declined to ask a supplementary question.

Councillor D De Lacy put the following question to Councillor T J Pendleton:

"A recent Planning Inspectorate decision concluded that the District Council could not demonstrate a 5 year housing land supply, and in future would need to provide an additional 20% buffer for housing land supply.

It was stated in the documentation to the October Planning Committee meeting that the most recent calculations indicate that a supply of 4.33 years is the current housing land supply position.

The consequences of an inability to demonstrate a five year housing land supply are profound. Paragraph 49 of the National Planning Policy Framework advises that "Relevant Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

What this means, in practice, is that it is very difficult for the Planning Committee to oppose applications from developers who are likely to mount appeals with the danger of costs being awarded against the Council.

What is the Council's strategy to restore a five year (+20%) housing land supply?"

Councillor T J Pendleton gave the following response:

"The issue of 5-year land supply is consistently being monitored and updated. The current supply is estimated to be 4.33 years which represents a shortfall of 444 dwellings. It should be noted that for each year that the required annual build rate for 5-year land supply purposes (currently standing at 665 dwellings) is not met, the annual requirement for subsequent years will increase.

The current assessment makes assumptions regarding the likely build rates on individual sites. These assumptions are informed by data from developers and promoters of sites, together with knowledge regarding historic build out rates and market conditions. Account also has to be taken of national guidance in respect of what can be considered to be deliverable sites – for example, national guidance is that if a site has planning permission it should be assumed that some (if not all) of such a site will be built in the 5 year period being considered unless there is evidence to suggest otherwise.

The potential contribution that a proposed development could make to the 5-year supply is one of a number of material considerations that Planning Committee need to consider, but it will still be necessary, in accordance with the advice in the National Planning Policy Framework, to assess whether the proposed development represents sustainable development or not.

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The Council's Strategy to achieve a 5 year supply (+20%) as soon as possible will be through the preparation of a Core Strategy, including the allocation of sites as necessary, and the ongoing granting of planning permission for new housing development which is considered to be sustainable. However, it should be appreciated that not all dwellings which receive planning permission will be built out in the next 5 years. Whilst it is the Council that grants planning permission it is ultimately the market and demand for housing that determines how many houses will get built. It is important therefore that the Council continue to support economic growth and new job creation in the district to encourage and the demand for new housing. Furthermore, as the economic position improves demand for new housing will increase which should result in an increase in build rates such that current predictions regarding future building may be able to be upgraded and so result in a healthier 5-year supply of housing".

As a supplementary question, Councillor D De Lacy stated that it was clear from the answer that the Council was not in control of the five year housing land supply. He added that no matter the number of dwellings that were approved, it was the build rate which determined whether or not the dwellings counted towards the housing land supply, and it was in the developers' interests not to have a housing land supply. He asked if the Portfolio Holder had any concerns about developers controlling the housing land supply and what action he would take if evidence of landbanking by developers was forthcoming.

Councillor T J Pendleton acknowledged that the housing land supply was commercially driven, however the figure had risen from 2.3 to 4.3, and he was confident that a five year housing land supply would soon be achieved. He added that the Council was acting effectively as ringmaster in ensuring that the housing land supply was moving in the right direction. He stated that he would maintain work to ensure the growth of the housing land supply and would continue to be vigilant in order to prevent landbanking.

52. MOTIONS

Councillor T Neilson moved the following motion:

"Council notes the current consultation by the Local Government Boundary Commission on the proposed new warding pattern for North West Leicestershire District elections in 2015.

Council notes that the review passed by majority vote at full Council in March 2011 was called in order to consider single Member Wards and that decision has led to a waste of time and money at a time when the Council is in short supply of both.

The growth figures the Commission are relying on are derived from the core strategy, not only are those figures in question but so are the directions for growth. It seems that the electoral equality of the Wards in 2015 will be no better than when the review commenced in 2012.

In addition to this the Leader of Leicestershire County Council has taken it upon himself to call for the abolition of this Council in 2017, which provides further evidence that this review has been a waste of time and money.

The Council believes that should the current recommendations stand it will deteriorate the representation of our communities and make democracy more expensive, an outcome that no one wanted and recognises that Council was mistaken to request a single Member Ward review as the outcome does not reflect community identities or provide convenient and effective local government.

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Therefore the Motion is: That Council request that the Local Government Boundary Commission stop the review process that would lead to new electoral arrangements for North West Leicestershire".

Councillor T Neilson spoke to the motion and stated that this was a matter which had been taxing many Members' patience. He referred to the outcome of the latest round of consultation from the Boundary Commission which had exercised the minds of Measham Parish Council and they were not happy with the outcome. He added that it was a shame the Leader and the County Council Leader were not present to see this shambles. He stated that in March 2011 the Council was a very different place and no consultation was undertaken by the Council before requesting a single Member Ward review. He added that he was aware that many Conservative Members were not happy with the proposals either. He stated that the motion provided Members a final opportunity to cease the review. He urged Members to grasp the opportunity to state that the review was no longer wanted and plea to the Boundary Commission to halt the review. He felt that the review would not achieve better electoral equality, would split up communities and worsen representation, and had already cost enough. He urged Members to support the motion and stand up for the cohesion of our communities.

The motion was seconded by Councillor R Woodward who reserved his comments.

Councillor A V Smith reminded Members that the decision to have a review was passed by majority vote. She added that the Boundary Commission had now undertaken the review, and whilst the Council did not have any power to stop the review, the Constitution enabled Council to put the request to the LGBCE. She reported that she had asked the Boundary Commission for their view should a request to stop the review be forthcoming, and their response was that they had never suspended a review that was in progress, and was unlikely to do so at this stage, particularly having already published its draft recommendations and committed resource and expenditure to the review. She added that it was entirely open to Members to make representations to the Commission. She reminded Members that a review would take place sooner or later due to the growth figures in the area, and therefore suspending the review would only delay the inevitable.

Councillor J Legrys thanked the Deputy Leader for her response. He added that he was aware this was likely to be the response from the Boundary Commission, however he felt their reply indicated that they would welcome a recommendation from this Council. He hoped that all Members would support the motion. He stated that the absent Leader of Leicestershire County Council had made it clear in the media that he would be seeking a unitary authority from 2017 for the whole of Leicestershire, which placed a great deal of doubt on the future and value of this Council beyond 2017, and therefore this re-organisation was premature. He added that he understood Leicestershire County Council had also requested a review with a view to reducing the overall number of Members. He referred to the item later on the agenda to debate the withdrawal of the Core Strategy, which would throw the areas of growth into doubt. He added that the cost of the review was miniscule to the Council, but was considerable for the taxpayer. He stated that he was angered by the disfunctionality of the Administration of the District and County Councils as they did not communicate with one another. He felt that the review was premature and was putting local government further into the mire of disrepute.

Councillor D Everitt stated that the review was completely unnecessary and would not benefit anyone. He added that the current situation worked well, as Members had built up a relationship with residents, and Members in multi-Member Wards worked well together, regardless of political affiliation. He contemplated what taxpayers would think

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of the cost of the review considering that they were struggling to pay their bills. He felt that Members should support the motion as no one wanted the review to take place.

Councillor L Spence stated that he believed the decision to request a single Member Ward review was one of the biggest follies of this Council, however he believed the review had been requested for the right reasons. He added that the difficulty with single Member Wards was that if a Member was inefficacious or ill, the Ward could end up very badly represented. He referred to the cost of the review to the Council and the greater cost to the public purse of £100,000 - £200,000. He added that single Member Wards could make the District Council elections more costly and would also increase the cost of Parish Council elections. He referred to inaccuracies in the process. He stated that the trigger point would be met sooner or later but the review did not have to consider single Member Wards. He added that this was an opportunity to highlight what could have been done better and he felt that the proposed warding pattern was bad for democracy. He urged Members to think again and support the motion.

Councillor A C Saffell stated that he supported everything that had been said and he did not wish to see Castle Donington split into three. He added that Members in multi-Member Wards worked together and he did not see why multi-Member Wards could not be retained and considered as part of the review. He agreed that the proposals would cost more to administer and he added that the proposals would cause chaos for the Parish Council elections in May. He added that the current arrangements with the Parish and District Council worked perfectly well.

Councillor D De Lacy stated that there was no demand from Ibstock and Heather Parish Council to split into single Member Wards and artificial boundaries were being drawn up. He added that multi-Member Wards promoted cross party collaboration and this would be lost. He believed that the only reason for undertaking the review was political advantage. He stated that the proposals would not be good for the District or Parish Councils. He urged Members to support the motion.

Councillor R Woodward stated that Whitwick Parish Council was never consulted on the proposals. As the spokesperson for the Parish Council he reported that they were in the process of applying for the General Power of Competence which could lead to Quality Council status. He explained that a requirement of this was that two thirds of the Members of the Parish Council were directly elected and not co-opted, and the likelihood of this following the review was negligible.

Councillor T Gillard stated that Whitwick Parish Council had been consulted on the proposals and had responded to the consultation.

Councillor R Woodward clarified that Whitwick Parish Council had debated the proposals but had never been consulted on them. He called upon all Members as representatives of their communities to request that the review be halted.

Councillor T Neilson exercised his right of reply and stated that the review was a grave misjudgement and no one would benefit from it. He added that the contributions from the floor demonstrated that the warding pattern would have a negative impact upon engagement, and the Boundary Commission had indicated that there was a real appetite to take single Member Wards off the agenda. He urged Members to support the motion.

The Chairman then put the motion to the vote and it was declared LOST.

Chairman's initials

53. PETITIONS

None received.

54. MINUTES

Consideration was given to the minutes of the meeting held on 17 September 2013.

Councillor R Johnson commented on the accuracy of the response to the question submitted by Councillor J Legrys in respect of the land transfer to Hugglescote and Donington le Heath Parish Council. This was subsequently clarified following the meeting.

Councillor D De Lacy commented on the speech made by Councillor N J Rushton in respect of the motion moved by Councillor N Clarke.

Councillor D J Stevenson raised a point of order in respect of Council Procedure Rule 17.1, that only the accuracy of the minutes could be discussed.

RESOLVED THAT:

The minutes of the meeting held on 17 September 2013 be approved and signed by the Chairman as a correct record.

55. NORTH WEST LEICESTERSHIRE LOCAL PLAN: CORE STRATEGY

Councillor T J Pendleton presented the report to Members. He referred to the exploratory meeting which took place on 17 September 2013 and reported that the Inspector was not prepared to allow the examination to proceed and had strongly recommended that the Core Strategy be withdrawn. The Inspector had concerns that the evidence base figures were not up to date and that there should be specific sites identified in respect of the direction of growth areas.

Councillor T J Pendleton stated that he felt the Inspector was wrong. He stated that the proposals had the support of the local community and the evidence base was sound. He added that the Council had argued strongly in respect of the direction of growth proposals, as others in a similar position had successfully done, particularly as most of the locations now had planning permissions granted. Nevertheless, this particular inspector had drawn his conclusions and the Council was bound by them as the Inspector was judge, jury and executioner.

Councillor T J Pendleton explained that therefore he was recommending that the Core Strategy be withdrawn at this stage, and the requisite evidence be prepared in order that the Core Strategy could be resubmitted as soon as possible. He added that having a lodged Core Strategy was beneficial, as was having an emerging Core Strategy. He acknowledged that it was disappointing that the Core Strategy had to be withdrawn, but the top-down housing targets set by the previous Regional Plan had to be resisted. He added that a high court judicial review had been withstood in respect of the Whitwick green wedge, and this would not have been possible without the emerging Core Strategy.

At this point in the meeting, the Chairman called for order.

Councillor T J Pendleton stated that if the figures in the Regional Spatial Strategy had been adopted, the current housing land supply figure would have been even lower.

Chairman's initials

Councillor T J Pendleton moved recommendations 1 and 2 as set out in the report. He withdrew recommendation 3 and formally invited the Opposition to debate the issues around resubmitting the Core Strategy. He stated that the work completed so far would enable the Core Strategy to be resubmitted fairly quickly in the new year. He added that none of the work completed had been lost, and reconsultation could be undertaken very quickly. He explained that he would bring a report to the next meeting of Council to agree the governance arrangements.

Councillor D J Stevenson seconded the motion and reserved his comments.

Councillor T Neilson sought to raise a point of order in that it was not in order to consider the two recommendations together, as a decision on recommendation one needed to be taken before recommendation two could be considered.

Councillor T J Pendleton stated that he was not prepared to withdraw his motion to consider the two recommendations together.

Councillor R Woodward stated vehemently that it was shameful to claim the credit for the outcome of a judicial review and he called for the Portfolio Holder to apologise to the people of Whitwick. He asserted that the Portfolio Holder's claims were simply not true.

Councillor J Legrys stated that this was not a moment to be triumphant about the withdrawal of the Core Strategy, and agreed that any Core Strategy was better than no Core Strategy. He felt that there was no option but to withdraw the Core Strategy. He stated that the contract in respect of the Strategic Housing Market Assessment had not been formalised and was not likely to be in the short term. He referred to the discussion at the exploratory meeting which recommended that officers be told to overcome the issues relating to the Core Strategy. He stated that recommendation 2 was unclear and meant that the Core Strategy document would be suspended. He pointed out that the Strategic Housing Market Assessment would take until Spring, the revised housing figures would not be available until April next year, and to start again would take until 2016. He added that the revised housing figures were unknown. He emphasised that the figures in the Regional Spatial Strategy were not set by the Labour Group but by the Conservative-led County Council in 2005. He added that the duty to co-operate meant that it was unknown how many additional houses would be allocated to the District. He stated that the Council needed to start again and engage fully with the local community. He suggested that the current Administration was dysfunctional and was allowing officers to take the blame. He stated that the Council was informed on 17 August 2012 that the Core Strategy was unsound and tomorrow he would be asking the Monitoring Officer to consider whether the Council had been misled as the Planning Inspectorate was clear that the Core Strategy was unsound.

At this point in the meeting, the Chairman called for order.

Councillor J Legrys called for the Portfolio Holder to resign.

At this point in the meeting, the Chairman called for order. He advised Councillor J Legrys that he had spoken for 5 minutes in total.

Councillor D De Lacy sought to raise a point of order and asked how long Members were allowed to speak for.

The Chairman advised Councillor D De Lacy that Members were able to speak for five minutes in total in accordance with Council Procedure Rule 14.4.

Chairman's initials

Councillor T Neilson stated that he was disappointed that Councillor T J Pendleton had not seen fit to move the recommendations separately, as he would be happy to support the motion to withdraw the Core Strategy, however he believed that the best way forward was to start on a new process. He referred to the notes from the Planning Inspectorate dated 17 August 2012 which Councillor J Legrys had discovered by way of a Freedom of Information request. He added that the Core Strategy had been discussed on three occasions since the date of the letter, however this information was not given to Members, which was tantamount to misleading the Council. He stated that given the fundamental flaws outlined at every stage the Opposition felt very much let down. He added that the Council owed it to the community to get this right. He stated that the best way to do so was to start again and have a plan which was led by communities rather than developers. He added that the evidence base was wrong, the whole document was fundamentally flawed, and the only way forward was to start again.

Councillor A C Saffell concurred that the Inspector was judge and jury. He stated that more work would need to be done than simply re-submitting the Core Strategy as the Inspector had been very clear on his requirements and he would not be impressed by this. He added that to suggest the Inspector had got it wrong was not the right approach. He stated that he was not suggesting that the process needed to start again, however he reminded Members that the Inspector was not prepared to suspend the process for six months as he had no confidence that the Council could be in a position to resubmit the Core Strategy within a year at a sufficient standard to satisfy him.

Councillor M Specht stated that there were some good points in the current version of the Core Strategy and he felt that these should be reconsulted upon to save money. He added that he was shocked to hear Councillor J Legrys calling for Councillor T J Pendleton to resign and pointed out that none of the Labour-led Local Authorities who had withdrawn their Core Strategies had had their Portfolio Holders resign.

Councillor J Legrys sought to raise a point of order in that Councillor M Specht did not speak through the Chairman.

Councillor D De Lacy stated that the report was absolutely damning and he found the complacency of the Portfolio Holder astonishing. He added that the Conservative Administration had managed the Council into a situation where developers had a 'free for all'. He stated that the Portfolio Holder was clearly blaming the Inspector, however the Inspector was speaking on behalf of the Secretary of State, and his role was to ensure that any local plan conformed with the National Planning Policy Framework. He added that the Inspector was clearly saying that the Core Strategy did not conform. He stated that Councillor J Legrys should be congratulated for extracting the letter from the Planning Inspectorate which clearly spelled out fifteen months ago that the Core Strategy was completely contrary to the National Planning Policy Framework and would be found unsound, and the option to suspend the process would in all likelihood not be possible should the Core Strategy be submitted. He stated vehemently that the Council ought to have received this advice. He added that the Council had ignored the Inspectorate for the past fifteen months, which was a folly and a complete waste of time, effort and money. He stated that any person reading the letter could see that the Core Strategy was doomed and fifteen months had been wasted. He added that he was present at the exploratory meeting and he felt it was embarrassing. He stated that the Cabinet and the Portfolio Holder were responsible for the chaos that Planning was in at the Council today and the withdrawal of the Core Strategy was fifteen months too late. He stated that the Portfolio Holder should accept responsibility for this debacle and recognise that his position was untenable.

The Chairman advised Councillor D De Lacy that he had spoken for five minutes in total.

Chairman's initials

Councillor R Johnson asked the Portfolio Holder to comment on whether the sale of the Snibston Museum and Country Park to developers would be contributing towards the housing land supply figure.

Councillor D J Stevenson stated that the rules of calculating the housing land supply had changed numerous times and the Administration had done its best to keep the housing requirement figure down. He added that he could see no point in starting again as this would cost more money. He urged Members to support the recommendation so that work could commence as soon as possible.

Councillor M Specht attempted to make a further speech. The Chairman clarified whether Councillor M Specht was seeking to raise a point of order. In accordance with Council Procedure Rule 14.5, the Chairman advised him that he was unable to speak again other than to raise a point of order.

Councillor T J Pendleton stated that it was not unusual for an initial plan not to be perfect. He added that the actions of other Local Authorities had been taken into consideration, and others had had their Core Strategies allowed on the same basis. He clarified the timescales and stated that it was highly conceivable that the Core Strategy would be agreed upon and ready for resubmission in Spring 2014. He stated vehemently that to scrap the Core Strategy would set the Council back a minimum of 18 months in time, and the cost would be phenomenal. He added that a huge reworking of the Core Strategy was not necessary, as the work already done could be built upon. He stated that some Inspectors had been pragmatic in their approach, however ours had decided not to be. He urged Members to support the recommendations.

Councillor R Johnson attempted to make a further speech. In accordance with Council Procedure Rule 14.5, the Chairman advised him that he was unable to speak again.

The Chairman then put the motion to the vote. It was declared CARRIED.

RESOLVED THAT:

- a) The North West Leicestershire Local Plan Core Strategy be withdrawn in accordance with regulation 27 of the Town and Country Planning (Local Planning)(England) regulations 2012.
- b) Work continues on the Core Strategy with a view to re-submitting as soon as is practicable.

56. APPOINTMENT TO SUBSTITUTE SEAT ON PLANNING COMMITTEE

It was moved by Councillor G Jones, seconded by Councillor T Gillard and

RESOLVED THAT:

Councillor V Richichi be appointed to the vacant substitute seat on the Planning Committee.

The Chairman opened the meeting at 6.30pm.

Councillor R Adams left the meeting at 8.05pm during the debate on item 10 - North West Leicestershire Local Plan: Core Strategy, and returned to the meeting at 8.07pm.

The Chairman closed the meeting at 8.09pm.

Chairman's initials