

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF THE COMMUNITIES SCRUTINY PANEL

held at

The Council Chamber
Symington Building, Adam & Eve Street, Market Harborough, LE16 7AG

on 13th October 2022

Commencing at 6.30pm.

Present:

Councillor Nunn, Chairman

Councillors: Bilbie, Mrs Ackerley, James, Hollick, Johnson, Mrs Robinson, Mrs Page
(ex officio)

Apologies: Councillor Mrs Simpson (Substituted by Councillor Whitmore)

Officers: T. Nelson, D. Atkinson, S. Baldwin, C. Pattinson (remote)

Guest: Councillors King & Bateman

Guest remote: Mr D Campbell-Kelly

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTIONS

Apologies were received from Councillor Mrs Simpson who was substituted by Councillor Whitmore.

2. DECLARATIONS OF MEMBERS' INTERESTS

There were none.

3. MINUTES

RESOLVED that the Minutes of the Meeting of the Communities Scrutiny Panel held on the 1st September 2022 be signed by the Chairman as a true record.

4. LEICESTER AND LEICESTERSHIRE STATEMENT OF COMMON GROUND RELATING TO HOUSING AND EMPLOYMENT NEEDS

The Strategic and Local Planning Manager presented the report to the Panel with a recommendation to review and comment on the Statement of Common Ground (“the Statement”) prior to a recommendation to Cabinet and a decision at Council in late January 2023. She explained that the Statement addresses the issue of unmet housing and employment needs across Leicestershire. It flows from the previous statement dated June 2021. She explained that signing the statement will help demonstrate that the Council has met its ‘Duty to Cooperate’ which is an essential pre-requisite to adopting a new local plan for the district.

The Panel was directed to key evidence studies which relate to the apportionment of housing need across Leicestershire:

- A: Leicester and Leicestershire Statement of Common Ground relating to housing and employment needs, June 2022
- B: Leicester and Leicestershire Housing and Economic Needs Assessment, June 2022
- C: Leicester and Leicestershire Housing and Economic Needs Assessment: Executive Summary, June 2022
- D: Leicester and Leicestershire Housing and Economic Needs Assessment: Housing Distribution Paper, June 2022
- E: Leicester and Leicestershire Housing and Economic Needs Assessment: Employment Distribution Paper, June 2022
- F: Leicester and Leicestershire Statement of Common Ground: Sustainability Appraisal Report, June 2022
- G: Leicester and Leicestershire Statement of Common Ground: Sustainability Appraisal: Non-Technical Summary, June 2022
- H: Leicester and Leicestershire Statement of Common Ground relating to housing and employment needs FAQs, June 2022
- The previous Statement of Common Ground referenced the Strategic Transport Assessment & Strategic Growth Opportunities and Constraints Study – these look to guide strategic planning in 2050 and are not currently available.

The Chair thanked the Strategic and Local Planning Manager for her introduction and explanation of the report and invited the Director, Planning and Regeneration to speak.

The Director, Planning and Regeneration, explained the context of the Statement. He emphasised the importance of signing the Statement in developing the next Local Plan, highlighting the difficulty in proving that the Council had met the ‘Duty to Cooperate’ if it was not signed, putting the Local Plan at risk.

The Chair invited Councillor King, as Portfolio Holder for Strategy, to address the Panel on the Statement.

Councillor King reinforced the importance of demonstrating the Council is meeting its ‘Duty to Cooperate’. He welcomed the Panel’s opportunity to scrutinise the Statement before it is put to Cabinet and Council.

The Chair presented a supplementary question to the panel from Mr Campbell-Kelly.

Question:

“There was no mention at the time of the approval of the 2021 SoGC that the missing evidence was not needed for the unmet need allocation. What has changed?”

The Strategic and Local Planning Manager answered as follows:

“The 2021 Statement of Common Ground sets out the HENA (Housing Economic Needs Assessment) and the Sustainability Appraisal which cover the unmet housing and employment distribution up until 2036, The Strategic Transport Assessment and The Strategic Growth Opportunities and Constraints Mapping cover the period from 2031 to 2051.

At the time we prepared the Statement of Common Ground, we were of the view that all those studies would be complete and would be relevant to inform the Statement of Common Ground. As work continued it became clear that the Strategic Transport Assessment and the Strategic Growth Opportunities and Constraints would not be available but are also less pertinent to the current issue at hand because of the timescales. There is a very long lead-in period on strategic sites and strategic transport infrastructure, so these studies relate to the period during the 2030’s and 2040’s. Therefore, those studies have little impact on the issue we are currently looking at, which is how we are going to deal with this unmet need that occurs during the period to 2036.

Although it was originally envisaged that the four would come together as a package, it has become clear that the bigger, longer-term projects have taken longer to deliver, but their significance and relevance is considerably less. For this reason, we were able to proceed with the completion of the HENA, the completion of the Employment Distribution paper, the Housing Distribution paper and the Sustainability Appraisal of the unmet need to 2036 and it is that suite of evidence that has informed the current statement of common ground and those longer-term studies will inform a later consideration of strategic planning to come.”

The Chair thanked the Strategic and Local Planning Manager for her answer and invited the Panel to consider the Ideas for Points for Discussion on page 12 of the report. She advised the Panel that any views and opinions would be passed to Cabinet.

The Panel had the opportunity to ask questions of officers and the portfolio holder in respect of the report. It discussed the proposed distribution of unmet housing needs between different authorities and expressed concern on information it felt was missing. It noted in particular that most other authorities in Leicester and Leicestershire have signed the statement. The Panel expressed concern about the availability of information about Leicester City Council’s housing capacity but recognised that there would be other problems to address should the Council not sign the Statement. Some

members of the Panel recalled the experience of being without a local plan in previous years, and did not want to see this position repeated.

The Director, Planning and Regeneration and the Strategic and Local Planning Manager responded to queries from the Panel, commenting that while other authorities may appear to have land that could be developed, this could be impacted by a lack of effective infrastructure available to make it possible. Officers assured the Panel that the work done by Leicester City Council has been thorough.

Councillor Johnson moved a motion that Harborough District Council does not sign the Statement.

Councillor King informed the Panel that only one of the eight councils had not signed the Statement and that all other authorities have already signed. He updated the Panel on the upcoming Local Plan Inspection in Charnwood, how this impacts this Statement and other information to provide the context of what is happening around this. He reminded the Panel that its role was not to make a decision, but to provide advice and thoughts about the process. The Director, Planning and Regeneration also confirmed an independent review was undertaken of the work done by the City Council on the levels of growth they can accommodate within its boundary.

The Chair then reminded Councillor Johnson that as this is not a decision-making panel, a motion cannot be moved.

The Interim Deputy Chief Executive advised the Panel that there would be a negative financial impact to the Council if the Statement of Common Ground was not agreed and signed.

Officers highlighted that the recently published SHELAA (Strategic Housing Economic Land Availability Assessment) has been carried out to assess the potential land available in the District. The additional 123 dwellings which the Council was asked to contribute is a good deal for the District, easily achievable given past housing delivery performance, and is relatively small in relation to the numbers being met in other authorities.

In reference to the question from a member of the public, the Strategic and Local Planning Manager responded that the pieces of work referenced (Strategic Transport Assessment and Strategic Growth Options and Constraints Study) have not yet been completed and that when available will be relevant in the longer term to guide future planning decisions in the years 2031 - 2050.

The Director, Planning and Regeneration reminded the Panel that the information they have to scrutinise is in the period to 2036 and stated that they are seeking the Council to sign the Statement of Common Ground to give the Officers the confidence to commission the work to test the apportionment figures for the Local Plan. He stated that Members agreement to this was needed.

Councillor King referred the Panel to the Strategic Growth Plan adopted by the Council and commented on the work that has not yet been completed. He discussed the plan formulated by Leicester City Council and further inspections to take place in the future that may change the distribution of unmet needs. He stated that it is up to the Panel to determine if they need further information.

The Director, Planning and Regeneration commented on the need to start the Local Plan and the need to sign the Statement of Common Ground in order to do this. He discussed the risks of not having a Local Plan.

The Chair invited Panel members to sum up their overall view of the Statement. The Panel highlighted the need to ensure the Council has clear views from each scrutiny Panel to pass on to decision makers.

The Panel referred to the "Points for Discussion, is the policy background to the Statement Clear?" on page 12 of the report. It concluded that the policy background is clear once it is established how the unmet need is apportioned across different authorities. The Panel remain unclear as to how Leicester City are justifying their figure of their unmet need. However, it recognised the consequences of not agreeing the Statement are also clear, and that the Council may in reality have little choice but to sign the Statement. The Panel acknowledged that there may be extra information coming forward in the future, and this may influence the Panel's view however it could only comment on the information before it.

The Panel felt very strongly about the duty to rural residents and reflected on its displeasure at being asked to accommodate unmet need from other authorities as a condition to being able to progress its next Local Plan. The Strategic and Local Planning Manager reminded the Panel that infrastructure is key when considering accommodating growth, and summarised possible changes that could trigger a review of the Statement of Common Ground in the event that detailed testing through the Local Plan indicates this scale of growth can not be delivered. She reminded the Panel of its responsibility to the current and future residents of the District as well as the risks of not signing the Statement, which could impact on the Council's ability to adopt a Local Plan and therefore maintain a five-year housing land supply. The consequences of this were clearly explained.. The impact of not signing the Statement could result in a lack of control over future housing growth in the medium and long term and therefore required careful consideration.

The Chair thanked everyone for their views and input. Following the discussion it was;

RESOLVED, That the minutes of the meeting should be provided to decision making bodies as evidence of the Panel's thorough and thoughtful exploration of the issues surrounding the proposal that Harborough District Council agree to the proposed Statement of Common Ground in respect of the Leicester and Leicestershire Housing Market Area.

5. URGENT BUSINESS

There was none.

The meeting finished at 8.25 pm