

**CABINET
25TH OCTOBER 2012**

PRESENT: The Leader (Councillor Slater)
 The Deputy Leader (Councillor Hampson)
 Councillors Barkley, Blain, Fryer, Harley, J. Hunt and
 Snartt.

APOLOGY: Councillor Bokor.

Councillor Vardy (Cabinet Support Member) was also in attendance. Councillors Capleton and Morgan (Cabinet Support Members) sent their apologies.

55. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

A disclosure of personal interest was made by Councillor Snartt, since a family member worked for a developer who was promoting options for inclusion in the Core Strategy, in agenda item 6 – Call-in of Cabinet Decision – Local Plan Position Report and Way Forward.

56. LEADER'S ANNOUNCEMENTS

The Leader made no announcements.

57. MINUTES

The minutes of the meeting held on 27th September 2012 were confirmed as a true record and signed.

58. QUESTIONS UNDER COUNCIL PROCEDURE RULES 29(ii) AND 39

No questions had been submitted.

59. CALL IN OF CABINET DECISION – LOCAL PLAN POSITION REPORT AND WAY FORWARD

A report of the Scrutiny Management Board presenting their recommendations, following consideration of a call-in of a Cabinet decision in respect of the Local Plan Position Report and Way Forward (Cabinet Minute 48 2012/2013), was submitted (item 6 on the agenda filed with these minutes).

In accordance with Council Procedure Rule 8(d), Councillor Miah, as Chair of Scrutiny Management Board, addressed Cabinet.

In giving consideration to the recommendations of the Scrutiny Management Board, Cabinet rejected recommendation 1: "that resolution 5 (Cabinet Minute 48, 2012/2013) be revised to include approval for a direction of growth for Cotes, minute to be worded as follows: *that in light of the evidence, directions*

of growth for North Charnwood adjoining Shepshed and for Cotes be approved, and that this be included in the emerging development strategy for Charnwood to meet the objectively assessed needs”.

The reason for rejection was that transport modelling for Cotes had been undertaken on four previous occasions; to undertake further modelling would result in a delay to finalising the Core Strategy for consultation and submission and this risked more speculative planning applications and the extension of the plan period of the Core Strategy by a further year, which would result in having to find an additional 790 homes (which the Council had not consulted on). The main reason for not selecting Cotes as a site for inclusion in the emerging Core Strategy was that it performed less well than other options across a range of indicators.

In giving consideration to the recommendations of the Scrutiny Management Board, Cabinet accepted recommendation 2 of the Scrutiny Management Board that resolution 9 (Cabinet Minute 48, 2012/2013) be revised to include confirmation of the legal status regarding the development of Wymeswold Airfield (see resolution and reason 9 below).

RESOLVED

1. that the position in relation to the emerging development strategy and consideration and recommendations of the Local Development Framework Project Board regarding traffic modelling be endorsed;
2. that the response to consultation comments on the development strategy options (Appendix B and C and as detailed in Part B of the report of the Strategic Director of Housing, Planning and Regeneration and Regulatory Services) be accepted as the basis for identifying an emerging development strategy along with the Sustainability Appraisal, Equalities Impact Assessment and the broader evidence base;
3. that in light of the evidence, confirmation be given to an emerging development strategy for Charnwood that incorporates the options for:
 - (i) Strategic Sustainable Urban Extension (SUE) allocations for housing and employment land at North of Hamilton/east of Thurmaston and West Loughborough; and
 - (ii) a Loughborough Science and Enterprise Park;
4. that in light of the evidence, a direction for growth for housing and employment land (if appropriate), at North Birstall and a Watermead Regeneration Corridor be approved to be included as part of the emerging development strategy to meet the objectively assessed needs in South Charnwood; subject to consideration being given to the impact on the Birstall area of Leicester City Council's proposals for Traveller Sites and the impact of growth in both the Birstall and Rothley areas on facilities such as medical and education services;

5. that in light of the evidence a direction for growth for North Charnwood adjoining Shepshed be approved, and this be included in the emerging development strategy for Charnwood to meet the objectively assessed needs in North Charnwood;
6. that in light of the evidence, the principle that Service Centres receive a level of growth that reflects the decision made in relation to resolutions 3, 4 and 5, as described in paragraph 4.9 and table 2 in Part B of the report of the Strategic Director of Housing, Planning and Regeneration and Regulatory Services be approved, and this be included in the emerging development strategy for Charnwood to meet the objectively assessed needs in North Charnwood;
7. that the pre-submission version of the Charnwood Core Strategy Development Plan Document be prepared to reflect the emerging development strategy as approved in resolutions 3, 4, 5 and 6;
8. that the emerging development strategy for Charnwood be used to inform decision taking when considering development proposals in accordance with paragraph 14 of the National Planning Policy Framework;
9. that further work be undertaken, to be brought back to Cabinet for consideration, setting out the future development options for Wymeswold Airfield and that the legal status of this option be legally confirmed prior to public consultation on the final Strategy; and
10. that the Local Plan include a monitoring framework with an appropriate mechanism to manage housing supply in the event of under delivery against planned trajectory which would enable an early review of the plan if required.

Reasons

1. To reflect the decisions made by the Local Development Framework Project Board to enable the timely testing of the transport impact and infrastructure mitigation required for the emerging development strategy.
2. To provide a public statement of the main issues raised through consultation and how those issues have influenced the identification of the development strategy.
3. To confirm that no new evidence has been found that suggests a different view should be taken of the preferred options for SUEs than those approved in September 2008 (Cabinet minute 73 2008/2009) and to determine an emerging preferred option for a development strategy for Charnwood to allow the preparation of further evidence, and the

drafting of planning policy and the Sustainability Appraisal of that emerging strategy.

4. To identify an additional preferred option as part of the emerging development strategy for Charnwood to allow the preparation of further evidence, and the drafting of planning policy and the Sustainability Appraisal of that emerging strategy. To acknowledge that current proposals within the Leicester City Core Strategy to locate Traveller Sites near Birstall may have an impact on the local infrastructure in Charnwood and that additional housing in the North Birstall area may impact on overstretched local services, which would need to be addressed.
5. To recognise the importance of avoiding the coalescence of Loughborough, Woodthorpe and Quorn. To recognise the regeneration needs of Shepshed as identified in the Council's Regeneration Strategy.
6. To clarify the implications of selecting growth options, in accordance with recommendations 3, 4 and 5, and the relationship this would have on service centres and their own levels of growth.
7. To enable the drafting of the Charnwood Core Strategy to reflect the emerging strategy and to recognise the requirement for Cabinet and Council approval of that Core Strategy prior to publication under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012.
8. To ensure that the emerging development strategy would be taken into account in decision taking.
9. To further explore the potential for developing Wymeswold Airfield for housing, which was supported by many members of the public and would be a more viable option should east Loughborough become more accessible through transport network developments and if the requirements set out in the Regional Plan, for housing to be prioritised on the edge of existing urban areas, was abolished. To ensure that the legal status of the option was clear.
10. To ensure the housing needs of the Borough would be met over the Plan period.

60. LOCALISATION OF COUNCIL TAX SUPPORT

A report of the Head of Revenues and Benefits and Customer Services was due to be published by 17th October 2012, setting out the Council's proposed responses to the measures set out in the Bill and asking that Cabinet recommend these to Full Council and provide appropriate delegations that

would allow implementation of proposals in accordance with the required timescale (item 7 on the agenda).

The Chief Executive advised Cabinet that this item had not been published as planned since it had been necessary to withdraw the item due to emerging changes to government policy. New guidance had been issued by Government making it likely there would be a strong incentive for Councils to limit their eligibility cap for working age council tax benefit claimants such that no claimant would lose more than 8.5% of their current benefits. Councils which agreed to this limit would be entitled to a share of additional funding set aside for this purpose. Given the nature of these proposals, further work was needed to be undertaken on the proposed scheme structure before proposals on Charnwood's scheme could be presented to Cabinet.

61. MEMBER DEVELOPMENT STRATEGY

A report of the Head of Strategic Support, seeking approval for a revised Member Development Strategy for recommendation to Council, was submitted (item 8 on the agenda filed with these minutes).

RESOLVED that it be recommended to Council that the Member Development Strategy, set out in Appendix A to the report of the Head of Strategic Support, be approved.

Reason

To set out the Council's approach to ensuring that there would be support for every member to enable each one of them to acquire a full range of skills to maximise their ability and capacity.

62. HARBOROUGH TELEPHONE CONTACT CENTRE PROVISION

A report of the Head of Revenues and Benefits and Customer Services, requesting that authority be given to the Chief Executive to enter the Council into an agreement with Harborough District Council to provide telephony for their Services in the Charnwood Contact Centre at Southfields, was submitted (item 9 on the agenda filed with these minutes).

RESOLVED

1. that approval be given to progress with the project to provide telephony services for Harborough District Council;
2. **that it be recommended to Council** that the delegation of functions from Harborough District Council in relation to the handling of telephone calls made to Harborough Customer Services and through other communication channels be approved;

3. that delegated authority be given to the Chief Executive to conclude relevant agreements with Harborough District Council to undertake any services which may be transferred and to update the agreement if the number of services changes; and
4. that delegated authority be given to the Head of Benefits Revenues and Customer Services to undertake recruitment of up to 5 new FTE posts for the provision of the agreed services and to undertake further recruitment if the number of services changes.

Reasons

1. To meet the Localism and Shared Service agenda and to allow the Charnwood Contact Centre to expand by attracting additional stakeholders.
2. To comply with the requirements of the Constitution in respect of accepting functions from other authorities and to enable the project to proceed.
3. To allow the detailed arrangements to be finalised in a timely manner and to respond to further development of partnership working with Harborough District Council.
4. To make the necessary arrangements in the timescale required to enable the Council to undertake and benefit from this partnership and to respond to further development of partnership working with Harborough District Council.

63. CHARNWOOD OPEN SPACES STRATEGY

A report of the Head of Cleansing and Open Spaces, outlining the main elements of Charnwood's draft Open Spaces Strategy as the basis for consultation, was submitted (item 10 on the agenda filed with these minutes).

In accordance with Council Procedure Rule 8(d), Councillor Harper-Davies, as Chair of Overview Scrutiny Group, addressed Cabinet.

In giving consideration to the recommendations of Overview Scrutiny Group, Cabinet accepted these (see resolution and reason below).

RESOLVED

1. that the draft Open Spaces Strategy and Policy Statements, as set out in the Annex attached to the report of the Head of Cleansing and Open Spaces, be approved for consultation subject to the following:
 - (i) inclusion of more detail of how aspirations and evidence of shortfall and need would be addressed in a delivery plan and how this would link to the Core Strategy;

- (ii) a statement being included setting out what would be different as a result of the inclusion of the definition of community and partnership co-ordination, together with the achievements delivered since the development of the 2004 Green Spaces Strategy;
 - (iii) a statement being included setting out what would be different as a result of the inclusion of the definition of how communities and stakeholders would be at the heart of the decision making process;
 - (iv) ensuring that steps were in place to ensure effective consultation with hard to reach groups and that the consultation period be as long as practically possible without impinging on the LDF process; and
 - (v) the incorporation of the principles of the Climate Local Commitment (see Minute 64 below) within the strategy; and
2. that delegated authority be given to the Head of Cleansing and Open Spaces, in consultation with the Chief Executive and Lead Member for Waste Operations and Open Spaces, to make minor textual amendments to the draft strategy prior to publication for consultation.

Reasons

1. To enable the strategy, which seeks to protect and improve open spaces in Charnwood to be the subject of consultation in accordance with the Budget and Policy Framework Procedure Rules:
- (i) the process of linking needs and priorities with delivery should be set out in order to allow these links to be examined as part of the consultation process with the aim of ensuring the robustness of the Strategy;
 - (ii) it was important to quantify what the Council was trying to achieve through greater co-ordination with communities and partners to aid delivery of the Strategy, in order to enable partners to meaningfully respond to the consultation on appropriate mechanisms to do this; to assist with this achievements following the establishment of the 2004 Green Spaces Strategy should be acknowledged;
 - (iii) to assist communities and stakeholders with how they would influence the effective delivery of the strategy, it was important to state how this could be achieved; for example, Parish Councils had a local knowledge of the requirements for their areas;
 - (iv) there was insufficient information included in the draft strategy as to why six weeks was an appropriate consultation period; reference was made in the draft strategy to consulting with the Charnwood Area Forums, however, there were no plans to hold any Area Forum meetings during the proposed period of the consultation; it was important to balance the length of the consultation period, with the need to consult with hard to reach

- groups, against the need to develop the strategy in accordance to the timetable of the emerging LDF process; and
- (v) to ensure that the Council's proactive commitment to tackle climate change was fully embedded within the strategic approach to managing and developing open spaces.

2. To ensure necessary amendments could be made.

64. CLIMATE LOCAL COMMITMENT

A report of the Head of Planning and Regeneration Services, seeking approval to sign up to the 'Climate Local' Commitment, was submitted (item 11 on the agenda filed with these minutes).

RESOLVED

1. that Charnwood Borough Council sign up to the Climate Local Commitment, as set out in Appendix 1 of the report of the Head of Planning and Regeneration Services; and
2. that a Climate Change Strategy be prepared to identify Charnwood Borough Council's commitment to climate change action.

Reasons

1. To establish Charnwood Borough Council's proactive commitment to action to tackle climate change.
2. To enable a new Climate Change Strategy to be prepared for Charnwood to address the commitments of 'Climate Local'.

Notes

1. With the exception of those decisions which are in the form of recommendations to Council and the decision at Minute 59 which takes immediate effect; the decisions in these minutes at minutes will come into effect at 12noon on Friday 2nd November 2012 unless called in under Overview and Scrutiny Procedure Rule 13.
2. No reference may be made to these minutes at Council on 12th November 2012 unless notice to that effect is given to the Team Leader – Democratic Services and Mayoralty by five members of the Council by 12noon on Friday 2nd November 2012.
3. These minutes are subject to confirmation as a correct record at the next meeting of Cabinet, which is scheduled for Thursday 22nd November 2012.