

## HARBOROUGH DISTRICT COUNCIL

### MINUTES OF THE EXECUTIVE MEETING

held at the Harborough Innovation Centre, Airfield Business Park, Leicester Road,  
Market Harborough

held on 15 May 2017

commencing at 4.00p.m.

Present:

Cllr Pain (Chair),

Councillors: Bannister (from 5.00pm), Brodrick, Hallam, King, Mrs Page and Rickman (from 4.20pm)

Officers: D. Atkinson, S. Hamilton, N. Proudfoot, S. Riley and V. Wenham

#### PORTFOLIO ACTIVITY

##### Housing and Community Safety

Councillor Mrs Page reported that a meeting had been held recently in London for HomeStart, which had been attended by Harborough District Council's Senior Community Safety Officer, and a bid for £60,000 had been approved by the Department for Communities and Local Government.

#### DECLARATION OF MEMBERS' INTERESTS

Councillor Brodrick declared a disclosable pecuniary interest in the item on the Future of Choice-Based Lettings Service. The nature of the interest was that Councillor Brodrick is on a number of the boards which are linked to Waterloo Housing. V. Wenham declared an Officer interest in the item on the Future of Choice-Based Lettings Service. The nature of her interest was that her husband is a non-Executive Director and Chairman of Spire Homes.

#### LEISURE OPTIONS

The Executive considered a report setting out the Council's wider role in promoting healthy lifestyles and agreed to the development of the Council's first Physical Activity Strategy in providing a framework for bringing a number of related local agendas together under one integrated strategy for the District.

At the end of the current contract, 31<sup>st</sup> March 2019, the Council will have two leisure centres to offer to a new contractor to deliver leisure services on behalf of the Council. Although the Council has served dilapidation notices on the Trust, and these repairs have been carried out during the current contract, there will be further investment required in the future. Initial estimates indicate that there is £2 million of condition survey investment that would be required over the initial 10 year period, even if there was to be no refurbishment or changes in use within the Leisure Centres.

The Council has commissioned building surveys to assess the current condition, with a view to ascertaining the likely expenditure from lease expiry for a further 10 years. This has identified a

significant requirement for Harborough Leisure Centre due to the age of the building. The report identifies approximately £2m of expenditure across the two leisure centres.

Lutterworth Sports Centre was built in 2005 and is, generally, in good condition and meets the needs of the population.

Harborough Leisure Centre was built in 1990 and will require significant expenditure on life expired items over the 10 years following the current contract expiry. The building does not currently meet modern standards and the layout is disjointed. As such, there are areas of wasted space which increases the running costs of the building whilst not adding any value to the operation.

The majority of the condition survey investment is in the Harborough Leisure Centre which is viewed as being more time expired than Lutterworth Sports Centre and being less well suited to providing 21<sup>st</sup> Century Leisure Facilities.

To make the most out of Leisure Procurement opportunity post 2019 it is important to identify the wider health needs of the district and also consider the role of other Council functions and services.

These include; support to independent instructors and clubs who provide affordable sport, physical activity and wellbeing sessions throughout the District; improving and extending community buildings and schools and encouraging greater use of these facilities; the Council's specialist services such as exercise referral, cardiac rehabilitation, and falls prevention classes; the design and maintenance of parks and open spaces including outdoor gyms, multi-use games areas, and play areas and responsible development that ensures footpaths, cycling infrastructure, and other design issues are considered throughout the planning process.

The strategy provides a framework for bringing a number of related local agendas together under one coherent strategy for the District.

The ultimate aim of the Physical Activity Strategy is to create a network of high quality, accessible and sustainable sport and leisure opportunities across the Harborough District that encourages increased participation, improves health and wellbeing and enhances quality of life for residents now and into the future. The Council primary role is as a facilitator and enabler rather than a provider of all opportunities. The Physical Activity Strategy supports the principle of the Council owned Leisure Centres and other providers as hubs where some of the above outcomes will be delivered from and where outreach services could also be delivered from.

The Council commissioned RPT Consulting to undertake an options appraisal detailing the need for leisure facilities within the District. These options have been developed and agreed through a Member's workshop on 1<sup>st</sup> February 2017 and input and challenge from Member and Officer Project Board.

The Four Options identified were

- A. Do Nothing: This retains the Leisure Centres as current and does not enhance or alter the facilities on offer. This would still require major investment to undertake the condition survey work over the next ten years;
- B. Refurbishment: Expanded health & fitness at Market Harborough and changes in the use of the Foyer and Central Core at Lutterworth, for example, new soft play & "clip n climb"
- C. Major Refurbishment: Part new build (Health & Fitness) and refurbishment at Market Harborough and changes in the use of the Foyer and Central Core at Lutterworth, for example, new soft play & "clip n climb"
- D. New Build: New Build at Market Harborough and changes in the use of the Foyer and Central Core at Lutterworth, for example, new soft play & "clip n climb"

The provision of Leisure Centres under the recommended Option D as above requires a contractor to design and build a Leisure Centre and a Leisure Operator to run the Leisure Centre for a given period of time. Traditionally these would have been two separate procurements. However, more recently an option of a Design, Build, Operate and Manage contract is being delivered within the Leisure Market which provides an integrated solution, single contract and by implication a transfer of construction costs and operating performance risks when the contract is signed.

RESOLVED that

- i) an eight week consultation is conducted to inform the development of a new Physical Activity Strategy (draft attached at Appendix B to the report).
- ii) Option D (new build at Market Harborough and refurbishment at Lutterworth Sports Centre) be approved as the Council's preferred option for future provision of leisure facilities.
- iii) the public and relevant stakeholders be engaged on the facilities to be provided.
- iv) the future of bowls provision at Market Harborough be considered including consultation with users and other stakeholders.
- v) agreement that a procurement exercise be followed to secure engagement from external providers.
- vi) the DBOM (Design, Build, Operate and Manage) model be agreed in principle as the preferred model for procurement subject to the outcome of soft market testing with providers.
- vii) delegation be given to the Corporate Director (BJ) to determine the appropriate procurement procedure and to commence the procurement process and to set up appropriate governance frameworks.

#### Summary of Reasons

The current contract with Harborough District Leisure Trust ends on the 31<sup>st</sup> March 2019. The range of Leisure Delivery Options now operating across the country means that the Council would benefit from soft market testing with providers to establish interest in delivering Leisure Services within the Harborough District and the most appropriate and cost effective structures to do this.

A period of engagement will be undertaken on the draft Physical Activity Strategy and preferred option for future provision of leisure services within the District.

Councillor Brodrick and V.Wenham having declared a pecuniary interest and an Officer interest respectively left the room for consideration of the following matter.

#### FUTURE OF CHOICE-BASED LETTINGS SERVICE

The Executive considered future delivery options for the Choice Based Lettings Service. Harborough District Council introduced a Choice Based Lettings (CBL) scheme in 2000, which was one of the first CBL schemes in the country. HDC joined with the other Leicestershire Districts and Boroughs in

2010/11 to form the Leicestershire CBL Partnership. The scheme consists of a single website platform (with costs shared equally amongst partners) and individual back office staffing and systems. The joint contract for the CBL platform expires in August 2018.

A Housing Services Review was completed in July 2016. The review concluded that having a Housing Register and CBL system remains strategically important in discharging the Councils statutory homelessness functions. This is largely due to a limited supply of private rental properties and high private rents meaning a social rented property is the only affordable option in nearly all cases.

Since the Housing Services Review homelessness continues to be a key issue and demand on resources. There is a longer term trend that households are spending longer in temporary accommodation whilst longer term affordable housing is sought underlining the importance of CBL.

In addition, the Homelessness Reduction Act 2017, which recently received Royal Assent will place more duties on Councils to intervene earlier when people might be at risk of homelessness and to help more people at risk of homelessness, particularly single people. To support work to prevent homelessness the Government has provided an extra £40,000 grant to HDC for 17/18 and 18/19. This funding is available to invest in the Housing Service.

The Leicestershire CBL Partnership has been effective to date but it has been challenging to galvanise the partnership to stay together – at least in the procurement sense. This is due to emerging variations in allocations policies which means a standard platform and application process is not now possible and must be tailored to each partner meaning extra costs; some districts having extra requirements e.g. for an integrated Homelessness Platform to manage casework and that fact that one District has already moved ahead with their procurement of a new CBL system separate from the partnership. Soft market testing suggests competitive pricing exists despite the procurement only being for one authority.

The conclusion is that it will be more efficient and effective to procure a new CBL software system as one authority because the procurement process would be straightforward and less costly than for a multiple partnership requiring all partners to agree a detailed specification and using a procurement framework.

RESOLVED that

- i) a Choice Based Lettings (CBL) Service be continued to be provided and delegation be given to the Corporate Director (NP), in consultation with the Portfolio Holder, to procure a new software platform that will deliver improvements and efficiencies in service delivery.
- ii) delegation be given to the Corporate Director (NP), in consultation with the Portfolio Holder, the procurement of Homelessness Prevention software to meet new statutory duties and provide a seamless service with CBL.

### Summary of Reasons

A Choice Based Lettings service is strategically important to the Council in the discharge of statutory homelessness duties. Soft market testing suggests limited scope for savings if the service was outsourced. Retaining the service in-house will give HDC flexibility to shape and develop the service over time – reflecting changes in the local housing market and legislative changes.

Soft market testing suggests competitive prices can be achieved on software platforms if HDC were to procure alone, rather than needing to procure with other districts to achieve the best prices. Investing in a new platform that enables channel shift can open the door to process efficiencies and cashable savings.

#### NOTES AND RECOMMENDATIONS OF MEETINGS OF EXECUTIVE ADVISORY PANELS

The Executive were advised on the work and recommendations of the Local Planning Executive Advisory Panel.

RESOLVED that

- i) the Local Planning Executive Advisory Panel: 3<sup>rd</sup> April 2017 (draft notes) (Appendix A)(Exempt) be noted.
- ii) the recommendations of the Panel be considered.

#### Summary of Reasons

The arrangements for the Executive Advisory Panels require that they report to the Executive at the next available meeting with notes of the Panel's meetings.

The notes of the Panel meeting held on 3<sup>rd</sup> April 2017 are in draft format as they will not be reported to the Panel for approval until its next meeting (on 19<sup>th</sup> June 2017). The draft notes were sent to the Chairman and Panel members for comment to ensure that they captured the views expressed by the Panel at its meeting.

#### SELECTED SPATIAL OPTIONS: REASSESSMENT AND PREFERRED OPTION FOR DRAFT SUBMISSION LOCAL PLAN

The Executive considered the strategic spatial option for housing and employment development for inclusion in the draft Submission Local Plan.

The Council's Executive had previously agreed to further assessment of the following Selected Options (from the original 9 options considered) for accommodating future development needs in the Harborough District in the plan period to 2031: Option 2: Core Strategy Distribution; Option 5: Kibworth SDA (North East proposal only); Option 6: Lutterworth SDA; and a variation of Option 4: Scraftoft/Thurnby, but based on a minimum of 1,200 dwellings in the vicinity of Scraftoft North.

At subsequent meetings, the Local Plan Executive Advisory Panel (the Panel) considered a methodology for assessing the four Selected Options based on the various evidence studies that were being undertaken. The Panel advised the Executive that Option 6, involving a Strategic Development Area (SDA) on land East of Lutterworth, should be the preferred option for meeting Harborough District's housing and employment needs; and that Scraftoft North SDA should be allocated as a reserve site for 1,200 dwellings, only to be released if needed to contribute to meeting housing need from other local authorities from the Leicester and Leicestershire Housing Market Area (HMA). In addition, the Panel took into account some further information that had been received from the Council's deliverability consultants and from the Council's lead counsel for the local plan and considered some adjustments to the previous assessment to reflect the risks involved in the delivery

of the East of Lutterworth SDA as well as more recent transport modelling, updated housing delivery projections, the location of the SDAs in relation to Harborough's needs and other matters.

The Panel confirmed its previous advice to the Executive of Option 6 as the preferred option to meet the District's needs, together with a variant of Option 4 as a reserve site to meet unmet needs from elsewhere, and as the basis for the draft Local Plan and Infrastructure Delivery Plan; and recommended that subsequent submission of the Local Plan for Examination be subject to the risks associated with the East of Lutterworth SDA being satisfactorily addressed. The Executive noted the advice at its meeting on 5 December 2016.

At its meeting on 3<sup>rd</sup> April 2017, the Panel advised the Executive to note that the Objectively Assessed Need and the requirement for housing in the period 2011 to 2031 is 532 dwellings per annum (10,640 dwellings in the plan period); and to consider an uplift of 20% over the Objectively Assessed Housing Need bringing the total provision in the draft submission to 12,800 dwellings, subject to receiving further information and strategic details of the risks of delivery of the East of Lutterworth and Scraftoft North SDAs.

At its meeting on 14<sup>th</sup> February 2017 the Executive noted the outcome of the recently completed Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) and that the objectively assessed needs (OAN) for housing and employment land will form the requirement of the Local Plan. This gives a figure of 532 dwellings per annum for the period to 2031. Any further requirement arising from unmet need from elsewhere in the HMA will be identified within a formal Memorandum of Understanding; this cannot be prepared until any level of 'unmet need' has been identified and an HMA scale spatial distribution agreed.

Since October 2016 a series of clarification meetings have been held not only with the promoters of the East of Lutterworth and Scraftoft North SDAs, but also with the promoters of the potential Kibworth North and East SDA. Requests for further information were made in writing to all three groups of promoters.

To facilitate the delivery of the site, the promoters of the east of Lutterworth SDA have written to the Council to request that it investigates the use of Compulsory purchase powers under the Town and Country Planning Acts in order to acquire land required for essential infrastructure.

The assessment of the four selected options has been revisited to take into account this more recent information received, and these assessments were taken into account in giving consideration to various choices of strategic spatial option, including continuing the currently preferred strategic approach; reversing the roles of the SDAs so that Scraftoft North meets Harborough's needs and East of Lutterworth is allocated as a reserve site to meet unmet needs from elsewhere; replacing East of Lutterworth with Scraftoft North and committing to an early review of the plan to meet unmet needs from elsewhere; replacing East of Lutterworth with Kibworth North and East and retaining Scraftoft North as a reserve site to meet unmet needs; and allocating all three SDAs, with Scraftoft as a reserve site.

The conclusion reached was that a hybrid option should be selected. This option would retain the East of Lutterworth SDA but also release Scraftoft North from its status as a reserve site. This will meet Harborough's needs as well as any potential unmet need arising from other parts of the Leicester and Leicestershire HMA. This approach offers contingency against any potential delay in delivering the East of Lutterworth SDA and against the likely shortfall in employment land provision within Option 4 when taken on its own.

RESOLVED that

i) the Objectively Assessed Need and the requirement for housing in the period 2011 to 2031 is 532 dwellings per annum (10,640 dwellings in the plan period) be noted.

ii) **RECOMMEND TO COUNCIL an uplift of 20% over the Objectively Assessed Housing Need, bringing the total provision in the draft submission to 12,800 dwellings, subject to receiving further information and strategic details of the risks of delivery of the East of Lutterworth and Scraftoft North SDAs and the justification for the 20% uplift, to allow for:**

1. a contingency to meet unforeseen circumstances; and
2. flexibility to make a contribution towards any unmet needs across the Housing Market Area (HMA), should they arise, in accordance with the statutory Duty to Cooperate.

iii) **RECOMMEND TO COUNCIL the inclusion in the Draft Submission Local Plan, of a hybrid option of Option 6, involving a Strategic Development Area (SDA) East of Lutterworth, and a variation of Option 4, Scraftoft North SDA, for meeting Harborough District's housing and employment needs, including additional flexibility as set out in (ii) above, over the plan period to 2031.**

iv) the use by the Council of its compulsory purchase order making powers under the Town and Country Planning Act 1990 be promoted in order to acquire land needed for essential infrastructure associated with the proposed East of Lutterworth SDA, subject to: the allocation of the East of Lutterworth SDA in the new Local Plan; putting in place the necessary agreements with the developers of the East of Lutterworth SDA to meet all of the Council's associated costs: to authorise the service of such notices under Section 330 of the Town and Country Planning Act 1990 and/or Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 to obtain information about potentially affected land interests to enable a further report to be considered by Executive in due course.

### Summary of Reasons

The pre-submission draft Local Plan must be based on a robust analysis of all reasonable alternatives in order to meet the tests of soundness at Examination. The Plan should also present a strategy which meets housing and employment requirements for the District as well as possibly making a contribution to meeting any unmet housing needs arising from outside in accordance with the statutory Duty to Cooperate.

Further work has been undertaken on the risks involved in the previously preferred strategic option at East of Lutterworth, as well as on the potential SDAs at Scraftoft North and Kibworth North and East, and a re-assessment has been undertaken of the factors previously taken into account in arriving at a preferred option.

SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that the public and press be excluded from the following items on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in Paragraphs 3 of Part I of Schedule 12A to the Local Government Act 1972.

SUPPLEMENTARY RESOURCES TO COMPLETE THE LOCAL PLAN TO ADOPTION

RESOLVED that

- i) the need for increased resources be approved in order to deliver the Local Plan in accordance with the approved timetable and to ensure a sound evidence base for the Local Plan.
- ii) funding of £182,000 from the Earmarked General Reserve Fund be approved.
- iii) a contingency of £75,000 (to be funded from the General Reserve Fund) be delegated to the S151 Officer in consultation with the Portfolio Holder for Finance and Assets to facilitate further work arising from public representations received on the Local Plan and Public Examination if required.

Summary of Reasons

The preparation of the new and up to date Local Plan is one of the most significant projects the Council is currently engaged in. It is critical that the Plan is robustly prepared and adopted in accordance with established work programmes and timescales. It is also important that the Local Plan is prepared in the light of a complete and comprehensive supporting technical evidence base. In pursuance of this the Council has assembled an experienced resource of professional officers that will both enable the timescales for the preparation of the Local Plan to be met and ensure that the supporting technical evidence base is in place.

The meeting closed at 5.52 pm.

  
..... Chairman

12/6/17  
..... Date