



EXTRAORDINARY MEETING OF THE
COUNCIL OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

15 APRIL 2013

PRESENT

Councillors J. Illingworth (Mayor)
P.M. Baguley, M.W. Barnes, G.E. Botterill, G. Bush, P.M. Chandler, P. Cumbers,
J.M. Douglas, A. Freer-Jones, M. Gordon; M.C.R. Graham MBE, E. Holmes,
L. Horton, E. Hutchison, S. Lumley, V.J. Manderson, T. Moncrieff,
J. Moulding, M. O'Callaghan, J.T. Orson, P.M. Posnett, J.B. Rhodes,
M.R. Sheldon, J. Simpson, N. Slater, M. Twitney, D.R. Wright, J. Wyatt

Chief Executive
Strategic Director (KA), Strategic Director (CM)
Head of Communications & Monitoring Officer,
Head of Regulatory Services, Head of Communities & Neighbourhoods;
Solicitor to the Council, Interim Planning Policy Manager
Senior Democracy Officer

The Mayor welcomed the public to the meeting and explained that this meeting had been called especially to deal with a motion and the correct procedures had been followed. He advised that the meeting was not to discuss and dismantle the Core Strategy but to consider a motion and do this in a legal, balanced, fair and positive way. He further explained that when a motion had been put, there could be amendments to the motion and each would have to be seconded before being discussed. Each amendment is dealt with one at a time and must be voted on, if it was successful it replaced the original motion and if it failed, the motion would then be put to the vote. He advised that he understood these procedures could be complicated but he would try to make it as clear as possible. He added that the meeting was not an election husting nor was it an opportunity for recriminations or blame.

The Mayor further stated that he would allow 10 minute speeches by the proposers of the motion and any amendments and others would be allowed to speak for up to 5 minutes. He would take amendments in rotation, with the Labour Group proposing their motion first, then the Leader of the Conservative Group, then the Leader of the Independent Group as appropriate.

CO85. APOLOGIES FOR ABSENCE

All Members were present therefore there were no apologies for absence.

CO86. DECLARATIONS OF INTEREST

Minute CO87 – Melton Local Development Framework

Councillor Graham declared a personal and pecuniary interest as a trustee of the Sir John Sedley Trust and would leave the room. Also as Chair of the Governance Committee, he asked for guidance as to whether the governors of the John Ferneley High School had an interest in this matter and if so should they leave the room.

The Monitoring Officer responded that a governor of the John Ferneley High School may have a personal interest and potentially a pecuniary interest in this matter and referred to paragraphs 9(1)(b) and 10(a) of the Code of Conduct. She advised that a pecuniary interest would probably be remote and it was up to the individual Councillor to decide their position in this instance.

(Councillor Graham here left the meeting.)

Councillor Orson stated that he may have a disclosable pecuniary interest and therefore would leave the room.

Councillor Holmes declared a personal and pecuniary interest as she owned land on the north side of Melton and if this was going to be discussed then she would leave the room however she may return if the matters under discussion were not related to this interest.

Councillor Rhodes declared a personal interest due to his role as a County Councillor.

Councillor Twitney stated that he had received updated legal advice on whether he had a disclosable pecuniary interest on the location of the housing and this was the first time the Core Strategy had been considered since his election. He explained that when he stood for election, Councillors Holmes and Hutchison each made financial donations to his campaign and there was a requirement that such donations be declared for 12 months following the election. Due to this and specifically Councillor Holmes' donation and her pecuniary interest in this matter, by association he also had a financial interest and therefore would take no part and leave the meeting.

(Councillor Twitney here left the meeting.)

Councillor Posnett declared a personal interest due to her role as a County Councillor.

Councillor O'Callaghan stated that as a governor of John Ferneley High School, he did not consider he had an interest and if he did, then potentially school governors of other schools in the town had an interest too as those schools may be affected in the future. Also there was no mention of the school in the motion on the paper. However he stated that, for the record, he would declare a personal interest which he felt was remote and irrelevant.

Councillor Posnett stated that she agreed with Councillor O'Callaghan and declared a personal interest as a governor of John Ferneley High School but also felt it was remote.

(Councillors Holmes and Orson here left the meeting.)

CO87. MELTON LOCAL DEVELOPMENT FRAMEWORK

The following motion relating the Melton Local Development Framework Core Strategy had been received from Councillors Bush, Horton, Moncrieff, Moulding and O'Callaghan to be considered at this Extraordinary Meeting of the Council :-

Council notes the initial findings of the Inspector

Council regrets

- **the amount of resources, money, staff time etc that has been spent**
- **that the Borough will lose potential income from the CIL and New Homes Bonus**
- **that the Borough will lose out on affordable housing, investment and new homes**

Council is aware that the Borough is exposed to speculative development and uncertainty over several years because no plan is in place

Council requests the Chief Executive to institute a review into what went wrong and what lessons can be learnt for the future

Council resolves that a new local plan is needed

Council instructs the Chief Executive to develop a programme for the development of the plan which will include a timetable, resources needed, staffing and expertise that will be necessary, evidence and sources of that evidence, engagement of the public etc.

Council believes

- **that the housing figures should be revised using the latest census data, forecasting techniques and other information**
- **that the 80/20 Town/Rural split was unsustainable and should be thoroughly reviewed**
- **that the Melton North SUE was unsustainable but neither should it be replaced by a Melton South SUE based on Kirby Lane for example or a Melton West SUE on Welby Road**
- **that given the above all options for housing allocation in the town should be considered including a mix of brownfield sites and sites in different areas of the town**

- **that road infrastructure should be paid for by a combination of Section 106 and CIL monies and through public funding achieved by vigorous lobbying of the Borough and County Council working together**
- **that a more extended plan period should be considered**
- **that any revised plan should include the latest planning guidance in particular the NPPF**
- **that real and demonstrable sustainability should be at the centre of any new plan**

Council resolves that a reconstituted MLDF Task Group or similar is needed which should also include representation from outside the Council eg. Parishes and other local residents groups such as MNAG, SMAG etc

Council further resolves to fully engage the residents of the Borough through the new plan development process

The Leader of the Labour Group, Councillor O'Callaghan, stated :-

- 14 months ago he led the opposition to the Core Strategy and it had given him no pleasure to do so
- It was the duty of Councillors to decide on the best for the Borough but also to represent those who elected them
- When he previously opposed the Core Strategy it was wrong for the north of Melton and for the people who elected him
- He had made a number of points at that meeting and he referred to those including that he doubted the housing numbers and that the latest research had not been used and he had asked for further information; he had challenged the 80/20 split and argued that villages needed houses to grow to enable them to retain services; he had argued that the direction of growth was the wrong direction for many reasons including that the north had the best landscape and it was furthest away from major work routes to Leicester and those identified in the plan; he had questioned the deliverability of the road infrastructure
- Councillors did not listen to his words and adopted the Core Strategy
- A year later the Inspector's findings were announced and the Inspector had rejected the Core Strategy as being unsound and he had summarised the issues for the rejection in his findings and these included unsustainability and deliverability
- All the points he had previously made were in the Inspector's announcement including the time extension to 15 years
- The Inspector stated that the changes were significant and were not able to be dealt with through modification and the Council should withdraw the plan
- It was a bad plan and needed to be withdrawn and he questioned what were the next steps
- The Council needed to tell Melton North that there would be no Sustainable Urban Extension (SUE) in Melton North
- The Council needed to develop a new plan from the bottom up and learn from its mistakes and this motion was about that
- The Council had wasted enough time and money

- Now there was no plan, developers could get more than should be allowed
- The Council needed a plan and needed it fast
- The Council thought it had a plan that was unsinkable but the doubters were told to be quiet until the independent Inspector looked into it
- As the Council had abolished scrutiny an independent review was needed
- What could be rescued from the Core Strategy, the Council needed to bury the bad and keep the good
- A new plan would take 2 years or more
- Instead of 1000 new homes, there would have been 2500 new homes
- The Council should rule out a SUE anywhere around the town and the Council needed to look differently at where the houses were placed
- The Core Strategy should be about the future
- The existing one set the town against the rural areas and the north against the south, and even split the Council politically and between friends
- The Council needed to build a plan all could agree on that would last for future generations and people would say they had vision and had worked together

Councillor O'Callaghan then proposed the motion set out above with an alteration to include the following words relating to formal withdrawal of the Core Strategy :-

Pursuant to Section 22 of the Planning and Compulsory Purchase Act 2004, as amended by Section 112(4) of the 2011 Localism Act, Melton Borough Council formally resolves to withdraw its Core Strategy Document.

Councillor Moulding seconded the altered motion.

The Mayor asked Members if they were agreeable to accepting the addition to the original motion. Members signified that they were in agreement to the alteration to the motion.

The Leader of the Council, Councillor Rhodes, addressed the motion as follows :-

- He expressed the gravity of the Council's position following the Inspector's findings
- Members and officers had worked hard to bring the Core Strategy to its conclusion and a democratic decision of the Council had been overturned by a government official
- Councillors should not reproach themselves for this and they had even took advice from the Planning Inspectorate that this Inspection referred to
- The decision was made by Councillors from all groups in February 2012 although some of us were unable to take part due to interests at that time however he was now able to take part under the new Code of Conduct
- The Council needed to start a new plan as soon as possible and work had already commenced on this
- More houses would be needed than in the rejected plan and the latest G.L. Hearn figures from the census data would be used. The previous figures used were officially revoked by the government last Friday, 12 April 2013
- The new method of assessment would make the new build rate go to 2031
- Locations for 2500 houses had to be identified, that was 230 houses per year and this could increase in that period which was a daunting prospect
- Whilst working on this plan, planning applications would be coming in and assessed using the National Planning Framework (NPF). The NPF stated that

the Council had to build if sustainable and this could mean houses in the north of Melton

- Guidance on the urban and rural split was 70/30 and this would mean that some village envelopes would have to be extended
- This would all mean more applications, more objections and some would be celebrating and for others the problems were only just beginning

Councillor Rhodes moved the following amendment (which was tabled to Members) and explained, after numbering each item, his alterations to the original motion (additions and changes are in italics) :-

- 1. Council notes the initial findings of the Inspector set out in his preliminary conclusions on the Melton Core Strategy**
- 2. Deleted**
- 3. Council is aware that the Borough is exposed to speculative development and uncertainty over several years because no plan is in place**
- 4. Council requests the Chief Executive to institute a review into what went wrong and what lessons can be learnt for the future**
- 5. Council formally resolves to withdraw the existing Core Strategy pursuant to Section 22 of the Planning Compulsory Purchase Act 2004, as amended by Section 112(4) of the 2011 Localism Act, and to prepare a new local plan**
- 6. Council instructs the Chief Executive to develop a programme for the development of a new plan which will include a timetable, resources needed, staffing and expertise that will be necessary, evidence and sources of that evidence and engagement of the public.**
- 7. Deleted**
- 8. Council resolves to set up a new MLDF Task Group.**
- 9. Council resolves to set up a reference group or groups that will include representation from Parish Councils, Landowners, Developers and other local residents' groups.*
- 10. Council further resolves to fully engage all the residents of the Borough throughout the new plan development process.**

Councillor Posnett seconded the amendment and reserved her right to speak.

The Mayor advised that the four Councillors who had previously left the meeting, may now return for the debate on the amendment.

Councillor O'Callaghan raised a point of order under Procedure Rule 13(11)(d) and proposed a short adjournment of 10 minutes to meet with his group to assess the amendment as to whether there could be consensus. This was seconded by Councillor Bush.

On being put the vote, the majority were in favour of an adjournment of 10 minutes.

The meeting adjourned at 7.05 p.m. and resumed at 7.15 p.m.

The Mayor announced that Councillors Holmes, Orson and Twitney had returned to the meeting as the amendment was not related to their interests.

Councillor Twitney declared a personal interest as a governor of John Ferneley High School.

Councillor Posnett spoke on the amendment and stated that this was the start of a new plan and the Council must listen to its residents and neighbourhood plans could be part of this process. She advised that the government was supportive of this approach. She added that Councillor O'Callaghan was not alone in voting against the Core Strategy as she had done so too in support of the residents of the north of Melton. She had explained the position to residents and had given options including forming a neighbourhood plan. She stated that the Council needed to look forward, trust the residents' views and learn from past mistakes on this important issue.

Councillor O'Callaghan raised a point of order that Councillor Moulding who had seconded the motion had not had his chance to speak.

The Mayor advised that Councillor Moulding had not reserved his right to speak however Councillor O'Callaghan had a right of reply as the proposer of the original motion.

Councillor O'Callaghan stated that the amendment attempted consensus and it included the reasons the meeting had been called. On the two items deleted, he considered these matters would come out in the inquiry and in his view they ought to consider what resources were spent and how much of the plan needed to be redone and this would come out in the review. He advised that he came to the debate with an open mind. He was concerned on the large scale development and would oppose this. However his group supported the amendment as it did little to change the sense of why the meeting was called and the Council would be creating a new local plan.

On the amendment being put to the vote there were 25 in favour, none against and 1 abstention therefore the amendment was carried and it became the substantive motion.

On the substantive motion being put to the vote there were 25 in favour, none against and 1 abstention therefore the substantive motion was carried.

RESOLVED that

- (1) Council notes the initial findings of the Inspector set out in his preliminary conclusions on the Melton Core Strategy;
- (2) Council is aware that the Borough is exposed to speculative development and uncertainty over several years because no plan is in place;
- (3) Council requests the Chief Executive to institute a review into what went wrong and what lessons can be learnt for the future;

- (4) Council formally resolves to withdraw the existing Core Strategy pursuant to Section 22 of the Planning Compulsory Purchase Act 2004, as amended by Section 112(4) of the 2011 Localism Act, and to prepare a new local plan;
- (5) Council instructs the Chief Executive to develop a programme for the development of a new plan which will include a timetable, resources needed, staffing and expertise that will be necessary, evidence and sources of that evidence and engagement of the public;
- (6) Council resolves to set up a new MLDF Task Group;
- (7) Council resolves to set up a reference group or groups that will include representation from Parish Councils, Landowners, Developers and other local residents' groups;
- (8) Council further resolves to fully engage all the residents of the Borough throughout the new plan development process.

The meeting, which commenced at 6.30 p.m., closed at 7.22 p.m.

Mayor