

**Copy email text from Strategic Director, Andy Barton, of North West Leicestershire District Council
to Kegworth Parish Council 20th April 2023**

Following the public closure of the Yew Lodge Hotel and use of the building to provide emergency accommodation to asylum seekers, we have taken legal advice about the need for planning permission to be sought.

We have received a number of queries about the hotel's new use and appreciate the differing views of the community about this Home Office decision. Our conclusion is based on independent legal advice, case law and the planning impact of the change on the building, environment and character of the area.

Our legal advice has concluded that a material change of use hasn't taken place, as there have been no alterations to the buildings, no environmental damage or impact on the character of the area. In light of this advice, we do not intend to take any further planning action. We have also been advised that it would be difficult to defend our actions if we were to take enforcement or legal action.

While under planning law hotels and hostels have technically different use classes, we want to ensure that our approach is appropriate, can be legally defended and makes the best use of council resources, bearing in mind the robust actions that the Home Office has taken in other cases.

Please find attached a summary of the advice provided by our solicitors, Weightmans LLP. The full advice is subject to legal privilege and not something we can share. We asked for clarification on two things:

- Whether there has been a material change of use which would need planning permission
- Whether it would be appropriate for us to take enforcement action or to apply for an injunction to stop this use of the hotel.

Other partners will be sent a similar email later today.