



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Cabinet

Tuesday, 12 October 2021
6.00 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Rowena Hay, Peter Jeffries, Victoria Atherstone, Flo Clucas, Mike Collins, Iain Dobie, Martin Horwood, Andrew McKinlay and Max Wilkinson

Agenda

4.	PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on Tuesday 5 October 2021	(Pages 3 - 6)

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Public Questions (2 total)

1.	Question from Alan Bailey to the Leader of the Council, Councillor Rowena Hay
	In response to the CBC Council Meeting Minute to my question 1 of the June Meeting. The Cabinet Member stated that he would seek an urgent meeting to discuss proposals as a whole. What was the outcome of that urgent meeting?
	Response from Cabinet Member
	<p>A meeting was facilitated by the Planning team on 9th September 2021. This included representatives of Miller Homes and Newland Homes. The meeting was led by the Director of Planning and supported by planning case officers, case officer of Gloucestershire County Council Highways together with the Cabinet Member Customer & Regulatory Services.</p> <p>Key areas covered in that meeting included:</p> <ul style="list-style-type: none"> • Connectivity/sustainability/access to services • Protection for nature / protection of views • Climate change mitigation • Design <p>The meeting was an opportunity to hear from all parties and test the opportunity for enhancement across the schemes. This dialogue is actively being continued between the case officers and developers.</p> <p>Specifically relating to transport, which was the source of the question asked by Mr Bailey in June, the meeting explored the following;</p> <ul style="list-style-type: none"> • How the missing cycle/pedestrian link could be facilitated between the Miller scheme and Merlin Way • Whether a cycle link could be achieved to the south via the Kendrick application • Importance of east-west link and the wider school catchment area • Linkages between the sites and broader connectivity • Links to Salisbury Avenue neighbourhood uses and safe crossing points • Opportunity to explore a local shopping facility as part of the development to help minimise trips
2.	Question from Alan Bailey to the Leader of the Council, Councillor Rowena Hay
	<p>Whilst there is recognition that this is an “area” problem, why is the Cabinet Member supporting a Neighbourhood Plan for part of the Parish which is just a small area within the area which includes Cheltenham Plan area MD4?</p> <p>Clarification: The Cheltenham Plan is approved and the MD4 area detail is yet to emerge as confirmed by the Cabinet Member. The NP is yet to emerge and at best will be emerging mid-2022. This plan if approved will divert the MD4 Levy to</p>

	<p>a small area whereas stated by the Cabinet member developing MD4 is a matter of proposals as a whole. Thus, the levy should remain with CBC.</p> <p><i>50. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.</i></p> <p><i>The LPA has indicated a 21 day comment period on the MD4 proposal from the developer, and the other will appear before Committee Oct 2021.</i></p> <p>This matter is urgent since the Parish Council has sent the NP out for public consultation with a time frame. As is the CBC planning calendar.</p>
	<p>Response from Cabinet Member</p>
	<p>The question asked is directly linked to the Community Infrastructure Levy (CIL) Regulations (2010) and its amendments. These Regulations are explicit in respect of who holds responsibility for the spending of CIL receipts.</p> <p>CIL receipts can be used to fund a wide range of infrastructure including transport, schools, health and social care facilities, libraries, play areas, green spaces and sports facilities. Strategic decisions about CIL expenditure benefitting the whole of the borough sits with the Borough Council; however, this is not wholly the case for the neighbourhood element.</p> <p>Neighbourhoods receive 15% of CIL and this increases to 25% where there is a neighbourhood plan in place. Under the CIL Regulations the Borough Council must pass on the 'Neighbourhood Portion' of CIL to Parish and Town Councils where they exist, for them to spend on infrastructure or anything else that addresses the demands that development places on an area.</p> <p>The law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent, however the Borough Council will encourage its parish councils to prioritise how the neighbourhood area element of CIL is spent that takes into account evidence, local views and aspirations for a neighbourhood area and the impact of new development on infrastructure.</p> <p>In deciding what to spend the neighbourhood portion on, the parish council should consider such issues as the phasing of development, the costs of different projects (for example, a new road), the prioritisation, delivery and phasing of projects, the amount of the levy that is expected to be retained in this way and the importance of certain projects for delivering development that the area needs, having regard to the infrastructure needs of the wider area.</p> <p>Turning to the point raised regarding the area of the Leckhampton and Warden Hill Parish covered by the Neighbourhood Plan, Cabinet approved this on 15th September 2015. The Neighbourhood Plan area approved enabled</p>

	<p>Leckhampton with Warden Hill Parish Council to prepare a Neighbourhood Development Plan for the area covered by the designation.</p> <p>The Cabinet Member Customer & Regulatory Services holds the responsibility for Neighbourhood Planning as part of his portfolio.</p>
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