

## Council

Thursday, 10th November, 2011  
2.30 - 7.35 pm

| Attendees           |  |
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| <b>Councillors:</b> | Barbara Driver (Chair), Anne Regan, Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Tim Cooper, Bernard Fisher, Jacky Fletcher, Wendy Flynn, Rob Garnham, Penny Hall, Colin Hay (Vice-Chair), Rowena Hay, Sandra Holliday, Peter Jeffries, Steve Jordan, Paul Massey, Helena McCloskey, Andrew McKinlay, Heather McLain, Paul McLain, John Rawson, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Lloyd Surgenor, Jo Teakle, Pat Thornton, Jon Walklett, John Webster, Paul Wheeldon, Simon Wheeler and Roger Whyborn |

## Minutes

### 1. PRAYERS

The reverend Tim Mayfield opened the meeting with a prayer.

### 2. APOLOGIES

Apologies were received from Councillors Godwin, Hibbert, Wall and MacDonald.

Councillor R Hay apologised for having to leave at 4.46pm during agenda item 9 (Joint Core Strategy: developing the Preferred Option) to meet a commitment she had made prior to the Extraordinary Council having been organised, to judge the 'Young Designer Competition' at the Fashion Show.

### 3. DECLARATIONS OF INTEREST

A number of members made declarations in respect of item 9 (Joint Core Strategy: developing the Preferred Option) as follows;

Councillor Garnham declared a personal and prejudicial interest in respect of his business, Mediation in Planning Ltd.

Councillor Regan declared a personal interest as a member of LEGLAG and Warden Hill Parish Council.

Councillor Webster declared a personal interest as a member of 'Save the Countryside'.

Councillor Sudbury declared a personal interest as a member of LEGLAG.

Councillor Massey declared a personal interest as a member of 'Save the Countryside'.

Councillor Teakle declared a personal interest as a member of LEGLAG.

Councillor Bickerton declared a personal interest as a member of LEGLAG.

Councillor Stennett declared a personal interest as a member of Prestbury Parish Council.

Members had received advice from the Monitoring Officer in respect of item 15 and any consequent declarations would be recorded at item 15 and within the declaration forms which had been submitted.

**4. TO APPROVE AND CONFIRM THE MINUTES OF THE MEETING HELD ON THE 10 OCTOBER 2011**

The minutes of the last meeting had been circulated with the agenda.

Councillor Stennett asked that the minutes note that he and Councillor Godwin had left the meeting prior to the vote on item 16 (North Place and Portland Street). This would be amended.

Upon a vote it was unanimously

**RESOLVED that the amended minutes of the meeting held on the 10 October 2011 be agreed and signed as an accurate record.**

**5. PUBLIC QUESTIONS**

The following responses were given to the public questions received.

| 1. | <b>Question from LEGLAG to the Leader, Councillor Jordan</b>   |
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|    | <p>Is the Council aware that the draft JCS documents "Developing the Preferred Option Consultation Document" and the draft sustainability assessment that comes with it contain (so far as we can see) no reference whatever to the Petition submitted to Cheltenham Borough Council (and to Tewkesbury Borough Council) earlier this year by LEGLAG, and passed unanimously by CBC for consideration by the JCS Officers (and also passed by TBC in the same way)?</p> <p>(for information only) The Petition wording was as follows:-</p> <p><b>PETITION: "Leckhampton Country Park" To Cheltenham Borough Council and Tewkesbury Borough Council:</b></p> <p>We the undersigned urge the above Councils to allocate (in their Joint Core Strategy or another relevant appropriate planning policy or document) a designated area to the South of Cheltenham at Leckhampton and Shurdington (including the land formerly known as the Leckhampton White Land) that shall be protected from inappropriate large scale development.</p> <p>This area of land is of high local community interest due to its attractiveness, views in and out of the AONB and the contribution it makes to the setting of Cheltenham. We also highly value its easy accessibility for informal recreation, local food production, wildlife, environmental and ecological interest. Although some of the land is now</p> |

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|           | in Shurdington, we suggest that this designated area may for convenience (at the Councils' discretion) now be known as:<br><b>LECKHAMPTON COUNTRY PARK</b>  |
|           | <b>Response from the Leader</b>   |
|           | <p>The issues raised in the petition have been considered by the JCS team in putting together the scenarios outlined in the "Developing the Preferred Option Consultation Document". However, this needed to be considered against the wider evidence base of the JCS; conclusions drawn which have led to the 4 scenarios set out in the consultation document.</p> <p>Cheltenham Borough Council takes the issues raised in the petition very seriously and the resolution I am proposing to Council this afternoon restates the intention to protect Green Belt and open countryside around Cheltenham. Assuming the 3 Councils confirm agreement to start the consultation, the issues raised in the petition will no doubt feature in the feedback from LEGLAG and others.</p> |
| <b>2.</b> | <b>Question from LEGLAG to the Leader, Councillor Jordan</b>  |
|           | <p>Is the Council further aware that in three of the four scenarios proposed in the draft JCS document (including their recommended scenario B) the land referred to in our petition has been allocated no fewer than 1650 houses as part of what are called in the document "Strategic Allocations", 350 <b>more</b> than were allocated in this area under the defunct South West Regional Spatial Strategy?</p> <p>This is not apparent in the maps supplied in the document, where it appears that 1300 houses are allocated here (the same as in the SWRSS), but the extra 350 come from houses allocated by Tewkesbury Borough Council in their Local Plan of 2006 on land South of Farm Lane, Leckhampton.</p>   |
|           | <b>Response from the Leader</b>   |
|           | <p>The 350 houses south of Farm Lane, Leckhampton, as well as 250 homes on the old M&amp;G sports ground, are included in the figures in Scenario A as they are already in the Tewkesbury Local Plan. The 1300 houses mentioned are the extra houses that form part of the other Scenarios. The capacity of 1300 together with 350 at Farm Lane will all be subject to scrutiny via the consultation process.</p> <p>It is important that this is made clear in the consultation documentation as it is no doubt something that people will wish to comment on.</p>   |
|           | <b>Supplementary question by Kit Brauholtz on behalf of LEGLAG</b>  |
|           | The maps were misleading, would the public consultation document clearly identify housing in each area?   |
|           | <b>Response from the Leader</b>   |
|           | The consultation documentation would make this clear.   |
| <b>3.</b> | <b>Question from LEGLAG to the Leader, Councillor Jordan</b>  |
|           | Is the Council also aware that LEGLAG considers that not only should the maps be amended to show the true extent of the strategic allocations in  |

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|           | <p>this area, but also that the entire area should in any case be removed from the list of “Strategic Allocations” because such an allocation is totally inconsistent with the petition CBC approved unanimously?</p>   |
|           | <p><b>Response from the Leader</b></p>  |
|           | <p>I am keen to make sure that when the document is prepared for the planned consultation all the issues are clearly presented as I hope as many members of the public as possible will take part. At this stage of the plan however it is not appropriate to place detailed boundaries as this is still subject to debate through the consultation. It is at the Preferred Option stage of the JCS that detailed boundaries will be identified.</p> <p>I would encourage LEGLAG to express their views about “Strategic Allocations” during the consultation.</p>  |
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| <b>4.</b> | <p><b>Question from Helen Wells, Chair, Save the Countryside to the Leader, Councillor Jordan</b></p>   |
|           | <p>Does the Council agree that, given the prediction of 45,200 extra people in the JCS area in 20 years’ time, the housing total of 36,850 arrived at by the end of Phase 2 of Scenario B is suspect?<br/> Subtracting one from the other it suggests that <u>only</u> 8,350 (18.5%), of the additional population will be in shared accommodation, the other houses presumably being occupied by 28,500 immigrant singleton divorcees and old people if the trend is to be believed. Would, say, the conventional 2.5 sharing not be more likely, meaning that the population increase number divided by 2.5 would indicate how many houses would be needed, namely 18,080 dwellings by 2031 and thus just over the much maligned Scenario A totals?<br/> Looking at Phase 1 for Scenario B and assuming a steady increase in the population, there would be a predicted 22,600 extra people by 2021 (half the 45,200 increase). Scenario B plans for <u>29,500</u> houses by this time – in other words, <u>1.3 houses for each person!</u></p> <p>Does the Council agree that the JCS statistics need to be revisited?</p> |
|           | <p><b>Response from the Leader</b></p>  |
|           | <p>All the population and household projections will form part of the planned consultation and will be open to challenge along with all the rest of the evidence base.</p> <p>The calculation of extra housing numbers is not based purely on the projected rise in population. The analysis from which the household projections are drawn is the Housing Trend Analysis and Population and Household Projections – Gloucestershire County Council (May 2011). This report shows that overall provision of new houses in the JCS area have been in pace with the number of household formations since 1991.</p> <p>The calculation between additional people within the population and number of new households forming is not as simple as a direct mathematical calculation. Household formation takes account of differing household size, levels of vacancies, second homes and concealed households together with migration. In past assessments calculations</p>   |

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|                  | <p>have been made based upon average number of persons per households; however this is no longer the used convention giving the differing sizes in households in recent years and projected levels of single person households arising from the ageing population together with separated families etc. The increases in household formation have therefore led to falling average household size, in part attributable to the change that over the period of the JCS – up to 2031 more than 1 in 5 of all households in the JCS area will consist of an elderly single person.</p> <p>As appropriately highlighted within the question, migration plays a part in new household formation, in Cheltenham the Housing Trend Analysis and Population and Household Projections report sets out that in Cheltenham 75% of new households are formed from the indigenous population, with 25% attributable to net migration; this is similar for Gloucester, but less so for Tewkesbury with a higher percentage of 58% of new households attributable to net migration. It should be noted that migrants are not necessarily from outside the County, but are movers between districts from within Gloucestershire.</p> <p>The housing review evidence base upon which the JCS has been informed will not provide a 100% accurate answer. Projections only trend forward what has happened in the past and many factors that can't be accounted for in a statistical model can affect the way our populations change. Population and household projections are therefore only one set of indicators of population change, and should be used together with other information and policy considerations where appropriate. This is why the evidence base for the JCS is extensive and includes tools such as the Gloucestershire Affordability Model.</p> |
|                  | <p><b>Supplementary question from Helen Wells</b></p>  |
|                  | <p>It still appears that, at the end of Scenario B, 4 out of every 5 homes will be occupied by single people which seems very unlikely to us and should be checked.</p> <p>As should the JCS GAM (Gloucestershire Affordability Model) which states that Scenario A will result in housing market failure, a mass exodus of the working population and over-crowding. Does the Council agree with this computer prediction of doom, or do you instead believe that Scenario A could, with a little adjustment, meet our future housing requirements for an increased population with least possible damage to the countryside?</p>   |
|                  | <p><b>Response from the Leader</b></p>   |
|                  | <p>The figures on which these assumptions were based were important and would be subject to scrutiny. Alternative options would also be considered.</p>  |
| <p><b>5.</b></p> | <p><b>Question from Alice Ross, Secretary, Save the Countryside to the Leader, Councillor Jordan</b></p>   |
|                  | <p>The JCS Team has had prepared an 'evidence base' comprising a large number of documents. Does the council agree that at least one very important document is missing – namely, an assessment of <u>existing</u> housing potential.</p>  |

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|           | <p>Before saying that we need thousands of new build properties in the Green Belt or on green field sites, should the Team not have established how many empty homes there are,<br/> how many empty flats above retail properties,<br/> how many second homes,<br/> how many commercial rental properties,<br/> how many properties for sale are in vacant possession</p> <p>Should this evidence not be available before decisions to build new housing?</p>   |
|           | <p><b>Response from the Leader</b></p>  |
|           | <p>Maximising the use of existing housing stock along with use of brown field sites will be vital in assessing future housing needs. Figures for numbers of empty homes and second homes are included in these calculations. A housing background paper is currently being prepared by the JCS team, this will set out and explain the methodology used in determining dwelling numbers.</p>  |
|           | <p><b>Supplementary question from Alice Ross</b></p>  |
|           | <p>Should the housing background paper you mentioned not have formed part of the evidence base before the 'Preferred Options' consultation paper was issued, do you think there are flaws in the evidence base and should this be open to challenge throughout the consultation?</p>  |
|           | <p><b>Response from the Leader</b></p>  |
|           | <p>The consultation documentation was evolving and would be added to accordingly. There was a vital need for scrutiny throughout the process.</p>   |
| <b>6.</b> | <p><b>Question from Barry Simon, Swindon Village Society to the Leader, Councillor Jordan</b></p> <p>Despite the public's objections in the preliminary consultation to the SWRSS-imposed 'sustainable urban extensions', does not the JCS Team appear to have ignored the community's wishes and to be proposing large scale development of almost exactly the same numbers and in the same former RSS 'Areas of Search', much of it in the Green Belt.</p> <p>Can the Council confirm whether this is the JCS Team's free choice of action or whether they are responding to pressure from developers and/or landowners who have had plans on hold for the land in question since RSS days?</p> |
|           | <p><b>Response from the Leader</b></p>  |
|           | <p>I understand the concerns about possible urban extensions. The Council will take decisions based on what is best for Cheltenham rather than what suits developers. The resolution I am proposing to Council this afternoon restates the intention to protect Green Belt and open countryside around Cheltenham</p> <p>With the SWRSS being abolished the JCS for Cheltenham, Gloucester and Tewkesbury starts from scratch in trying among other things to balance local housing need against protecting the Green Belt and</p>  |

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|  | <p>countryside. Hence the “Developing the Preferred Option Consultation Document” presents a range of options. Feedback on these and indeed any alternative suggestions will be welcome during the planned consultation.</p> <p>The JCS team have identified a vision and strategic objectives together with 4 possible Scenarios for accommodating the JCS areas development needs together with a suite of strategic development management policies. These have been developed by drawing upon the wide JCS evidence base together with the engagement to date with stakeholders and members of the public. Developers are part of the stakeholder community and appropriate liaison has taken place, this however has not resulted in pressure being applied by the development industry. Such pressure would be wholly inappropriate.</p> |
|  | <b>Supplementary question from Barry Simon</b>   |
|  | There is still concern that Scenarios B, C and D show such similarities to the South West Regional Spatial Strategy. Can we assume that the same inflated GDP growth figure of 3.2% was used?  |
|  | <b>Response from the Leader</b>  |
|  | No, the same GDP growth figure was not used, this had been started from scratch.   |

#### **6. COMMUNICATIONS BY THE MAYOR**

The Mayor appealed to members to join her at Remembrance Sunday if possible, in remembering and honouring the service men and women who have lost their lives in wars, not just World War 1 and 2 but still today.

She had attended the Voluntary Sector Awards, where she presented an award to teenagers who were being commended for their volunteer work with local Scout groups and without whom these groups couldn't function.

Councillor Barnes was thanked for his money raising efforts in aid of the Mayor's Charity and congratulated on his recent dramatic weight loss. Members were reminded about the Fashion Show that was scheduled for later in the evening at the Town Hall.

#### **7. COMMUNICATIONS BY THE LEADER OF THE COUNCIL**

The Leader made no communications.

#### **8. MEMBER QUESTIONS**

No member questions were received.

#### **9. JOINT CORE STRATEGY: DEVELOPING THE PREFERRED OPTION**

The Leader welcomed the vast number of members of public who filled the public gallery and apologised for the volume of paperwork that had been circulated to Members, which he appreciated was a difficult undertaking. He took this opportunity to thank Officers for their hard work.

Given that a number of seminars had been organised for the benefit of Members over the preceding months, it was proposed that the item would follow

the normal format of debate. Officers were in attendance to assist with answering any questions of a technical nature and would note any issues raised.

The Regional Spatial Strategy (RSS) was being abolished and Cheltenham Borough Council would be the decision maker in determining long term development needs of the Borough, and it would need to get this right, which would be no easy task.

Cheltenham, Tewkesbury and Gloucester had agreed to work together and prepare a single core strategy covering the entirety of each of the three areas. Colleagues would be aware that Tewkesbury Borough Council was the first to consider the document on the 26 October and it had been approved for consultation purposes. Gloucester City would be considering the document on the 24 November and it was hoped that all three authorities would then be in a position to move forward.

The National Planning Policy Framework (NPPF) had undergone a consultation process and Cheltenham had duly submitted a number of responses. Consultation on the 'Preferred Option' would conclude in early summer 2013 and all feedback from the consultation and clarity on the NPPF would enable conclusions to be formed.

He talked through the recommendations, providing some context and explanation for each.

Councillor Whyborn proposed an amendment (for insertion after recommendation 4 and subsequent recommendations be renumbered accordingly), copies of which were circulated to members;

**5. This Council does not necessarily endorse development on any of the specific sites named in the document "Developing a preferred option";**

He felt that, whilst it could be considered to be a statement of the obvious, it was important given that a number of sites had been named in the document by Officers and the Council had previously taken a view on some and not on others.

Councillor Thornton reserved her right to speak as the seconder of the amendment.

Councillor Jordan accepted the amendment and invited questions on the substantive motion before it was debated.

The Leader, in response to questions from members emphasised the fact that there had been a genuine attempt by Gloucestershire County Council (GCC) to calculate the population in 20 years, using the ages of the current population, the proportion of inward migration from within the UK and outside and projecting forward to a potential population. Admittedly, there was a risk of generating more demand with no specific solution to affordability - Cheltenham was a highly popular place to live and none of the scenarios would solve this issue. To deal with the high demand for housing in the Lake District it was now necessary to have lived in the area for a period of time before being eligible for



affordable housing and this was a radical approach that could be considered for Cheltenham.

The following responses were given by the Strategic Land Use Manager;

- The projections contained within the document were principally based on the population projections and the Gloucestershire Affordability Model, with two approaches, looking back and looking forward to the future.
- The document did not answer all questions and there was still work to be done to align some of the detail. There were still gaps in the evidence base and this would be addressed between now and Summer 2012.
- At the start of the process there had been 3 themes to sustainability; climate change, economy and stronger communities and following initial public and stakeholder consultation it was apparent that the balance needed to favour economic sustainability. The document used a body of evidence to inform future levels of economic growth including; projections commissioned from Cambridge Econometrics, together with the Local Economic Assessment prepared by Gloucestershire County Council and forecasting by the Gloucestershire Affordability Model which used a percentage of 2.3%. This was one variable that could be changed in the Gloucestershire Affordability model and further testing will be undertaken.
- Growth for Cheltenham was split - 75% from our indigenous population (people already living in Cheltenham housing stock) and 25% migration. The numbers were similar for Gloucester, with a 60% / 40% split the other way in Tewkesbury.
- To say that the greenbelt was sacrosanct was difficult given the tightly drawn greenbelt in Cheltenham but as much urban capacity had been identified wherever possible. The strategic allocations identified in the consultation document were all informed by the extensive evidence base.
- The weight of the JCS was limited at this early stage; however, this would change as time went on, though ultimately, any decision would remain in the hands of the appropriate decision maker at any given time.
- Even at an early stage, a range of alternative options were looked at and a key part of the evidence base was an assessment of broad locations and sustainability appraisal. Early assessment included options such as a new settlement.
- Flooding is a key part of the JCS evidence base, information used included assessment undertaken through Strategic Flood Risk Assessment 1 and 2.
- Building would increase demand, but it was important to remember that Cheltenham had a significant backlog of need.
- Statistics relating to births and deaths were matched in terms of residency through GP records.
- The University is an important stakeholder and they were engaged in early stages of consultation. They remain an important stakeholder for housing given that multiple-occupation was an issue for Cheltenham. The next stage of the consultation process would aim to address this.

- Specific statistical information was possible as a result of the Gloucestershire Affordability Model but these were only predictions and would need to be tested.
- Villages had been consulted on a number of levels. Parish Councils, specifically, had been asked directly in 2010 if they wanted development and would be asked again. Specific consultation is being arranged to target rural parishes. One option being developed within the JCS is the linking of settlements supported by development which can act as 'hubs' to deliver improved levels of infrastructure and employment, this will be tested through consultation.
- Some greenfield sites had been named in the document but not at the exclusion of brownfield sites, which had also been named. All sites identified as urban capacity are included within the strategic land availability assessment reports; these reports will be available alongside the consultation document. In addition a housing background paper is being prepared, this will set out details on sites and the methodology adopted in reaching the housing requirements.

The Leader noted that the population growth documents were large documents and therefore it was not always possible to provide members with hard copies, however, they were available on the JCS website. He stressed that all resulting figures were dependent on the variables put in.

Councillor Smith acknowledged the hard work of the Joint Core Strategy Team, which he had no doubt, would be an example of best practice in the future, however, he proposed 2 amendments on behalf of his Group, seconded by Councillor Regan;

Recommendation 1 be amended to read, ' that Council defers the decision to approve the JCS documentation for consultation to the next Council meeting by which time the consultation documents will be ready for scrutiny and approval by members.'

Recommendation 2 be amended to read, 'the Council supports scenario A as the only option contained in the consultation papers that will protect the town of Cheltenham, it's fields and green spaces from over development and the only option that offers hope that the town may retain its unique character.'

His main reason for proposing that the consultation be deferred was that no actual public consultation document had been put before members for consideration and therefore members had no indication as to what questions the public would be asked to answer. In his opinion there was no intellectual narrative held from start to finish, housing figures were based on economic figures and vice versa and as such all relied upon each other and therefore offered the same answer. Some evidence base and documentation was missing and he queried how members could endorse an incomplete document. The second amendment was intended to demonstrate leadership; scenario A delivered what the residents wanted, protection of the greenbelt and if members couldn't support this then they were failing the people of Cheltenham.

Officers had presented scenario A as unsound and the suggestion was that it had been included to placate the public rather than as a practical option. He

considered that recommendation 4 was nonsense as it provided no steer in terms of the preferred option in relation to the Council's greenbelt aspirations.

He was also concerned that the document had overtones of ageism, with the suggestion that under 30 was good and over 60 was bad. An ageing population was a reality for Cheltenham and this needed to be embraced rather than being masked.

The document lacked infrastructure content and a complete exclusion of other issues. The more 'radical views' referenced by the Leader offered no particular logic, if people couldn't afford to live in Cheltenham in the first instance, how would they ever be in a position to be eligible for affordable housing.

In response to the amendments, the Leader was unwilling to agree to defer consultation but was happy to agree a mechanism by which the document be signed off and suggested that the meeting be adjourned so that the matter could be discussed.

The meeting was adjourned at 3:50pm.

Members returned at 4:12pm.

Councillor Smith confirmed that changes to his amendment had been discussed, but they resulted in a watered down version which he had been unable to agree to.

In response the Leader advised that he had resisted the first amendment, though he accepted the importance of members seeing the public documentation. The second amendment, specifying scenario A, implied predetermination of the outcome prior to the public consultation. He proposed that he could support the amendment with the addition of "the Council currently supports a variation of scenario A" and invited legal advice.

The Borough Solicitor and Monitoring Officer accepted that scenario A might be considered by Members to be an attractive proposition given the many unanswered questions. There was however, clear advice in the report suggesting that scenario A was not sound and to go ahead with such a plan could result in additional pressures from developers for sites to come forward to address any housing supply shortfall. This was not to say that developers couldn't apply such pressures at present, but clear advice had been provided by the Planning Officers as to the difficulties with scenario A.

Members invited further advice from the Borough Solicitor and Monitoring Officer, as to the resulting legal position of the Council in terms of planning decisions and the future of the JCS, were it to agree the amendment and opt for scenario A.

She informed members that whilst the advice from Officers was that scenario A was not a sound basis on which to go out to consultation based on the evidence that had been accumulated, this was a member decision. The Local Plan was the development plan and if it were not capable of delivering sufficient land it would be subject to additional pressures. She assured members that they were not bound to pass exactly the same resolution at this stage of the process as

their partner authorities. As the development of the JCS progresses there would come a stage when the decisions of the partner authorities will need to come together.

The Strategic Land Use Manager made clear that scenario A offered a capped level of development based on urban availability and was not evidence based. In planning terms this was an unsound basis for the JCS.

Members speaking in support of the amendments proposed by Councillor Smith expressed their hope that all members would support them. They welcomed the protection afforded to the greenbelt by scenario A and echoed the concerns that members had not yet had sight of the questions that would be put to the public as part of the consultation on the JCS.

Those members that voiced their inability to support the amendments did so in defence of open consultation, which was non-prescriptive, invited comments on the scenarios that had been set out in the document and enabled the public to suggest other scenarios. The results of the consultation would inform the current figures and ultimately, give weight to the JCS, but this was not to say that these Members were any less committed to protecting Cheltenham and the greenbelt surrounding it.

Far from suggesting that there was no opportunity to consult, Councillor Smith, in summing up, stated that this was the last opportunity for Members to comment on all scenarios, given that the next stage would be consultation on one option, notwithstanding this, it was the last opportunity for Cheltenham to demonstrate leadership.

He considered that his amendment had been carefully worded and proposed that it would be a sad day if Council members couldn't support it.

The Leader stressed that this was not members only chance to respond but simply a process by which to reach a sensible conclusion. The document would be amended in readiness for the public consultation.

The amendments proposed by Councillor Smith were put to the vote.

**The amendment to recommendation 1 was LOST.**

Voting: 8 For, 23 Against, 1 Abstention

**The amendment to recommendation 2 was LOST.**

Voting: 8 For, 22 Against, 2 Abstentions

The Leader reiterated his earlier comments, that rather than accept the second amendment he would propose the following amendments;

Recommendation 5 be amended to read 'This Council does not necessarily endorse development of any of the specific sites named in the document "Developing the preferred option". This Council is currently minded to support a variation of Scenario A as the only option contained in the consultation papers that will protect the town of Cheltenham, its fields and green spaces from over development and the only option that offers hope that the town may retain its unique character'

Recommendation 10 be amended to include Group Leaders rather than just the Leader.

A Councillor thanked the Leader for the amendment to recommendation 10 and the inclusion of Group Leaders but felt that with the exception of the “weasel” wording ‘currently’ and ‘variation’ from recommendation 5 would ultimately result in the amendment tabled by Councillor Smith.

In response, another Councillor refuted that this was “weasel” wording. The character of Cheltenham relied upon the rural fringe of the town, of which a large proportion was not within its boundaries. It was in Members interest to keep the JCS on track, as were it to fail they would have no say on what happened to these surrounding areas. Indeed it could be very difficult to reach agreement across the three authorities but Cheltenham would run the risk of becoming a fortress.

The Leader confirmed his ability to agree the amendment as the proposer of the original motion, stressing that at this stage, this was merely an expression of an opinion before the consultation and demonstrated a willingness to listen to the outcome of the consultation.

A number of Members voiced concerns about the document in its current form. These largely centred on the refuted assumptions for growth set out in the document, the risk posed to the greenbelt surrounding and green spaces within Cheltenham and any resulting urban sprawl which participants in the debate were staunchly against. Members were nervous that the public would perceive that the outcome was predetermined before the consultation.

Other comments included;

- Scenarios B & D lacked intrinsic logic; they were simply alternatives to scenario C, 10% lower and higher.
- The development maps from the previous JCS public consultation, showed peoples preference for regeneration of brownfield sites rather than building on the Greenbelt.
- The Council’s achievements through Cheltenham Borough Homes demonstrated that the policy of urban regeneration was working and defensible.
- The focus should be quality of life not quantity in Cheltenham, in order that it retained its prosperity and character. Rather than housing led economic growth the focus should be providing homes for the indigenous population and their children and an integral part of this would be the correct combination of housing.
- People understood the need for housing but were unwilling to sacrifice the Greenbelt and green spaces. There are 14 Greenbelts in England, of which, Cheltenham had 1 and the document placed far too much significance on this and the green spaces in Cheltenham and failed to identify other areas within the boundaries.
- The development of 1650 homes in Leckhampton would destroy all natural soak-away in an area that was devastated by floods in 2007. It was also hard to comprehend how the excess traffic from the proposed

development would impact the narrow A46, which was already congested.

- There was risk of a coalition of urban sprawl with Gloucester and Tewkesbury and we needed the JCS to tie these surrounding authorities into agreement to avoid this.
- The assumptions within the document intimated that each home would accommodate 1.23 people. Based on these figures developers were not likely to build what people wanted and therefore the document would compound problems rather than solving them. 3-4 bedroom homes would accommodate more people and even attract more people to the town.
- Some of the brownfield sites in Cheltenham were small parcels of land spread across the town and this should be made clear to residents when offered as an alternative to greenfield sites.

Councillor Smith, on behalf of the Conservative Group, confirmed that they would not be supporting the document for the purpose of public consultation as their concerns that the document was not sufficiently robust or sustainable had not been allayed. The document resembled too closely the RSS which Councillors had been fighting against for almost three years. He hoped that the points raised by members would be taken on board.

The Leader thanked members for their contribution. Members had made some valuable points, though he did not agree that it was at all sensible to defer the consultation. The documentation would be amended for public consultation and he made particular reference to the suggestion by Councillor Bickerton that a simplified questionnaire be developed, though there would be other members of the public that would prefer more detail and he hoped that all requirements could be satisfied.

As it stood, the recommendations would see the continuation of the JCS whilst reaffirming the Council priorities and he hoped that all members could support the substantive recommendations.

Upon a vote it was

**RESOLVED that;**

- 1. Council approve publication of the draft “Developing the Preferred Options Consultation Document”, set out in Appendix 1, for the purpose of consultation;**  
Voting: 23 For, 8 Against
- 2. Council notes that the officer recommendation is that of the 4 illustrative scenarios presented Scenario B would best meet the assumed development needs of the Joint Core Strategy area for the first 10 years of the plan period to 2021;**  
Voting: 23 For, 8 Against
- 3. Council notes that Scenario A is the only one that would protect the current green belt;**  
Voting: Unanimous

4. **Council confirms its intention to protect green belt and open countryside around Cheltenham;**  
Voting: Unanimous
5. **This Council does not necessarily endorse development of any of the specific sites named in the document “Developing the preferred option”. This Council is currently minded to support a variation of Scenario A as the only option contained in the consultation papers that will protect the town of Cheltenham, its fields and green spaces from over development and the only option that offers hope that the town may retain its unique character;**  
Voting: 23 For, 8 Abstentions
6. **During the consultation stage (December 2011 – February 2012) further assessment of scenarios is undertaken for Cheltenham and reported back to Council alongside responses received to the 4 scenarios set out in the consultation document by the communities of Cheltenham and wider stakeholders;**  
Voting: Unanimous
7. **Council requests that the further work includes testing more radical approaches to defining affordability which help meet local housing need;**  
Voting: 30 For, 1 Abstention
8. **Appendix 2: Response Report on consultation carried out to date (October 2011) is published as part of the consultation exercise;**  
Voting: 23 For, 7 Against, 1 Abstention
9. **Appendix 3: The Sustainability Appraisal is published as part of the consultation exercise;**  
Voting: 23 For, 8 Abstentions
10. **Authority be delegated to the Director of commissioning in consultation with the Group Leaders to make any necessary minor revisions to the draft document prior to publication taking account of any issues arising from consideration of the document by Tewkesbury Borough Council and Gloucester City Council.**  
Voting: 30 For, 1 Abstentions

## 10. NOTICES OF MOTION

Councillor Rawson, seconded by Councillor Massey, proposed the following motion;

This Council, bearing in mind the impact on the local community of the proposed replacement of the overbridge at junction 10 of the M5 (Piffs Elm), including:

- a) potential traffic disruption and congestion resulting in longer journey times;
- b) extra costs to Cheltenham residents, such as higher fuel costs and potentially higher bus fares; and

- c) extra operating costs for local businesses at a time when the economy is already weak;

resolves as follows:

- 1. To urge the Highways Agency to look at every possible way of keeping the duration of the work to a minimum, and certainly to a significantly shorter timeframe than the period of up of a year that has been quoted;**
- 2. To urge the Highways Agency and the Department of Transport to work with Gloucestershire Highways, the County Council, Tewkesbury Borough Council and Cheltenham Borough Council to resolve the traffic problems arising from the lengthy closure of the motorway bridge and part of Tewkesbury Road, bearing in mind this may require measures such as weight restrictions, road resurfacing and junction improvements to cope with displaced traffic on minor routes; and to urge the Department of Transport to provide additional funding to Gloucestershire Highways to carry out these works;**
- 3. To urge the Highways Agency and the Department of Transport to reconsider offering financial compensation to businesses worst affected by the bridge and road closure, bearing in mind the relatively long duration of the works and the impact they will have;**
- 4. To urge the Highways Agency and the Department of Transport to reconsider combining the bridge replace with works to create a full motorway interchange at Piffs Elm; or, failing this, to ensure that the specification of the new bridge is such that it could be part of a full interchange at a later date; and**
- 5. To seek the support of Cheltenham's local MPs for these measures.**

In proposing the motion, Councillor Rawson had no doubt that the work on the proposed replacement of the overbridge was needed. The Highways Agency had indicated that the work would start in March 2012 and last for up to a year and he considered it was absurd that it should take so long. Whilst the work was in progress it would be impossible to get on the motorway at J10, large sections of the Tewkesbury Road would be closed and there would be significant displacement of traffic on to Gloucester Road, Lansdown Road and Princess Elizabeth Way. There would be additional travel costs for residents and commuters and considerable impact on local businesses. In his view the Highways Agency should be considering 24-hour working and it was a wasted opportunity if they did not make J10 a four way junction at the same time. This would have enormous benefits to Cheltenham.

As seconder, Councillor Massey spoke in support of the motion. He had a particular interest as the Ward Councillor for Swindon Village and whilst there were a number of diversion options available, these routes would unavoidably include minor roads and/or lengthy divers. The impact on congestion and residents in Cheltenham would be massive, he felt that 12 months was



excessive and the work would need to properly managed in order to minimise the impact.

All members who spoke supported the motion. They raised concerns that inevitably traffic would be diverted on to roads which were not suitable for heavy traffic and the negative impact on businesses and residents. They supported the view that 24-hour working should be an option as in view of the location, local residents should not be affected by night-time work. A number of members spoke in support of making J10 a four way junction. It was understood that the Highways Agency had been concerned that the motorway could become a link road for cross-town traffic in view of the proximity of the junctions. However this argument had not prevented similar work being done at the junction for Gloucester. Members thought the one-year timescale was excessive and it was suggested that the Highways Agency should speak to their colleagues in Scotland who appeared to have carried out a similar project with significantly less cost and elapsed time.

Councillor Rawson thanked members for their support and said he would pick up the points raised when he contacted the Highways Agency.

**Upon a vote on the motion it was CARRIED unanimously.**

**11. TO RECEIVE PETITIONS**

At this point the Deputy Mayor took the chair as the Mayor had a prior engagement.

No petitions were received.

**12. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**

There were no urgent items for discussion.

**13. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION**

Upon a vote it was unanimously

**RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1, 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely:**

**Paragraph 1;** Information relating to any individual.

**Paragraph 3;** Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**Paragraph 5;** Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Members of the public were ushered from the public gallery.

**14. EXEMPT MINUTES**

The exempt minutes of the last meeting had been circulated with the agenda.

Councillor Stennett asked that the minutes note that he and Councillor Godwin had left the meeting prior to the vote on item 16 (North Place and Portland Street).

Councillor Holliday noted that she had also left at this point.

The minutes would be amended accordingly.

Upon a vote it was unanimously

**RESOLVED that the amended exempt minutes of the meeting held on the 10 October 2011 be agreed and signed as an accurate record.**

**15. REQUEST FOR DISCRETIONARY ALLOWANCE UNDER THE LOCAL GOVERNMENT (DISCRETIONARY PAYMENTS) REGULATIONS 1996**

Following advice received from the Monitoring Officer, a number of Members left the meeting having declared their intention not to participate in this item.

The following members were in attendance for this item:

Councillors Garth Barnes, Ian Bickerton, Nigel Britter, Tim Cooper, Bernard Fisher, Jacky Fletcher, Wendy Flynn, Penny Hall, Sandra Holliday, Paul Massey, Helena McCloskey, John Rawson, Anne Regan, Malcolm Stennett, Charles Stewart, Klara Sudbury, Jon Walklett and Simon Wheeler.

In the absence of the Mayor and Deputy Mayor, the Strategic Director took the chair and invited nominations for a member to preside as set out in rule eight of the Council Procedure Rules. Councillor Barnes took the chair.

Council formally approved the minutes of the Staff & Support Services Committee meeting of the 14<sup>th</sup> February 2011 as a consequence of the Committee no longer being in existence.

The Council received a report from the Director of People, Organisational Development and Change seeking a decision on a request for a discretionary allowance under the Local Government (Discretionary Payments) Regulations 1996. The Council, having considered the request and the report and appendices of the Director of People, Organisational Development and Change, determined the request.

Barbara Driver  
**Chair**