

Our Ref: EW/060209

Mrs LC Ross
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8RA

6th February 2009

Dear Mrs Ross

The Co-operative Group Response to the Report of the Chief Executive to Leicestershire County Council Cabinet, on the Leicestershire County Council Response to the Draft Planning Policy Statement on Eco-towns and the Possible Pennbury Location (10th February 2009).

The Co-operative Group (the promoters) would like to raise a number of concerns, in order to assist Leicestershire County Council's Cabinet in its consideration of the County's response to the draft Planning Policy Statement on Eco-towns, at its Cabinet meeting scheduled for 10th February 2009.

The promoters consider that the Report of the Chief Executive to the Council's Cabinet on the Leicestershire County Council Response to the Draft Planning Policy Statement on Eco-towns and the Possible Pennbury Location (the Cabinet Report) relies heavily on documents which are flawed, contains inaccuracies and appears not to reflect recent case law in respect of the eco-towns process.

Pennbury Strategic Assessment (December 2008)

The Cabinet Report uses the findings of the Pennbury Strategic Assessment (Halcrow Report) (December 2008) undertaken on behalf of Leicestershire County Council, Leicester City Council, Harborough District Council and Oadby and Wigston Borough Council by Halcrow Group Limited. The promoters have published a summary written response to this assessment and have also provided a separate summary written response to the Council's Scrutiny Commission.

The promoters have concerns that there are fundamental flaws in the Halcrow Report, which means that it should be given very little weight by the Council on considering its response to Government in respect of the draft Eco-towns Planning Policy Statement (draft EPPS), and the Eco-town for Leicestershire proposals in particular. These concerns relate to factual inaccuracies, incompleteness, failure to understand the eco-town assessment process and the status of the Eco-town for Leicestershire Masterplan Vision Document, contradictory conclusions and unsubstantiated claims.

The promoters note that the Council has published a response to its critique of the Halcrow Report as Appendix 6 of the Cabinet Report. The promoters are

disappointed that this Appendix fails to reproduce their summary response to the Halcrow Report in full and has only just been circulated on 6th February 2009. The promoters remain of the view that the comments contained in their summary response are still valid.

Report of the Scrutiny Review Panel

The Cabinet Report relies heavily on the conclusions contained within the Report of Leicestershire County Council Scrutiny Review Panel (28th January 2009). The promoters provided a written response to the Scrutiny Panel Report and are disappointed that there is no reference to this submission in the main body of the Cabinet Report.

Key concerns include: factual inaccuracies; reliance on the findings of the Halcrow Report, the nature of the errors in the Halcrow Report having been summarised above; the report's unsubstantiated claim that the promoters are pursuing the eco-town scheme through a non plan led process; the assumption that the Masterplan Vision Document is a more advanced document than it really is; and failure to recognise that the level of detail in the Masterplan Vision Document goes far beyond what would be expected at the next Regional Plan stage.

The promoters note that the Council has published a response to its comments on the Scrutiny Panel Report as Appendix 5 of the Cabinet Report. The promoters are disappointed that this Appendix has only just been circulated on 6th February 2009 and the promoters remain of the view that the comments contained in their response are still valid.

Inaccuracies

Paragraph 34 of the Cabinet Report implies that insufficient information was provided to the Scrutiny Panel by the promoters. The promoters wish the Cabinet to note that they were willing to provide further information to the Panel in the form of written responses to questions posed by the Panel or further presentations to the Panel. However, the promoters were advised that a response to these questions was not required.

The **co-operative**

Case Law

The promoters are concerned that the Cabinet Report fails to understand the eco-town process. It states that the eco-town process does not adhere to the plan led approach, however, recent case law is clear that the eco-towns process uses rather than outflanks the planning system. The promoters are also surprised and disappointed by comments made by a senior Member of the Council on BBC Radio Leicester on 5th February, which intimated a lack of support for the plan-led system.

The promoters hope that Members are made aware of the contents of this letter and to the issues to which it relates prior to considering their response to the draft Eco-towns Planning Policy Statement

Yours sincerely

Ruairidh Jackson
Head of Planning and Property Strategy