

Council

Item 5 refers

Question submitted by the public

1. QUESTION TO COUNCILLOR PHIL KING (HDC REPRESENTATIVE ON MEMBERS ADVISORY GROUP)

Submitted by:

Mr David Campbell-Kelly

1 Yew Tree Close
Willoughby Waterleys
Leicestershire
LE8 6BU

Willoughby Waterleys Residents' Association

Question to Harborough District Council regarding the approval of the Statement of Common Ground on Strategic Warehousing.

My name is David Campbell-Kelly, a resident for more than 30 years of Willoughby Waterleys, located in Dunton Ward. I am Chair of the Willoughby Waterleys Residents Association (WWRA) and this question is submitted by WWRA on behalf of its members, who are the vast majority of residents of Willoughby Waterleys.

The residents of Willoughby have been monitoring the progression of strategic planning in the County since the approval of the Leicestershire Strategic Growth Plan and formed the WWRA as a result. In particular, WWRA is concerned that unsustainable development is being progressed by the Authorities in the County and it has positively engaged in all relevant consultations. It has also made substantive and credible suggestions for an alternative solution to the problem of future strategic development in the County.

WWRA's latest concern relates to HDC being a signatory to the Statement of Common Ground (SoCG) for Strategic Warehousing. We had hoped to be able to speak on this matter in the previous adjourned meeting, but we were prevented from doing so, by the acting Monitoring Officer sighting 170 years old case law which is apparently at odds with the HDC constitution. We would however like to highlight some points that may not have been picked up in the discussion by members.

WWRA puts on record its acknowledgement that HDC has a "Duty to Cooperate" with adjoining Authorities, but that does not preclude the need for HDC to ensure that any SoCG is based on sound evidence.

Under this Duty to Cooperate, the SoCG is to be approved by all Authorities in the County and as noted in paragraph 3.1 of the SoCG, the "most up to date evidence is set out in the Warehousing and Logistics in Leicester and Leicestershire Managing Growth and change" report prepared in April 2021. This report is 209 pages long and given the potential significant impact on The District, it is important that Members

appreciate the details of its contents. WWRA's concerns, primarily revolve around this report.

1. Timing. Firstly, it is noted that the supply and demand details are as at 31st March 2020. Unfortunate timing, with the pandemic about to start. Whilst the report identifies a significantly increased demand during the early stages of the pandemic, the extent of its impact needs to be more fully assessed, before unrealistic extrapolation of increased demand is fed through to future demand requirements. Secondly, the report refers to the possible implications of Brexit. These impacts are also still to be fully understood and properly assessed and its effects are therefore not known. The final concern on timing, is the subsequent announcement of Freeport status to East Midlands Airport. This will likely have an impact on future demand and more particularly LOCATION for Strategic Warehousing, which because of timing has not been considered by the report.

2. Transparency. The Warehousing report has NOT been subject to any opportunity for public scrutiny. Indeed, the stakeholders approached by the report's authors are Developers, Planning Consultants, Agents and Warehousing Associations. ALL have vested interests to justify as high a need as possible. In addition, there has also been no opportunity for any public consultation into the preparation of another county-wide SoCG.

3. Accuracy. It is troubling to note that a number of mathematical and numerical errors have been identified in the report and the implications of those errors need to be fully assessed and a more detailed interrogation of the report needs to be undertaken to ensure there are not even more. Some of the errors found are in the first two tables in the Executive Summary of the report and worryingly one of these errors has been repeated in the SoCG before Members tonight for approval, in Table 2. Errors were also found in Table 26 (p.100 of the report) in both column 1 and column 3. Questions must therefore be raised about the accuracy of other information within the report and the knock-on impact of those errors into the details of the stated supply and demand.

WWRA's concerns also revolve around some of the assumptions made within the report to identify future demand and supply.

1. There is an assumption that future Strategic Logistics for the period up to 2041 will be based on 43% rail related and 57% road related. There is NO substantive justification why this split is appropriate other than it is mid-way between two notional positions.

2. Members should be aware that this report only deals with LARGE warehouses, that is over 100,000 sq.ft. Supply of smaller units (if you can call this small!) is on top of the demand outlined.

3. The demand figure proposed is at the higher end of the models tested and assumes that 70% of existing Logistics development is replaced within 30 years, ON OTHER NEW SITES, no doubt Greenfield, and not redeveloped on the existing sites.

4. The report suggests that an additional five-year supply is provided over and above the demand required. In fact, it appears that the margin for flexibility is not this, but it is a 25% addition of total requirement, at any given point in time.

5. The allocation of demand over time is notional and is no more than an equal demand expected every 5 years. How can this be realistic?

The SoCG is an important document and whilst neither it, nor the report, identifies specific sites for allocation, the report does identify a significant "Area of Opportunity" to the east of the M1 between Leicester and Lutterworth (within Harborough District) for future strategic logistics development. Given that the report informs the SoCG,

once this is approved, the other Authorities through the Members Advisory Group will expect HDC to honour that commitment and strategic warehousing will be expected to be provided by Harborough in those areas. The significance of this point did not appear to be acknowledged by The Cabinet at their meeting in November.

Members should note that based on the assumptions within the report there is already sufficient road reliant Logistics consented and allocated within Leicestershire, for the period up to 2041. The further need reported as being required, is just the questionable margin of flexibility. For rail reliant Logistics, the need up to 2041 can be met by the Hinckley National Rail Freight Interchange, which is currently the subject of public consultation. Justification for further additional strategic warehousing is therefore very weak.

The report highlights that an additional 2,572,000 sq. metres (that is over 27,000,000 sq.ft) is required by 2041. There are currently 2.3 million sq. metres of Strategic Warehousing in Leicestershire. That is an increase of 111% in 20 years a sobering thought, given the current high levels of supply already evident in the County.

Given the concerns and inaccuracies raised, it would seem sensible that this item be further considered and that the concerns raised, be investigated. We ask therefore in the wake of further information now provided, would members be prepared to revisit the decision made in the adjourned meeting (including the implication of any numerical errors) and the matter brought back to Full Council?

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Submitted by:

Mr David Campbell-Kelly

1 Yew Tree Close
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Willoughby Waterleys Residents' Association

Question to Harborough District Council regarding the approval of the South Leicestershire Local Plan Making Statement of Common Ground. (Agenda item 7.a.1)

My name is David Campbell-Kelly, a resident for more than 30 years of Willoughby Waterleys, located in Dunton Ward. I am Chair of the Willoughby Waterleys Residents Association (WWRA) and this question is submitted by WWRA on behalf of its members, who are the vast majority of residents of Willoughby Waterleys.

The residents of Willoughby have been monitoring the progression of strategic planning in the County since the approval of the Leicestershire Strategic Growth Plan and formed the WWRA as a result. In particular, WWRA is concerned that

unsustainable development is being progressed by the Authorities in the County and it has positively engaged in all relevant consultations. It has also made substantive and credible suggestions for an alternative solution to the problem of future strategic development in the County.

In addition to concerns over the Statement of Common Ground for Strategic Warehousing, WWRA has concerns over HDC being a signatory to the South Leicestershire Plan Making Statement of Common Ground (SoCG). WWRA puts on record its acknowledgement that HDC has a "Duty to Cooperate" with adjoining Authorities.

This SoCG is seeking to deal with the provision of strategic infrastructure which will be necessary, across Authority boundaries, to ensure that any future strategic development is supported by the appropriate infrastructure and is therefore sustainable.

Members should recognise that sustainability in the future will not necessarily be achieved by the provision of more strategic transport links.

It is our contention that this SoCG has become necessary following Midland Connect's decision to not progress with an A46 Expressway to the south and east of Leicester. In our view, this questions the whole case for strategic development to the south and east of Leicester as outlined in the Strategic Growth Plan. Our alternative strategy recognises this and provides a more sustainable solution.

Paragraph 7 identifies transport connectivity as a key cross boundary issue and para 8 identifies that a consistent and joint evidence base will provide a more robust solution. Para 10 states that a common approach to transport assessment and infrastructure requirements to understand the interrelationships and appropriate cumulative mitigation

Para 11.5 identifies that the Infrastructure Delivery Plan must be supported (by the appropriate) identified strategic infrastructure. Para 11.8 states that a whole plan viability appraisal will be carried out. This is correct and necessary, but as individual Authorities will approve their own Local Plans and own Planning applications, there is the potential that allocations and planning permissions will be granted, without the certainty of the complete and necessary (transport) infrastructure. IT ALL HAS TO HAPPEN OR NONE OF IT DOES!

Therefore, it is fundamental that before any future strategic development in South Leicestershire is allocated or consented, the WHOLE necessary infrastructure should be proven deliverable, viable and funded in ANY of the south Leicestershire Authorities.

WWRA asks Councillors that a recommendation is made to the Members Advisory Group by HDC to elaborate on the need for FULL delivery of infrastructure within the Infrastructure Delivery Plan before ANY strategic development approvals. Under these circumstances, will Councillors please consider a deferral to a decision on approval of the SoCG?