

13th NOVEMBER 2018 EXECUTIVE MEETING

REPORT	DECISION	SUMMARY OF REASONS
<p>1. HARBOROUGH LOCAL PLAN 2011-2031: PROPOSED MODIFICATIONS</p>	<p>RECOMMENDED TO COUNCIL that Policy BE2 of the Harborough Local Plan 2011-31 (submission version September 2017) is modified to allocate land adjoining Magna Park to meet the limit of 700,000 square metres in Policy BE2 (as contained at Appendix A to the officer’s report), subject to the amended paragraph 4.7 of that report (as attached at Appendix 1 to the minutes).</p>	<ol style="list-style-type: none"> 1. The Council submitted the Harborough Local Plan 2011-2031 to Government for examination in March 2018. The examination hearings were held from 2nd to 11th October 2018. At the end of the hearings the Inspector expressed his preliminary views (without prejudice to his final report) that the plan is sound subject to certain modifications – it is normal for plans to require modifications. 2. Most of these modifications do not require additional work. However, following the submissions at the hearings, the Inspector has asked the Council to do some more work related to Policy BE2: Strategic Distribution (see Appendix A for the full Policy wording), to assist him in his consideration of the soundness of the Local Plan. 3. Policy BE2 allows development of up to 700,000 square metres of Strategic Distribution floor space adjoining Magna Park subject to certain criteria, but does not allocate a specific site (or sites) to meet this limit. It is a ‘criteria based’ policy. The Local Plan Inspector expressed some concern about managing such a significant matter through a ‘criteria based’ policy.
<p>2. SOUTH KILWORTH NEIGHBOURHOOD PLAN</p>	<p>RESOLVED that:</p> <ol style="list-style-type: none"> (i) the Independent Examiner’s recommended changes to the South Kilworth Neighbourhood Plan be accepted in full as set out in the schedule at Appendix A and notes the recommendation that the amended South Kilworth Neighbourhood Plan should proceed to a referendum of 	<ol style="list-style-type: none"> 1. The final Examiner’s report into the South Kilworth Neighbourhood Plan was received on 17th September 2018. The Examiner considered the Plan along with the representations received when the Plan was published by the Council. The report recommends to the Council that, subject to the modifications proposed (see

	<p>voters within the Parish of South Kilworth to establish whether the Plan should form part of the Development Plan for the Harborough District</p> <p>(ii) the holding of a referendum relating to the South Kilworth Neighbourhood Plan on 10th January 2019 that will include all of the registered electors in South Kilworth Parish be approved.</p>	<p>Appendix A), the Plan should proceed to a referendum.</p> <p>2 The Neighbourhood Planning (General) Regulations 2012, (Regulation 18) sets out the matters that the District Council should consider at this stage in the Neighbourhood Plan making process. The District Council must consider each of the recommendations made by the Examiner in their report, including the reasons for them, and decide what action to take in response to each recommendation (see Appendix A).</p> <p>3. It is considered that the recommended modifications should be incorporated into the plan and noted by the Executive in order to ensure that the plan is robust, sound, meets the Basic Conditions and comprises a user-friendly and efficient document. Liaison with South Kilworth Parish Council confirms that they are happy to accept these recommendations. On this basis, the Plan should then proceed to a referendum in South Kilworth Parish (the South Kilworth Neighbourhood Area) to determine if local people support it.</p> <p>4. The Neighbourhood Plan has been prepared by South Kilworth Neighbourhood Plan Advisory Committee and South Kilworth Parish Council as the Qualifying Body.</p> <p>5. The evidence provided to the Examiner within the Consultation Statement gave assurance to him that the consultation process was robust. The Examiner was therefore satisfied that the Plan met the Basic Conditions with regard to consultation.</p> <p>6. In proceeding to a referendum with a plan that meets the prescribed Basic Conditions, the whole community will be afforded the opportunity to vote on the future development of the village and wider parish of South Kilworth.</p>
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<p>3. SHEARSBY NEIGHBOURHOOD PLAN</p>	<p>RESOLVED that:</p> <ul style="list-style-type: none"> (i) The Independent Examiner's recommended changes to the Shearsby Neighbourhood Plan be accepted in full, with the exception of Policy S1 (Presumption in Favour of Sustainable Development) which had been included in error within the Examiner's report dated 25th September 2018 and should therefore be disregarded ,as set out in the schedule at Appendix A to the report and the recommendation that the amended Shearsby Neighbourhood Plan should proceed to a referendum of voters within the Parish of Shearsby to establish whether the Plan should form part of the Development Plan for the Harborough District be noted; (ii) The holding of a referendum relating to the Shearsby Neighbourhood Plan on 10th January 2019 that will include all of the registered electors in Shearsby Parish be approved. 	<ol style="list-style-type: none"> 1. The final Examiner's report into the Shearsby Neighbourhood Plan was received on 25th September 2018. The Examiner considered the Plan along with the representations received when the Plan was published by the Council. The report recommends to the Council that, subject to the modifications proposed (see Appendix A), the Plan should proceed to a referendum. 2. The Neighbourhood Planning (General) Regulations 2012, (Regulation 18) sets out the matters that the District Council should consider at this stage in the Neighbourhood Plan making process. The District Council must consider each of the recommendations made by the Examiner in their report, including the reasons for them, and decide what action to take in response to each recommendation (see Appendix A). 3. It is considered that the recommended modifications should be incorporated into the plan and noted by the Executive in order to ensure that the plan is robust, sound, meets the Basic Conditions and comprises a user-friendly and efficient document. Liaison with Shearsby Parish Council confirms that they are happy to accept these recommendations. On this basis, the Plan should then proceed to a referendum in Shearsby Parish (the Shearsby Neighbourhood Area) to determine if local people support it. 4. The Neighbourhood Plan has been prepared by Shearsby Neighbourhood Plan Advisory Committee and Shearsby Parish Council as the Qualifying Body. 5. The evidence provided to the Examiner within the Consultation Statement gave assurance to him that the consultation process was robust. The Examiner was therefore satisfied that the
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		<p>Plan met the Basic Conditions with regard to consultation.</p> <p>6, In proceeding to a referendum with a plan that meets the prescribed Basic Conditions, the whole community will be afforded the opportunity to vote on the future development of the village and wider parish of Shearsby.</p>
<p>4. LAND AT DE VERDON ROAD, LUTTERWORTH: FUTURE OPTIONS</p>	<p>RESOLVED:</p> <p>(i) That the land be formally declared surplus to requirements and that the land shown in Appendix A of the officer's report, edged red, is no longer required for the purpose of which it was originally held under Housing powers and approves the appropriation of the land for planning purposes under s. 122 of the Local Government Act 1972.</p> <p>(ii) That the Council will progress delivery option 2a as set out in the officer's report and that the Outline Business Case be approved.</p> <p>(iii) That authority be delegated to the Joint Chief Executive (BJ) in consultation with the Head of Legal and Democratic Services, s. 151 Officer and the Portfolio Holder Finance & Assets, to implement the recommendation outlined above and allow a Final Business Case to be finalised, including, but not restricted to:</p> <ul style="list-style-type: none"> • Complete the contractual arrangements under the SCAPE national framework with the contractor in the appropriate project value band to allow design development and submission of a full planning application; • Submit a Planning Application for the development; • Finalise and complete a s.106 Agreement; • Appoint a suitable residential estate agent; • Ensure any VAT implications are resolved 	<p>1. To satisfy Corporate Delivery Plan 2018/19 Critical Outcome 3: Quality Homes for all, KA.03.01 Achieve delivery of an appropriate mix and type of housing that meets local need throughout the District, across all tenures.</p> <p>2 To seek to deliver the right homes for first time buyers and improved quality affordable homes in conjunction with an agreed Register Provider.</p> <p>3 In addition to the primary objective in 3.1 and 3.2 above, to satisfy Corporate Delivery Plan 2018/19 Critical Outcome 10: Deliver Financial Sustainability for the future, KA 10.01 To develop business cases to deliver cost savings and income generation proposals (including capital investment options).</p> <p>4. To seek to realise the maximum benefits from the Council's assets.</p>

(iv) That paragraph 4.13.7 of the officer's report be noted regarding a future separate report to be submitted for consideration.

(v) That subject to the approval of the recommendations to Council below and resolution (iv) above, to delegate authority to the Joint Chief Executive (BJ) in consultation with the Head of Legal and Democratic Services, s. 151 Officer and the Portfolio Holder Finance & Assets and subject to the Final Business Case being within the agreed funding, as set out in recommendation (iii) above, to implement the project outlined, including, but not restricted to:

- Complete the contractual arrangements under the SCAPE national framework to appoint the contractor in the appropriate project value band for a design and build construction contract for the Project including the pricing option under the NEC contract.
- Complete an application to the Help to Buy Scheme for this project, if the scheme remains available;
- To agree the appropriate funding arrangements for the project.

RECOMMENDED TO COUNCIL

(i) **That the capital programme is revised in line with the Outline Business Case, as set out below:**

Expenditure	£000	Capital Receipts	£000
	11,050		15,920

(ii) **That, subject to the approval of recommendation (i) above, Council be recommended to delegate authority to the Joint Chief Executive (BJ) in consultation with the Head of Legal and Democratic Services to take any necessary actions to complete the sales of the residential houses at the figure outlined in the Final Business Case or Market Value at the point of sale.**

