



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Council

Monday, 2 June 2014

2.30 pm

Council Chamber, Municipal Offices

| Membership | |
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| Councillors: | Wendy Flynn (Chair), Simon Wheeler (Vice-Chair), Andrew Chard, Matt Babbage, Garth Barnes, Nigel Britter, Flo Clucas, Chris Coleman, Bernard Fisher, Jacky Fletcher, Colin Hay, Penny Hall, Tim Harman, Rowena Hay, Sandra Holliday, Peter Jeffries, Steve Jordan, Andrew Lansley, Adam Lillywhite, Chris Mason, Helena McCloskey, Andrew McKinlay, Dan Murch, Chris Nelson, John Payne, David Prince, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Duncan Smith, Malcolm Stennett, Klara Sudbury, Pat Thornton, Jon Walklett, Andrew Wall, Roger Whyborn, Suzanne Williams and Max Wilkinson |

Agenda

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| 1. | APOLOGIES | |
| 2. | ELECTION OF MAYOR (CHAIRMAN OF COUNCIL) FOR 2014-15 To elect the Mayor (chairman of Council) for the Municipal Year 2014/15 | |
| 3. | ELECTION OF DEPUTY MAYOR (VICE-CHAIRMAN OF COUNCIL) 2014-15 To elect the Deputy-Mayor (vice-chairman of Council) for the ensuing Municipal Year 2014/15 | |
| 4. | DECLARATIONS OF INTEREST | |
| 5. | MINUTES OF THE LAST MEETING To approve the draft minutes of the meetings held on 31 March 2014 and 9 April 2014. | (Pages 1 - 44) |
| 6. | COMMUNICATIONS BY THE MAYOR | |
| 7. | TO APPOINT THE LEADER OF THE COUNCIL FOR THE ENSUING 2 YEARS AND TO NOTE THE MEMBERSHIP OF CABINET INCLUDING THE DEPUTY LEADER | |
| 8. | TO ESTABLISH AND APPOINT TO THE FOLLOWING | |

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| | <p>COMMITTEES (INCLUDING APPOINTMENT OF SUBSTITUTE MEMBERS)</p> <p>Note: Details of political group nominations to committees will be circulated separately.</p> <p>a) Overview and Scrutiny Committee (must be non-Executive members)</p> <p>b) Audit Committee</p> <p>c) Planning</p> <p>d) Licensing</p> <p>e) Standards Committee (no substitutes)</p> <p>f) Appointments and Remuneration Committee</p> <p>g) JNC Disciplinary Committee</p> <p>h) JNC Appeals Committee</p> | |
| 9. | <p>APPOINTMENT OF CHAIR AND VICE-CHAIR TO THE OVERVIEW AND SCRUTINY COMMITTEE</p> <p>Note: according to the Constitution the chair shall not be a member of the political group which forms the Cabinet</p> | |
| 10. | <p>GLOUCESTERSHIRE HEALTH, COMMUNITY AND CARE SCRUTINY COMMITTEE</p> <p>To appoint one Councillor and a substitute, both non Executive members.</p> | |
| 11. | <p>GLOUCESTERSHIRE ECONOMIC GROWTH OVERVIEW AND SCRUTINY COMMITTEE</p> <p>To appoint one Councillor and a substitute, both non Executive members.</p> <p>This is a new O&S committee which will scrutinise the decisions of the Gloucestershire Economic Growth Committee and review the delivery of the Gloucestershire Strategic Economic Plan.</p> | |
| 12. | <p>GLOUCESTERSHIRE POLICE AND CRIME PANEL</p> <p>To appoint one Councillor and a substitute</p> <p>Note: Whilst this appointment does not have to be a non-Executive member, appointing such a member should avoid a potential conflict of interest and facilitate 2 way feedback with O&S committee (see report to Council 14 May 2012)</p> | |
| 13. | <p>APPOINTMENT TO ADVISORY GROUPS AND WORKING GROUPS</p> <p>To appoint to the following advisory panels and working groups :</p> <p>a) Treasury Management Panel</p> <p>b) Constitution Working Group</p> | |
| 14. | <p>TO APPROVE THE CONSEQUENTIAL CHANGES TO THE CONSTITUTION</p> | |
| 15. | <p>NOTICE OF MOTION</p> | |

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| 16. | TO RECEIVE PETITIONS | |
| 17. | ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION | |
| | <p>The Selection Council will be followed by separate meetings of the Audit Committee, Planning Committee, Licensing Committee, Appointments and Remuneration Committee, JNC Disciplinary Committee, JNC Appeals Committee, Treasury Management Panel and the Constitution Working Group. Each meeting will have the following standard agenda</p> <p>Agenda</p> <p>Apologies</p> <p>Declarations of Interest</p> <p>To appoint the Chairman and Vice Chairman of the Committee/Panel</p> | |

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Andrew North
Chief Executive

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Council

Monday, 31st March, 2014

2.30 - 4.50 pm

| Attendees | |
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| Councillors: | Wendy Flynn (Chair), Simon Wheeler (Vice-Chair), Andrew Chard, Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Barbara Driver, Jacky Fletcher, Rob Garnham, Les Godwin, Colin Hay, Penny Hall, Tim Harman, Rowena Hay, Peter Jeffries, Steve Jordan, Paul Massey, Andrew McKinlay, David Prince, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Duncan Smith, Charles Stewart, Pat Thornton, Jon Walklett, Andrew Wall and Roger Whyborn |

Minutes

1. APOLOGIES

Apologies were received from Councillors Fisher, Holliday, Lansley, McLain, McCloskey, Stennett, Sudbury and Williams.

2. DECLARATIONS OF INTEREST

Councillors C Hay and Smith declared an interest in Agenda Item 11 as Trustees of the Leisure and Culture Trust and Board Members of Cheltenham Borough Homes.

Councillor Driver declared an interest in Agenda Item 11 as Board Member of Cheltenham Borough Homes.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting were approved and signed as a correct record.

4. COMMUNICATIONS BY THE MAYOR

The Mayor informed Members of the sad loss of Councillor Holliday's father and expressed her condolences. She then informed Members that she had attended the launch of the Race for Life and had launched the school art exhibition at the Wilson. Finally she made reference to the fact that the Mayor of Annecy had been re-elected in the recent municipal elections.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader of the Council referred to the recent retirement of the Executive Director, Grahame Lewis. He paid tribute to his work for Cheltenham and said that he would be missed.

The Leader reminded members that the Late Night Levy would come in to force on 1 April 2014. In terms of member involvement in the Late Night Levy Advisory Group, the proposal was to have proportionate representation and members would be appointed to the body after the elections in the normal way.

6. PUBLIC QUESTIONS

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| 1. | Question from Mary Nelson to the Leader |
| | <p>At the 16th December Full Council Meeting Cllr. Smith questioned the Leader regarding the LEP's Strategic Economic Plan and was informed that the Final SEP was not due to be completed until 31st March 2014, but would no doubt be subject to widespread discussion by then.</p> <p>A draft version of the SEP was submitted to central government in December 2013, but not subject to consideration by elected members. A revised draft version of the SEP was due to be published by the 16th March, just two days before the 18th March Cabinet meeting, and the Final SEP has to be submitted to the Government by the 31st March. At the 18th March Cabinet meeting Cllr. Jordan stated that due to the short time-scale now involved it was necessary for the Leader to sign off the final version of the SEP in consultation with appropriate Cabinet members and Group Leaders.</p> <p>Question</p> <p>Given CBC's stated requirement for the SEP to be in harmony with the JCS, thereby making the SEP an important "Evidence Base" JCS document, does Cllr. Jordan consider that the final SEP, only just published and now to be hurriedly signed off, by only Cabinet and leaders, has had the stated "widespread discussion" he said it would have, and does he not think that this will raise suspicions by the public and by some elected members?</p> |
| | Response from the Leader |
| | <p>To avoid any confusion, drawing up and submitting the Strategic Economic Plan (SEP) is the responsibility of the Gloucestershire Local Enterprise Partnership (LEP). Hence while Cheltenham Borough Council (CBC) would wish harmony between the SEP and JCS it could not be a 'stated requirement'. While the LEP has been working to a very tight timetable set by Government they have consulted widely and CBC has already given feedback on the draft SEP.</p> <p>The CBC 'sign-off' process referred to is now underway. So far there has been a presentation to council members and the SEP has now been circulated so that members can give their feedback. While I would anticipate that the council will give general support for the proposals, there will no doubt be some areas of concern that we wish to raise.</p> <p>In addition, the council will today be debating the proposal to set up the Gloucestershire Economic Growth Joint Committee (GEGJC) where all the local authorities in Gloucestershire will be represented and which will coordinate their future input to the SEP. There are also proposals for a scrutiny process to cover both the LEP and GEGJC.</p> |
| 2. | Question from Mary Nelson to the Leader |
| | <p>The mid March draft SEP on the LEP website stated that the LEP were exploring the contribution that could be made from "<i>the New Home Bonus generated from the new large developments including the possibility of</i></p> |

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| | <p><i>using it as an income stream to repay the cost of borrowing to fund upfront capital investments”.</i></p> <p>However the government's own website states very clearly that:</p> <p><i><u>"Local Councils can decide how to spend the New Homes Bonus. However, we expect local councils to consult communities about how they will spend the money, especially communities where housing stock has increased."</u></i></p> <p>Question</p> <p>Will the Leader guarantee that all New Homes Bonus money received from development of JCS Strategic housing sites, is first consulted upon with the local communities affected by new development, especially as concern over inadequate infrastructure has been mentioned in so many JCS Public Consultation Responses, and that the LEP will not be given any priority allocation of this money?</p> |
| | <p>Response from the Leader</p> |
| | <p>Cheltenham Borough Council has only committed spending of New Homes Bonus money based on houses already built. This has been agreed via the Council's budget setting process which is already subject to public consultation.</p> <p>Most new homes proposed in the JCS are not in the Cheltenham Borough area so I can not give any guarantees as to how other councils spend their New Homes Bonus.</p> <p>Future New Homes Bonus could be one source of funding to help meet infrastructure needs identified in the JCS. However, no mechanism to achieve this has been agreed yet and the issue will be subject of further discussion. In any case, I would expect that any proposals will undergo public consultation before New Homes Bonus money is spent.</p> |
| <p>3.</p> | <p>Question from Ken Pollock to the Leader</p> |
| | <p>Does the Leader agree that it is not acceptable for the SEP, appearing now at the last minute of the drafting of the JCS Pre-Submission plan, to seek to grab <u>very much more</u> of the land available at Cheltenham's North West (extending inward from M5 Junction10) to be a major 'Employment Growth Zone', thereby displacing planned <u>housing</u>, considering that this is the direction allocated for the principal Urban Extension to this town, which is overall so very constrained by hills and by coalescence-preventing GreenBelt ?</p> |
| | <p>Response from the Leader</p> |
| | <p>The timetable for the SEP is set by Government so is something we have to work with. It is important that both the SEP and JCS continue to progress.</p> <p>The JCS is a statutory process which will determine where development is permitted and where it is not. The JCS has a close inter-relationship with the emerging Strategic Economic Plan (SEP) for Gloucestershire</p> |

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| | <p>being prepared by Gloucestershire Local Enterprise Partnership. The SEP is an aspirational plan for economic growth and one which promotes the JCS area as the key driver for delivering new jobs and increased Gross Value Added (GVA). It will trigger discussion with government over future funding to enable economic growth in Gloucestershire which will form part of a potential Growth Deal.</p> <p>However, in supporting the SEP the JCS needs to plan for the population that will support economic growth. The JCS Pre Submission has sought to plan taking account of the evidence provided by consultants Nathaniel Lichfield and Partners. The SEP embodies the view that the economy will recover much more rapidly; the top end of the Objectively Assessed Need reflects a situation of full economic recovery. The economic projections now supporting the JCS Pre Submission are indicating that the economy is improving at a faster rate than previously projected, but this does not lead to the conclusion that a full economic recovery will be achieved within the plan period. The SEP will not be able to 'grab' sites not agreed via the JCS.</p> <p>The particular issue at M5 Junction 10 is that while there is strong local support to make this junction 4 way, it is unlikely that there will be funding to enable this unless it can be demonstrated that it supports future economic growth. While this could involve some employment land near J10, the further work undertaken by Nathaniel Lichfield and Partners is not showing current evidence that the 150 Ha at J10 suggested in the SEP is needed in the JCS plan period.</p> |
| <p>4.</p> | <p>Question from Ken Pollock to the Leader</p> |
| | <p>Does the Leader agree that as the SEP and all its cited but unpublished "Appendices" have not been shown to any councillors for information/approval, then the accompanying JCS Pre-Submission Draft cannot reasonably be cemented in place by Full Council on quite so hasty a timetable as next week, (especially when the crucial JCS <u>traffic assessments</u> are also still delayed and unpublished) ?</p> |
| | <p>Response from the Leader</p> |
| | <p>As mentioned in my answer to question 1, the full SEP has been circulated to all members as part of the 'sign-off' process.</p> <p>Agreeing the JCS is a statutory process which will determine the core strategy for our area. While the council meeting on 9th April is an important part of that process it does not mean anything is 'cemented in place'. There will be further public consultation on the soundness of the JCS Pre Submission before the 3 councils consider submitting a final version to the Secretary of State. There will then be a public inspection leading to potential adoption of the JCS in mid 2015.</p> <p>Delay to the JCS increases the risk of speculative planning applications being received and possibly being approved on appeal before a plan is in place. Hence my view is that it is sensible for this Council to proceed to debate the JCS on 9th April.</p> |

7. MEMBER QUESTIONS

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| 1. | Question from Councillor Harman to the Leader |
| | Surprisingly the Member of Parliament for Cheltenham is out of step with other political leaders and MPs in his opposition to the proposal for the completion of the A417 (Missing Link). Can the Leader of the Council confirm whether the majority Liberal Democrat Group is supporting or opposing this vital project or whether there is also a link missing between his group and the MP of our Town? |
| | Response from the Leader |
| | I am surprised and disappointed that Cllr Harman is attempting to cause division for political advantage at a time when we are seeking unity for the benefit of Gloucestershire. While Martin Horwood has always had concerns about the environmental impact of the current proposals he is not actively opposing the completion of the A417 (Missing Link). As Cllr Harman well knows my motion supporting the scheme had unanimous support at the last meeting of this Council. |
| 2. | Question from Councillor Chard to Cabinet Member Housing and Safety |
| | In view of the large number of licensed premises which have varied their licenses so as to avoid the Late Night Levy could the Cabinet Member for Housing and Safety tell the Council what he now anticipates the Levy will raise on an annual basis? |
| | Response from the Cabinet Member Housing and Safety |
| | As the closing date for free variations is today 31 st March I am unable to produce definitive figures, but the number of licensed premises which have taken up the offer of a free variation is broadly in line with the original estimates, some 52 out of the 218 premises eligible. The anticipated level of levy revenue which will be collected at £96,000 is broadly in line with estimates although this figure will still be subject to change up or down as new licences are issued, existing licences are surrendered and licence variations' take place throughout the year. The levy payments will be collected over a 12 month period starting on the 1 st April. Currently, all licensed premises pay an annual fee due on the anniversary of the issue of the license. The levy will be due at the same time as the annual fee. It will not be possible to give a more accurate estimation until nearer the end of the financial year (14/15). In a supplementary question Councillor Chard referred to the increasing list of establishments who wished to shorten their licensing hours to avoid the Late Night Levy which included Up Hatherley social club. He asked why such venues had not been excluded from the tax. In response the Cabinet Member Housing and Safety reminded the Member that the Late Night Levy had been a Council decision. He added that only 25 % of premises had applied for a free variation to their licence. |
| 3. | Question from Councillor Hall to Cabinet Member Sustainability |
| | As of yesterday and again today 24th March 2014 at 1030 the only reference that I can find on the CBC website despite repeated searches for Street Cleaning and litter is the following; |

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| | <p>"Contact: Cleansing Email: cleansing @cheltenham.gov.uk Tel 01242 262626 Municipal Offices"</p> <p>Does the removal of all the previous information on Street cleaning and litter policies and processes mean that the policy for street cleansing and litter has changed ?</p> |
| <p>Response from the Cabinet Member Sustainability</p> | |
| | <p>I wish to reassure members that the information is on the website. I am unsure where Councillor Hall was looking but if you use the website's search facility and type in street cleaning it brings up a range of options which includes the page setting out the council's policy.</p> <p>"Cheltenham town centre is litter picked, mechanically swept and spot power washed every morning on a daily basis including weekends. Litter picking carries on throughout the day until 5pm.</p> <p>Major routes into the town are swept on a weekly basis or more often if necessary.</p> <p>All areas outside the town centre are scheduled to be litter picked according to their needs and this can vary from a twice weekly litter pick to a monthly litter pick depending on footfall and the amount of litter that occurs.</p> <p>Fly tipping is picked up on the day of the litter pick, or if it is reported to Cheltenham Borough Council a ticket will be raised to remove it as soon as practical.</p> <p>The schedules will be altered during the autumn months as more emphasis will be placed on leaf clearance in the areas most affected until leaf fall is complete.</p> <p>Inspections are carried out on a daily basis by the street cleansing supervisor who documents 40 random checks each month. Standards are also recorded with 300 NI 195 inspections which are carried out over each four month cycle, these figures are recorded and compared to previous results."</p> <p>In a supplementary question Councillor Hall pointed out that on the council's website there was an alphabetical list of council services and one of her colleagues had also searched under "S" and street cleaning was 23rd down the list. She asked why such an important service to residents was so reflected on the website. In response the Cabinet Member Sustainability offered to put in a similar search on the website but believed that there were two different methods to obtain the information. He would raise the issue and report back.</p> |

8. PROCESS FOR APPROVAL OF THE GLOUCESTERSHIRE STRATEGIC ECONOMIC PLAN

The Leader of the Council introduced the report and explained that the Council, together with all the other local authorities in Gloucestershire, was a key partner in the development of the Gloucestershire Strategic Economic Plan which would support a bid for Growth Plan funding to the Government in March 2014. He added that whilst Cabinet held the formal decision making powers to authorise the process it was felt that Council should have an opportunity to comment on it. He emphasised that there was a very tight schedule for approving the process.

The Leader stated that there was a mechanism for signing off the plan and he was keen to obtain the support of all local councillors. Members were invited to feedback directly to the Leader or via Group Leaders. In terms of governance, a local joint committee, comprising members of the local authorities, would oversee the input to the process. This was business led but local authorities had a role in coordinating funding. The Leader would attend the meetings of the Joint Committee. He explained that the committee had a process of majority voting but if there was an issue specific to a particular district, the countywide approach was that this could not be voted in against the will of the authority in that area. He also added that the committee could not stop the things an authority was already doing in an area, for example Cheltenham already provided a local business advice service.

The Leader also informed that the County intended to establish a scrutiny body, similar to the County Council's Health and Care Overview Scrutiny Committee, comprising 6 members from the County Council and 6 representatives from the district councils. The Leader stated that the person going to the Joint Committee meeting would announce the decision to be taken in advance and this decision could be called in locally.

Members discussed the issue and the following points of clarification were raised :

- The figure of 3200 homes referred to in the document related to the potential development capacity at junction 10. This number had not been incorporated into the JCS
- Barn Farm which ran alongside junction 10 was in the ownership of CBC.
- Resolution 4 referred to authorities not requiring a vote by Council
- Executive functions were delegated to the Leader and he was able to delegate them to Cabinet and anyone else
- A request for a budgetary contribution was expected at some point as a post would be created to coordinate the process but had yet to be allocated. In any case CBC would contribute one-seventh of the cost. Longer term there would be discussions on how to fund the proposed infrastructure whether this be by the use of the New Homes Bonus, pooled business rates or the community infrastructure levy
- In response to a question on timings the Leader commented that they were working to a very tight schedule and Government was "making it up as they went along".
- It was clarified that under paragraph 4.3, 1st bullet point the protocol was not to impose any conditions on a particular area that it didn't want, the aim was to work collaboratively

- The Leader undertook to pass on the comment as to whether the proposed county scrutiny committee would have call-in powers on decision making. It was important that the scrutiny process worked properly.
- The Leader pointed out that the SEP was a strategic document and the LEP's business plan should align itself accordingly. The SEP was drawn up based on specific criteria from Government but he acknowledged that it was important to have a balance to ensure industries such as agriculture and tourism were not forgotten.

RESOLVED (unanimously)

To note the proposal to establish the Gloucestershire Economic Growth Joint Committee.

9. ACQUISITION OF LAND FORMING THE FORMER SHOPFITTERS SITE AND LAND AT SYNAGOGUE LANE, AND DISPOSAL OF FORMER CAR PARK LAND AT ST JAMES STREET

The Cabinet Member Finance introduced the report and explained that Cabinet had agreed to acquire the Shopfitters Site at St George's Place along with open land at Synagogue Lane from the County Council. Council was now being requested to authorise the capital investment necessary for the cost of acquisition, planning application, demolition, site remediation and construction of a temporary surface public car park and all ancillary costs.

The Cabinet Member explained that as the transaction had yet to be completed, the detailed figures were commercially sensitive but the broad principles of the transaction were in the public domain.

He explained that the acquisition of the site would realise to the Council a substantial brownfield site suitable for development in the short-term as off street public car parking, and offer wider opportunities thereafter for future development of the site in part or whole. The benefits would be to clear the former Shopfitters site which was currently derelict, provide the opportunity to merge the Chelt Walk and the Synagogue Lane car parks thereby generating additional income, provide an opportunity for regenerating that particular part of the town centre and would allow the Council to assemble a significant town centre site with substantial development potential which may include options to build out new Municipal Offices and other public facilities.

The Cabinet Member Finance said that this was an example of how officers had been thinking creatively and proactively in investigating opportunities for the future of the town centre.

In terms of timescale the Cabinet Member Finance clarified that the County Council were keen to acquire a capital receipt in the current financial year which explained why the transaction had been brought forward and the council intended to ensure that a car park was operational as quickly as possible. The Head of Property and Asset Management was invited to address Council and he clarified that planning permission and the subsequent demolition and construction works would take approximately six months.

When asked whether there had been any changes to the flood risk assessment at the bottom of Cheltenham Walk which had been highlighted when a previous development had been considered, the Head of Property and Asset Management said that initial investigations had confirmed that this site was in the flood zone and should there be a development on site in the future this would be factored into the considerations. Another Member requested that should the site be developed in the future, then the whole area should be considered as part of one big project with parking, in particular residents parking, being a specific concern. In response the Cabinet Member Finance agreed that the future should be considered very carefully. He highlighted that the immediate intention was to create a car park and the longer term discussion for the site would be considered in the coming year. He assured Members that this would not be considered in isolation.

RESOLVED (unanimously)

That the amount of useable capital receipts (outlined in the Exempt Appendix III) be set aside to cover the cost of acquisition, planning application, demolition, site remediation and construction of a temporary surface public car park and all ancillary costs.

10. ACCOMMODATION STRATEGY

The Cabinet Member Finance introduced the report and said that as this was a significant issue it was considered that full Council should have an opportunity to discuss it.

He explained that it had become necessary to expand the current remit for alternative accommodation. Staff numbers in 2016/17 were estimated to be 220 as a result of further commissioning and restructuring of services. This meant that less than half of the space in the current Municipal Offices would be required which was wasteful in terms of maintenance and general overheads. In addition the current office space was not suited to modern working methods.

The Cabinet Member Finance explained that officers had been active in looking for alternative accommodation for some time within the existing remit. Expanding the current brief would open up options for officers to consider new purpose built accommodation, the potential of a split site and provide opportunities for the current Municipal Offices. He added that it was the intention to retain the freehold of the Municipal Offices and the frontage of the building should be preserved and protected. He paid tribute to the hard work of officers in seeking the right opportunities at the right price and emphasised that the programme board was committed to finding a solution to enhance the town and best serve the public.

Some Members questioned why Council was being asked for a view when it had no decision to make. In response the Cabinet Member Finance reiterated that its role was to endorse the brief recently updated by Cabinet. When asked whether the Municipal Offices could somehow be divided up to be more fit for purpose for office space, the Cabinet Member Finance explained that this would only be possible at considerable cost and with the move towards more flexible working and hot desking this was not being considered as an option. Assurance was also sought with regard to the future of the current building and the Cabinet

Member Finance explained that the Municipal Offices would not be left vacant for any period of time so there would be some form of synchronisation of the council moving out and new occupiers moving in. In response to a question regarding potential new accommodation at the Royscott building which had underground parking, the Cabinet Member Finance reassured members that every opportunity for alternative accommodation was being taken into account.

Whilst Members recognised the commitment of officers in seeking a solution, some commented on the waste of time and money spent over the last two years on working to the restrictive remit. They welcomed however the plan to seek an independent source of income from the Municipal Offices and thought this should be thoroughly explored. Members had mixed views as to whether a high street presence was still important. Examples were given of reduced footfall where neighbouring authorities had moved out of town but with modern, accessible (particularly for the elderly and the disabled) and online services the need appeared to be less and if the service was available in a ward around the town it would be considered as genuinely local. Reference was made to those neighbouring authorities who had moved out of the town centre where there had been no decrease in customer satisfaction levels and services were being provided in a more cost-effective and accessible way. They also believed it was important to explore options for sharing facilities with other public bodies. In having the whole discussion in the public domain the public should now understand better why the remit was being widened. Members also commented on the current accommodation being a poor vehicle for proper debate and the public gallery was considered to be ill suited for the needs of the public. A member emphasised that Asset Management Working Group had been kept informed of progress with the accommodation strategy and this was a cross party working group.

In summing up the Cabinet Member Finance acknowledged the views which had been expressed but wished to reassure the town that any decisions on future accommodation would be made on sound financial evidence and with a sound respect of historic buildings in the town. There had been a change in attitude from both the public and councillors over the last three years and he hoped that a satisfactory solution would be found soon.

RESOLVED (with one abstention)

That the current situation be noted and the expanded brief set out in the report be endorsed.

11. CORPORATE STRATEGY-DRAFT 2014-15 ACTION PLAN

The Leader introduced the report on the development of the corporate strategy action plan 2014-15 which was circulated to all Members with the agenda. He explained that Council were being asked to approve the action plan which had been produced in parallel with the budget process. There had been consultation with overview and scrutiny and partnerships and the senior leadership team had verified that the plan was achievable within the current level of resources. Overall he felt the action plan represented a positive programme for Cheltenham and urged Members to support the action plan.

Members were invited to ask questions on the detail in the report and the Leader clarified a number of points in the following responses:

- the setting of milestones, baselines and targets was an evolutionary process which had started in 2010 when the five-year strategy was first drawn up. Some measures may need to change due to changes in external factors.
- The action plan distinguished between community targets and targets specific to Cheltenham Borough Council where the council had more control over their achievement.
- COM14 – He considered the management of the 2014 District and European Elections was a significant piece of work and therefore it was appropriate that it was included in the action plan.
- VFM12 - He reminded Members that Council had agreed a major sum in the budget to support the investment in the ICT infrastructure.
- Referring to risk CR33 - if the council does not keep the momentum or the JCS going he acknowledged the point made by a Member that there could be other risks if the council did agree the JCS and these should be considered when reviewing the corporate risk register.
- He noted that Members of O&S were pleased to see that their recommendations on dog fouling and street cleaning had been accommodated in the plan.
- the Cabinet Member Housing and Safety confirmed that the proposed improvement actions relating to people having access to decent and affordable housing would be picked up by the appropriate commissioning review working group.
- The Cabinet Member Leisure and Culture explained that the baseline target for attendances on Sport/Play programmes had remained at 10,000 as that was the maximum capacity that could be accommodated. There also needed to be a balance in setting targets for subsidised activities versus commercial viability..

Members went on to debate the action plan. Some Members felt it was a difficult document for residents to read and understand all the linkages. Other Members questioned some of the terminology used and suggested the document should be written in more plain English, the drafting of the document improved and milestones made more specific.

A Member reminded Council that the document had been to the March meeting of the Overview and Scrutiny Committee and challenged why these points had not been made at that stage. He felt that all Members had a duty to engage in the democratic process in bringing this document to Council.

A Member suggested that Council should look at the overall picture and reflect on some of the achievements represented in the strategy such as the development at North Place, the Brewery and Albion Street which had previously been stalling as projects for many years.

A Member congratulated the manager of the Town Hall for their achievements in improving ticket sales. The Museum, Arts and Tourism Manager was also to be congratulated for their achievements regarding footfall at the Wilson.

In responding to the debate the Leader emphasised there was no such thing as a perfect document and rejected some of the criticisms made. In formulating the plan the Cabinet had tried to simplify the amount of information it contained and the measures selected. For next year's plan, he encouraged Members to ask for more detail on any aspect of the plan at any time but ideally before the Council meeting where it was coming for final approval.

Upon a vote it was

Resolved that the 2014-2015 corporate strategy action plan be approved and used as the basis for monitoring the council's performance over the next 12 months

Voting: For 23, Against 4 with 1 abstention.

12. COUNCIL DIARY 2014-15

The Cabinet Member Corporate Services introduced the report on the Council Diary September 2014 to August 2015. He proposed two amendments.

- i) that the Council meeting on 6 October 2014 should be moved to 13 October 2014 in order to avoid the party conference dates.
- ii) that the Council Tax Setting meeting planned for Friday 27 February 2015 should start at 6 p.m. rather than 2:30 p.m. to accommodate Members who work.

A Member felt strongly that the start time of the Council meeting had always been a 2.30 start and should remain so. Another Member disagreed and felt that it was important that meeting times were set to encourage more young people to stand for council. A Member suggested that the 6 p.m. start should be reviewed if it turned out there was additional business at the tax setting meeting. This was agreed to be a good way forward.

Upon a vote it was

Resolved that the draft Council diary of meetings for September 2014 to August 2015 be approved subject to the above amendments.

Voting: this was agreed with one abstention

13. NOTICES OF MOTION

There were no notices of motion.

14. TO RECEIVE PETITIONS

There were none.

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

None.

Wendy Flynn
Chair

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Council

Wednesday, 9th April, 2014

2.30 - 7.30 pm

| Attendees | |
|---------------------|--|
| Councillors: | Wendy Flynn (Chair), Simon Wheeler (Vice-Chair), Andrew Chard, Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Barbara Driver, Bernard Fisher, Jacky Fletcher, Les Godwin, Colin Hay, Penny Hall, Tim Harman, Rowena Hay, Peter Jeffries, Steve Jordan, Paul Massey, Andrew McKinlay, John Rawson, Anne Regan, Rob Reid, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Pat Thornton, Jon Walklett, Andrew Wall, Roger Whyborn and Suzanne Williams |

Minutes

1. APOLOGIES

Apologies had been received from Councillors Garnham, Hibbert, Holliday, Lansley, McLain, McCloskey, Prince and Ryder.

2. DECLARATIONS OF INTEREST

Councillors Coleman, Fisher, Harman, Colin Hay, Sudbury and Wheeler all declared interests as members of Gloucestershire County Council and indicated that they had been granted dispensations from the Standards Committee to participate and vote in the meeting.

Councillor Whyborn declared an interest regarding the reference to the use of primary school/community centre on the Leckhampton site.

3. MINUTES OF THE LAST MEETING

These would be taken at the next meeting of Council.

4. COMMUNICATIONS BY THE MAYOR

None.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

As this was the last Council meeting before the borough elections, the Leader wished to place on record his thanks to all the Councillors and what they had done for the town during their period of office.

6. PUBLIC QUESTIONS

The minutes of the public questions are attached

7. MEMBER QUESTIONS

None received.

8. GLOUCESTER, CHELTENHAM AND TEWKESBURY JOINT CORE STRATEGY - PRE SUBMISSION VERSION FOR PUBLIC CONSULTATION

The Mayor welcomed all the members of the public to the meeting and explained how she intended to conduct the debate on this very important issue for Cheltenham.

A member asked for legal clarification on this item. He indicated that he had spoken to a number of members who had not had time to read and assimilate the papers in the 4 days prior to the meeting. He accepted that some of the information had been seen before but he suggested that the majority of members would not be able to put their hands up and say that they had read and understood every page. He asked for legal advice on their competence to make a decision if this was the case and clarity on the risk of a judicial review.

The Head of Legal Services advised that any decision of the council was open to legal challenge so it was always important that due process was followed. On the face of what he had seen and been told by officers, he did not think it was unreasonable for Council to proceed to debate this matter in this case. There had been a considerable length of time spent in working up the detail of the JCS to this point in time and much of the documentation circulated would have been seen by Members previously as part of the JCS processes. The main issues for Members to consider were covered in the Leader's report and it was for individual Members to decide whether they had sufficient information and understanding to make a decision on the matter; in this respect he referred Members to the proposed amendments which had been circulated where there were two proposals to defer which would be dealt with later in the meeting.

The Leader introduced the report on the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy – Pre Submission Version for publication. The report explained that the Joint Core Strategy (JCS) was the strategic plan being prepared to provide a framework for development in Gloucester, Cheltenham and Tewkesbury to 2031. The report summarised the Pre Submission version of the JCS and sought Council approval to publish the document for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the JCS proposed to be submitted to the Secretary of State for independent examination.

The Leader informed members that Tewkesbury Borough Council and Gloucester City Council had considered and agreed the document earlier in the week. It was important that all three partners agree and he hoped that the covering report and pre-submission document were clear. He added that the Council had been working on the JCS since 2008 and outlined the process after publication would be submission to the Secretary of State in Winter 2014, examination in public (EIP) in Spring 2015 and adoption later in 2015. He said that since the Council had to have a core strategy and had an obligation to cooperate with neighbouring councils, it made sense for Cheltenham to work together with Tewkesbury and Gloucester. Cheltenham needed more housing but this must be balanced with green spaces. The Cheltenham local plan would sit under the JCS to add specific local detail.

A special meeting with officials from the Department of Communities and Local Government had been arranged in respect of the ministerial statement that had been issued to clarify the issue of planned development in the Green Belt. This meeting has made it clear that there was no overall change of Government

policy. At this stage in the process it was appropriate to review the boundaries of the Green Belt in order to meet housing needs and once the boundaries are defined defend them for the duration of the plan period. There was now more emphasis that failure to meet need could be justified if appropriate for environmental reasons. However only 62 per cent of the housing need identified in the JCS could be achieved within existing urban areas and a 38 per cent deficit would not be acceptable in any submitted document.

The council had undertaken non-statutory process consultation in 2013 to gain as much feedback as possible on the draft strategy, and he thanked people for their responses, which were on the Council's website. The draft had been changed as a result of the consultation. Addressing some of the concerns from respondents around the lack of detail in the draft JCS, he emphasised that it was a strategic document.

The key starting point for the strategy was the assessed need of 33,200 dwellings, which in his personal view was too high given population trends. He believed that the assessed need figure required further review and pointed to the Cambridge Centre for Housing and Planning Research (CCHPK) whose work had produced further figures. He proposed to target the needs of 25 to 34 year olds as a priority and argued that national population projections were lower than previously. On that basis, a reduction in need to 30,500 would represent an increase of just 5 per cent on the actual number of houses built in the previous 10 years.

One of the particularly difficult sites, Up Hatherley, had been removed from the JCS, because it was a highly sensitive Green Belt site and the green belt around the racecourse had been added back into the Green Belt designation. The increase of 4400 to 4800 houses in urban areas reflected windfalls of 1300 in Cheltenham. He recognised traffic as a major issue and modelling was currently being refined and would be available for the publication period. Work on a site-by-site basis would come forward before the pre-submission JCS publication.

Another key component was affordable housing with a strategic target of 38 per cent of new builds. The draft policy proposes 40 per cent for developments of over 10 dwellings and 20 per cent for those of between five and nine. The detail would appear in the local plan.

He commented that without a core strategy in place the Council could not implement its crucial Community Infrastructure Levy (CIL), which would identify funding for key projects within the Infrastructure Development Plan (IDP) although it could not fund all needs.

The JCS was now using three economic projections which give an average estimate of 28,000 extra jobs by 2031. Jobs will be vital to the economy and the estimate of employment land required had been increased to a range of 35 to 60 hectares, which was still lower than the 64 hectares contained in the JCS.

The JCS would link with the Strategic Economic Plan, recognising the difficult area around Junction 10 of the M5. The SEP being a parallel process and an aspirational document through which Government can be approached for funding. Whilst all parties could agree what should be done with Junction 10

even now, there was no obvious way of funding it. Ways to fund would be potential new development and grants in respect of SEP aspirations.

He highlighted the fact that the JCS could not insist on brownfield sites being developed first, particularly since the Council did not have a five-year land supply. He recognised that were concerns about proposed development in Leckhampton and North West Cheltenham. The issue of pressure on North West Cheltenham as a greenbelt area was addressed in the JCS and there were sections on local green spaces. Although it would be the local plan that would add detail on local green spaces, one of the amendments to the recommendations sought to use the section on these in the Pre-Submission JCS in looking to see what can be done now with a recommendation being that planning applications would need to consider the policy.

He thanked officers for their hard work in bringing together the evidence and members, both in this council and the other JCS councils, for their contributions at the member working group and seminars

He referred Members to his proposed amendments to the recommendations which were set out as Amendment 3 in the document circulated at the start of the meeting.

“New paragraph 2 to be inserted:

2) Notes that the latest Office of National Statistics (ONS) projections for population, which are expected in May 2014, are not reflected in the JCS. We recognise that the figures in the plan including strategic housing allocations will need to be revised to reflect these new projections and would seek to ensure that any further reductions in the quantity of housing development for the Cheltenham area are made in the proposed urban extensions (North West Cheltenham and South Cheltenham/Leckhampton).

New paragraph 3 to be inserted:

3) Resolves to designate Local Green Spaces where appropriate as part of the Cheltenham Local Plan. We would particularly wish to evaluate the potential for Local Green Space designation in Leckhampton and North West Cheltenham, where green areas of particular local significance are known to exist. We further resolve that, with immediate effect, any planning application to be determined on strategic sites in Cheltenham will comply with the requirements of the JCS including policies SA1 and INF4 in regards to the identification of Local Green Space.

The original recommendation 2 to be renumbered as 4.”

Before the main debate the Mayor invited members to ask questions on the report and these would then be answered by the Leader. He would be assisted on any technical matters by the Head of Planning, Tracey Crews, Philip Stephenson, Senior Planning Officer and Nigel Gilmore, a member of the wider JCS team. The questions and responses are detailed below.

- Given that the Highways Authority (HA) had asked for more work on traffic modelling was that the site work mentioned by the Leader?

- The Leader advised that work had already been undertaken and the council was now looking at each of the urban extensions individually. Initial feedback suggested that South Cheltenham was not a huge problem but it would be analysed in more detail.
- What measures were in place to ensure adequate secondary school places on the assumption that 18 places would be needed for every 100 households?
 - The Leader advised that some of the £1.2 billion was earmarked for a secondary school as part of the Infrastructure Development Plan (IDF). The difficulty lay in knowing when the need for a new school was triggered.
 - The Head of Planning added that because of its importance the council had asked the county council for clarity on how their formula approach for calculating school places would be transformed into a strategy. The matter was made more difficult because of parental choice. Further clarification on this is being sought.
- When would the size, type and tenure of houses appear in the document as required by the National Planning Policy Framework (NPPF)
 - The Head of Planning advised that on page 75 of the pre-submission document the Strategic Housing Market Availability Assessment (SHMAA) was specific about tenure.
- Where a green belt site such as Up Hatherley had been removed from the plan, could it be reintroduced in five year's time?
 - The Leader confirmed that it could not be reintroduced. Originally there had been a proposal to safeguard the site but it had been decided to take it out completely.
- How many brownfield sites in Cheltenham were being actively considered for the 4800 homes in urban areas?
 - The Leader advised that the detail would be considered as part of the local plan.
- What percentage of the affordable homes would be social housing, given the long waiting list?
 - The Head of Planning advised that that the figure for affordable housing was in policy SD13 on page 78 of the pre-submission. Social housing was no longer provided in the traditional sense with more emphasis upon affordable rent, However social housing schemes would still come forward by Cheltenham Borough Homes (CBH). The strategic housing market assessment had set affordable housing at 75 per cent and shared ownership at 25 per cent, but that figure could change on a site-by-site basis.

- How can the plan be agreed, given the Leader's uncertainty about the economic projections and has he considered how travel to work areas could affect housing needs?
 - The Leader advised that any economic projections were unlikely to be accurate for more than six weeks in the current climate. However the Council had taken the average of three views obtained, which was the best it could do at present. Answering the second point he added that every authority had a duty to cooperate with neighbouring authorities and the Council had been in ongoing discussions with Stroud District Council.
 - The Head of Planning added that the three projections had been obtained following advice given by the Inspector of the examination of South Worcestershire who had adopted this as a sound approach. The council would now do more work on economic activity rates. She added that the NPPF was clear on the council's duty to cooperate beyond the partnership, emphasising the importance for all authorities in the county to have discussions at a Chief Executive Officer (CEO) level.

- Where was the consultation response from the Conservative group?
 - The Head of Planning advised that the report was a summary and did not include all responses, although every representation had been considered and she had read the submission referred to.
 - The Leader advised that all responses were on the council's website.

- Where was the provision for utilities and health in the strategy?
 - The Leader advised that the whole infrastructure requirements were in the IDP, although it was not clear how they would be financed.
 - The Head of Planning advised that it was difficult to become involved with all health groups, but the council had discussed the needs with GP groups and representatives of the NHS.

- Which version of the DCLG meeting outcomes was correct, given the different perceptions of the local MP and the Council's CEO?
 - The Leader stated that there were different opinions of the impact of the ministerial statement which was why the meeting with DCLG had been requested. However the minutes were a fair summary of the content.

- Could the Leader comment on the rumour circulating in Leckhampton that the only reason the Chargrove site was included was in the full knowledge that it would not be required and could be taken out.
 - The Leader advised that the need had been reduced by 2700 over the last six months which had enabled this particular site to be removed. The council had been successful in influencing their partners to agree this change.

- With Bournside school already oversubscribed, where would the secondary school places come from for the increased households in the Leckhampton area?
 - The Leader advised that he could not add any more to previous statements regarding secondary provision.
 - The Head of Planning added that it was important to secure secondary school places in existing schools, and the council was in discussion with the county council and Bournside School.

- If Local Green Space Designations were protected in planning policy, should the local green spaces in Leckhampton not be included in the JCS rather than the local plan?
 - The Leader advised that it was logical that local green spaces were identified in the local plan, backed by specific policies in the JCS. Unlike greenbelts, local green spaces were about the quality and value to specific communities.
 - The Head of Planning added that the NPPF required a balanced approach to be taken. Designating green spaces had to be in specific locations that did not undermine the strategic plans in the JCS.

- Some of the land for urban extensions would not be in the Cheltenham borough, so what influence did the Council have with Tewkesbury regarding affordable housing provision?
 - The Leader advised that clearly it was sensible to talk to Tewkesbury and have a coherent policy across any cross boundary sites.
 - The Head of Planning advised that conversations were already taking place regarding how affordable housing on cross boundary sites would be allocated.

- Full Council had agreed to reconsider Leckhampton at its meeting in February, so why had it not been taken out of the JCS?
 - The Leader advised that the council had done its best to negotiate with its partners in the JCS to reduce the number of proposed dwellings in Leckhampton but this had been strongly resisted. Unlike Up Hatherley, Leckhampton had no current protections to strengthen its case.

- Referring to pages 9 and 10, if the Council could not positively respond to what the people wanted, then what was the point in having consultation and how can that counter the perception that the strategy was already a 'done deal'?
 - The Leader advised that it was important to listen to the community, but consultation was not the same as a referendum. The council had taken account of the consultation but it had to work within the statutory framework.

- Was it not making the evidence fit by designating the North West Cheltenham extension and the green belt grade two and three, when the brief had been to consider areas according to PPG2 and not relating to agricultural value?

- The Leader advised that the original criteria had been used to review every site, which contained degrees of green belt scoring to provide a mechanism to look at what was of least value, not no value at all.
 - The Head of Planning added that the sustainability appraisal should be read as a whole.
- In relation to SP1 and SP2 on page 13 of the report, was it a mistake to include the green belt designation around the racecourse, given that it had never been taken out of the green belt.
 - The Leader advised that it was true to state that there was no change proposed for the land around the race course, but it was important to state that in the document.
- The CEO's recent advice note gives some examples of what would be considered as major changes to the JCS. Would the results of the planning enquiry in Stroud for the land at Brookthorpe Waddon be considered a major change as it would have an impact on Cheltenham?
 - The Leader advised that the resolution called for anything significant to be brought back to Full Council, one of which could be the Stroud plan. Lead members would consider any items and recommend those back to Full Council where relevant.
- Referring to Annex 3 of the NPPF, had the government issued new policy guidance which the Council was not aware of?
 - The Head of Planning advised that the guidance only appeared on the DCLG website and was meant to supplement the NPPF in a user-friendly way. As it was updated changes could be viewed easily online.
- With a completion date of summer 2015 was the JCS still a 20-year strategy or had it become a 16-year strategy, in which case the figures would need to be amended?
 - The Leader advised that it was still a 20-year strategy ending in 2031, so it included houses already built because it had effectively begun in 2011.
- If the strategy were to be reviewed every five years, the prime sites would be cherry picked in the first five years to achieve the highest profit for developers. Should the land release not be phased to ensure that it was in line with actual need?
 - The Leader advised that it was important to review areas, as circumstances did change
 - The Head of Planning advised that a five-year review had been incorporated at an early stage of the draft JCS in response to members' requests, and national guidance now included that. Housing trajectories and the difficulty of delivery had been discussed. Some sites were very large, requiring long lead-in times, so the practicalities of phasing were not achievable.
- Should page 15 not include a paragraph concerning the development of brownfield and whitefield before that of greenfield sites?

- The Leader advised that the Council was unable to enforce a brownfield first policy.
- Had Objective 6 changed?
 - The Head of Planning advised that the issue concerned food security, commenting that sometimes there was conflict between objectives, requiring a balance to be struck.
- For Objective 8, concerning housing of the right size, was the case for single storey dwellings strengthened by an ageing population? Should land supply also take into account underground development? Separately should the mention of single door in paragraph 4.11.3 not state two-door entry to take into account back doors?
 - The Head of Planning advised that the first two were issues that might be scrutinised at local plan level. Single door entry was a nationally set definition.
- SP2 on page 23 seemed confused, because the number of new houses required was stated as 33,780, which was more than the 30,500 stated in SP1.
 - The Leader advised that the Council had reassessed need and allocation, which had both gone down.
 - The Head of Planning there was an error in SP2. The figure of 30,500 should state the full 31,070.
- Should the document not be amended to state that playing fields would be protected (policy SA1)?
 - The Leader advised that the document was not looking at changes before public consultation.
- Has the Council explored ways of meeting of affordable housing targets by giving more legal weight to the targets in the JCS rather than the view of the district valuer?
 - The Leader advised that these were different viability tests.
 - The Head of Planning advised that the Council had to look at the viability of the plan and could not present the plan if there were doubts over its delivery, hence the appointment of the district valuer. SD13 related to viability and the NPPF stated that the plan should not be onerous for developers. SD13 offered options to give flexibility, such as varying the housing mix.
- Viability for a developer could be a 5 per cent or 20 per cent profit margin. What should the Council do in this regard?
 - The Leader advised that it was a good point and reflected the need for viability to be determined independently.
 - The Head of Planning added that in reality, if the developer was not going to achieve a profit there would be no development. The matter depended on the type of scheme and number of on-costs coming from such things as contamination and site access.

- Relating to SD13 could the Council get into the kind of mess where a developer had outline planning permission for 10 years without building on the GCHQ site.
 - The Head of Planning advised that the GCHQ case was a unique situation which reflected a point in time.
- If the Leader had tried to persuade partners to remove Leckhampton from the JCS, why had the result been an increase in planned development?
 - The Leader advised that every site had been reviewed that a technical level by officers to advise on the capacity of the land. The council had accepted new advice from the Environment Agency that a piece of land in the proposed site was not prone to flooding.
 - The Head of Planning advised that policy INF3 on flood risk management had been signed off by the Environment Agency.
- Would the Council accept liability for maintaining mitigating measures for development in land liable to flooding?
 - The Head of Planning advised that developers were expected to fund maintenance.
- If the plan for affordable housing set at 40 per cent was agreed by the district valuer, could the Council go back to him/her for justification if a planning application contained a lower percentage?
 - The Leader advised that the Council was trying to achieve a 'best guess' figure, which was why it was working with the district valuer.
 - The Head of Planning advised that the JCS was a strategic document that did not look at the detail of applications. SA1 set out the number of dwellings and when an application was received it might not reach that level as individual schemes may change the viability.
- Would there be some opportunity for members to influence the plan priorities given that affordable housing was a key priority for the council?
 - The Leader advised that the CIL would form part of that process of setting priorities.
 - The Head of Planning added that it came back to the local plan. There had been an internal session to begin investigating flexibility with regard to affordable housing and there was a scrutiny task group waiting to consider the CIL.
- Which of the terms 'resilient rather than resistant' (submission page 95 paragraph 3.5) would apply to balancing ponds and who would pay for their upkeep?
 - The Head of Planning advised that the Environment Agency was concerned that resistance measures could conduct water to other areas, whereas resilience was about innovative ways to mitigate possible flooding and reduce risk to occupants. It was the developer's responsibility to maintain mitigation measures.

- Referring to SD15 on page 85, was sustaining environmental quality totally achievable if developments were right next to each other?
 - The Leader advised that there needed to be a balance between the environment and housing need.
 - The Head of Planning advised that development needed to be in context. As part of the sustainability appraisal the Council had looked across the plan and conducted appropriate testing. The detail would come in the local plan and during the consideration of individual applications.

- How could the Council ensure that developers actually built within five years of permission being granted?
 - The Head of Planning advised that the Council monitored development actively, talking to developers to overcome blockages. For the JCS there would be a cross-boundary group to include CEOs.

The meeting adjourned for tea between 4:45 p.m. and 5:05 p.m.

Councillor Andy Wall joined the meeting at this point.

The Mayor advised that Councillor Bickerton had agreed to withdraw his Amendment 1 as listed in the document circulated at the start of the meeting as it was essentially the same as Amendment 2.

Councillor Regan proposed the following amendment which was seconded by Councillor Harman.

“That approval of the JCS should be deferred for the following reasons:

1. We do not believe that members have been given sufficient time prior to this council meeting to read and digest the significant reports recently received. We are not therefore in a position to make an informed and considered decision at this meeting.

2. So we ask that a delay is made on the JCS vote at this stage until the latest Office of National Statistics figures are available in the near future.

3. This will enable us to have the up-to-date information and possibly consider a reduction in the housing numbers. We also would wish for the Traffic and Highway Evidence report in order that the impact of traffic and pollution on the A46 may be digested”

In seconding the amendment, Councillor Harman, as a member of the steering group, was convinced that given the delay already it made sense to wait a little longer to ensure an informed decision. It was particularly important to get the revised figures from the ONS and the results of the traffic modelling given the concerns of residents particularly those around the A46.

In the debate that followed members made the following points in support of the amendment.

The soundness of any decision made at this meeting was questionable and the member was not willing to base their decision on an assumption that the information in the document had already been seen, as Members had a duty to read it. It had also already been conceded that there were errors in the document. To be accountable and ensure a robust decision it would be irresponsible to agree the document at this point.

There were 3500 people on the social housing waiting list and many others living in terrible conditions, so it was worth the wait to be able to read the documents thoroughly and get them right.

It was clear after reading the documents that a lot of work had gone into the JCS, but a little more time would be welcome and need not prevent ongoing work to put evidence in place regarding schools, transport and social housing.

It was apparent that most of the documentation had already been seen by councillors, but to ensure that the figures were up to date and that requested work was undertaken, it was sensible to defer for a few weeks, while recognising that the Council was in a difficult position.

The following points were made against the amendment.

The Council was aware that new housing figures due in May could affect the figures; hence the amendments to the original motion proposed by the Leader. Any significant differences in the figures would need to come back to Full Council and the same applied to significant infrastructure issues. The plan would adapt and change as a result. To defer the decision would halt the work that could be sensibly achieved immediately and might create uncertainty with the Council's partners.

There was a tension between the need to get things done and the need to get things right. There was understandable concern over issues such as population projections, schools and highways. The bulk of the 1500 pages was important background material, but not essential to read in its entirety. All the issues raised would be picked up before the final submission, and if significant would come back to Full Council. The other two partners in the JCS were expecting a decision and the Council needed to give a firm message.

The JCS was a strategic document and the right place for matters such as affordable housing would be the local plan. The Council could agree the strategic document and update as necessary.

Deferral would not be for just a few weeks by the time the relevant information was received and incorporated.

A Member who had been in favour of deferral indicated they had changed their mind after attending the Council meeting in Tewkesbury earlier that week. He now thought a deferral might risk the numbers for Cheltenham going up and the time might not be spent on important issues. He was satisfied with the caveat in the original motion and was confident that the issues of ONS data and traffic modelling would be addressed.

In isolation the amendment seemed reasonable but the Council had debated the strategy four times in the previous two years and could not ignore its two partners' decisions. It was also unclear when the traffic information would be

available. Additionally Planning Committee was due to consider a planning application in Leckhampton in June and if the pre-submission JCS were not agreed, any appeal would be based on what planning policies the council currently had in place. If agreed, at least that application would have to be considered in the light of the JCS statements regarding green spaces and might lead towards what campaigners wanted. The situation around Swindon Village presented similar issues. The member urged that some protections be put in place immediately by agreeing the document.

It was a tempting amendment but deferral would not solve any of the problems and the member would not be supporting the amendment or the original motion. The member suggested that the Conservative councillors worked on their counterparts in Tewkesbury Borough Council to urge them to agree to take out the Leckhampton site from the JCS.

In her summing up, Councillor Regan said that one section had so far not been referred to, namely the public, who had inundated councillors with their views. Elected Members should listen more seriously to the community, and from the emails she had received, the community wanted the Council to wait. She cited the people of Leckhampton, who were desperately concerned about possible development. She urged members to vote for the amendment to ensure that when making a decision, Members had the proper facts and figures.

As the proposer of the substantive motion, the Leader responded that the amendment set no time limit for a deferral. The documentation had been available for some time and the long document was the result of officers erring on the side of giving thorough, complete background information. Much of the information had been available on the website so he could not accept that Members had insufficient time to get to grips with the issues. He entirely accepted the concerns regarding traffic and actual housing need but he did not think it was acceptable to ask our partner authorities to wait an indeterminate time for ONS figures and new information to be available. Planning applications would continue regardless, and the Council would be defenceless without an agreed document.

Upon 7 members standing in their seats, a recorded vote was requested and agreed.

Upon a vote the amendment was LOST.

For; 11 – Councillors Bickerton, Chard, Driver, Fletcher, Hall, Harman, Regan, Seacombe, Smith, Stennett and Wall.

Against; 21;- Councillors Barnes, Britter, Coleman, Fisher, Flynn, Godwin, Colin Hay, Rowena Hay, Jeffries, Jordan, Massey, McKinlay, Rawson, Reid, Stewart, Sudbury, Thornton, Walklett, Wheeler, Whyborn and Williams.

Abstentions; 0

Councillor Bickerton proposed the following amendment which were seconded by Councillor Smith

Add the following recommendations to the substantive motion.

1. That the Objective Assessed Need (OAN) to be reviewed when the ONS sub-national population projections are published in May 2014

2. to adopt a brownfield first policy prior to final JCS through Examination in Public
3. that the JCS OAN take account of windfalls, existing permissions and previous supply before final submission
4. to undertake a careful scrutiny of sites that could increase the risk of future flood risk, specifically where historical flood and surface water run-off has been recorded
5. that NPPF Local Green Space applications be processed and brought into the plan before final submission

In proposing the amendment, Councillor Bickerton acknowledged that points 1, 3 and 5 were already in the amended substantive motion. He highlighted JCS p72, paragraph 4.11.2 in which policy approach directed previously developed sites. The Council needed a strong phasing policy. His amendment was asking for protection in the interim period before final submission.

In the debate that followed members made the following points in support of the amendment.

In support of the brownfield recommendation, a member said that the future of sites liable to flooding was important to the people of Warden Hill, given the damage caused in 2007. There was no soakaway from Leckhampton Hill and the member was not happy with balancing pools, wondering who would maintain them if developers ceased trading. The issue required careful scrutiny.

The following points were made against the amendment.

Previously the Council had put in place a very strong policy on brownfield development. However, NPPF guidance was now not as strong. The Member suggested that officers could be asked to review this and discuss the matter with partners as part of their work going forward.

It was vital to ensure that more difficult brownfield sites were looked at before considering greenfield sites. The NPPF encouraged re-use of land previously developed, as long as it was not of high environmental value, more or less stating that it was up to the Council to determine. A member was concerned that the guidance made matters more difficult for the council and suggested that the council write to central government about possible phasing. It had been frustrating that recent applications for brownfield site development had not included enough affordable housing.

If developers built on every brownfield site first, a member suggested that the percentage of affordable housing would go down to 5 per cent.

Officers had mentioned several times the need to take a balanced approach, so it was important to consider how a brownfield first policy would affect infrastructure and existing traffic problems.

In his summing up, Councillor Bickerton clarified that his amendment sought to protect the Council in the vulnerable period before final submission.

As the proposer of the substantive motion, the Leader responded that the interim policy did not stack up alongside the formulation of a full JCS. The Council could encourage but not enforce a brownfield first approach. The

Council had undertaken a full flood review, and any developer already needed to address mitigation and flood impact in any application.

Upon a vote the amendment was LOST

Voting; For 10, Against 20 with 2 abstentions

The Mayor invited members to debate the substantive motion.

In the debate that followed members made the following points in support of the motion.

In September a member had said that the JCS was flawed, but it had been materially improved and represented the best the Council could achieve, bearing in mind its neighbours. Cheltenham needed to house its population, needing to push away from the Cheltenham towards the Tewkesbury boundaries. The Council had managed to keep the Chargrove triangle in the green belt and hoped for substantial gains in green spaces in Leckhampton and North Cheltenham with no urban spread. Cheltenham could not ask for green spaces in all areas, but there was a need to avoid development in the Swindon Village area which could lead to uninterrupted development from the town centre to the M5 motorway. The member hoped for a reduction in need being incorporated with the availability of the ONS statistics. The final sentence of the motion as amended embedded green spaces in planning policy for immediate consideration. The member agreed that there was more work to be done regarding housing density and was concerned about infrastructure pressures on the Tewkesbury Road and A46, and it was worrying not to have the M5 junction 10 in the plan.

The JCS had been improved by amendments to the substantive motion, so to reject it would not leave Cheltenham in a better position and would increase the risk of bringing Up Hatherley back into the strategy. Central government's NPPF was deliberately designed to kick-start building, and the figure of 75 per cent of appeals being upheld sent a clear message. The Council should use the parts of the NPPF that suited the town's needs, so that green spaces survived. The revised ONS figures would help the Council's case in readdressing numbers. The member pointed out that recommendation 2 would need to be discussed with the other partners. Having no plan would leave the Council helpless, so it had to face the difficult choices.

There was no doubt that the Council had reached a critical point in the JCS process. The member was concerned about a strategy where 70 per cent of sites would be in the greenbelt area, especially when others were available. The member suggested that the cross-boundary group should include elected members and reported that at the Tewkesbury JCS meeting accusations had been levelled at Cheltenham over Up Hatherley and the racecourse. To postpone a decision or scrap the JCS would only raise again matters around Up Hatherley and Leckhampton. The current proposals were not perfect, but if population figures were wrong, there were assurances in the amendments that would give the three partners an opportunity to take a fresh look and adjust the strategy numbers accordingly. There would also be time to look fully at transport matters. The member acknowledged that the inquiry on the Stroud Local Plan

was important for Cheltenham too. There was a long way to go with the JCS and the member wished councillors well in their endeavours, announcing that he would be standing down at the May elections.

The JCS Steering Group had considered difficult priorities and it had been positive to achieve a reduction in the proposed number of houses for Leckhampton. The current strategy was moving in the right direction, and the member realised that applications would continue whether or not Full Council agreed it. The amendments went some way to allay the member's concerns, but the strategy would fundamentally not deliver desired outcomes for the people in the North West and South West of the town, who had not been listened to. The real challenge was around the administrative boundary sites, given that Tewkesbury curled around Cheltenham and it was unclear as to how building would take place around the peripheries. The proposed development around Cheltenham's North West and South West fringes was not thought through well enough in relation to infrastructure. Cheltenham was an attractive town in which to live, but should also be affordable without becoming overdeveloped and gridlocked. The member believed that the green space policy should have had a greater part in the debate.

A member agreed with the JCS, but not in the areas of deprivation, where people were in critical need for more social housing. There were providers other than Cheltenham Borough Homes (CBH) that the Council could talk to and the member was concerned that the figure of 40 per cent affordable housing for developments of 10 or more was not set in stone and that developers would take the lead in reducing that number. Providing housing for those that needed it might mean building in areas that members would prefer not to.

The Council had done a great deal of work to produce for the first time a plan together with two other authorities. Some members had said that the number of homes proposed was high, but it was lower than in the previous Regional Spatial Strategy. The member thought that 9100 was slightly on the low side and the Council would do well to defend that with an inspector. An individual Cheltenham core strategy could not have achieved as good a deal. Without a five-year land supply the Council could not defend any development in the green belt, but through the JCS had protected the land around the racecourse and Prestbury. The Council needed to go forward by taking the strategy to the public and the inspector, because sometimes politics was about making hard decisions.

A member explained from experience what it was like to be homeless and welcomed the JCS as a good thing for Cheltenham. He did not think that there would be inappropriate or poor quality development. The JCS enabled Cheltenham to have a say about urban extensions in discussion with its partners. Cheltenham needed houses and it was good for all residents for the town to expand.

Affordable housing would be considered in detail in the local plan, so a member urged others to agree the JCS to allow work on the local plan to proceed.

The following points were made against the motion.

New evidence in the SHMAA highlighted the differences in the causes of projected population growth between the three partners with Cheltenham with

the largest component of population growth in Cheltenham being as a result of net inward migration. The balance of the JCS did not reflect these differences. Equally the 2011 census predicted the average household size to rise in Gloucester to 2.38 and to remain flat in Cheltenham and Tewkesbury, despite a DCLG report in April 2013 suggesting that household sizes had stabilised. Work from Cambridge consultants had been circulated to the council's working group, projecting the household sizes in the JCS.

A member read out a statement from Leckhampton and Warden Hill Parish Councils regarding an email sent to by the CEO. It concerned the Neighbourhood Development Plan (NDP) submissions not appearing in the JCS documentation and the Council's intention to include them in the local plan.

The CEO responded that he could not give an answer regarding the traffic issues, but that matters around green spaces had been taken very seriously and the submissions from the parish councils had been considered at various meetings. The MP had taken a different view having stated that he had spoken to people in central government. The Council was in a position to decide what it thought best and to take all views seriously. His letter to the MP and the two parish councils had stated that the best way to deal with the matter was in the local plan. The advice from a barrister, which was available at the meeting, supported the officers' position. He apologised to the parish councils for omitting their representations from the Council's website, but that should not be perceived as an indication that they were not being considered seriously. He repeated his apology.

The Head of Planning added her apology, saying that the Council had been considering the NDP and its detailed assessment of traffic, which she had passed on to the county highways department and which the council was considering in relation to a current application. She reminded the meeting that the JCS transport work was at a strategic level.

Responding to a member question she said that she had received some feedback already and that the Council was undertaking further work with the Highways Authority (HA) to include an additional level of modelling. The Planning Committee would consider the live planning application in June 2014, and the Council was still waiting for proposed measures relating to transport issues from the applicant.

If councillors agreed the JCS, Cheltenham would be taking the largest amount of greenbelt land for development in the county. Housing needs could be addressed without attacking the greenbelt. The member did not believe that there was any possibility of Junction 10 becoming four-way in the next ten years. The JCS was still sketchy about land for warehousing and commerce, where online business was growing. Experts got economic predictions wrong more often than they got it right and to state that economic growth would support growth in housing was wrong. The only way out of poor housing was through economic development. There were 750,000 unoccupied houses in Britain and elsewhere in Europe homes were being demolished to keep prices high. As a representative for Cheltenham as well as Swindon Village, the member was concerned about traffic congestion, air pollution and the poor state of roads. The JCS would not address the needs of the people.

Throughout the meeting there had been apologies and blame rather than looking at what was right for the communities. Leckhampton's community had achieved cross-party support for its views. Consultation had been devalued and had ignored what the community had wanted. There were no positive reasons for the people to agree the strategy. The member urged others not to vote for the strategy if they did not think that it was not sound and should not include Leckhampton.

A member said that it would be the last meeting at which he would represent the people of Swindon Village, whom the JCS would affect the most. The previous Regional Spatial Strategy that had imposed huge number of housing proposals had ignored the views of the people, yet after it had been scrapped a local document again proposed massive development. The member acknowledged the Leader's persistence and skill in reducing the initial proposed number of houses, which might lead to further reductions. However, the JCS still proposed overdevelopment, particularly in the member's ward. He acknowledged that all members were trying to do the best for their wards, whether in the town or on the edges. He was convinced that the argument was the same as in 2006. No-one could accurately predict the number of houses required, and unless the evidence of need was overwhelming common sense dictated building fewer. He ended by stating that he had been elected to protect the green fields around Cheltenham.

A member did not want to see Cheltenham go downhill and development expanding the peripheries. There was no concrete evidence for much of the proposal and the member was fearful for the future of Cheltenham, believing that the JCS was not the right way forward.

A member was disappointed that the decision had not been deferred, not for reasons of prevarication, but to 'get it right not quick'.

The local authorities in the partnership should not **seek** to deliver affordable housing, they should simply deliver it. Councillors were aware that developers tried to wriggle out of their responsibilities and in the past had 'ghettoized' the affordable housing provision in developments. The JCS was woolly in section 1 and as such the member would not support it.

In his summing up, the Leader thanked all members for their contributions and addressed some of the concerns. He mentioned that population growth in Gloucester, mainly due to higher birthrate could be because housing was more affordable than in Cheltenham. The annualised housing requirement was only five per cent higher than previously, which was concerning but not massive. He believed that the JCS was the right option for Cheltenham and that the risk of not having a strategy without a five-year land supply would lead to a free-for-all for developers. He was not arguing with the partners that all reductions in numbers should be in Cheltenham but that the reduction should target urban extensions. The JCS has something on Local Green Spaces and the third recommendation commits the Council to reviewing Local Green Space designations and implementing where appropriate as part of the Local Plan, as well as in the meantime having an expectation that developers carry out their own review in requiring developers to consider them as part of their applications. He re-emphasised that the motion asked only for minor change sign-off and that any significant changes, after consultation with the JCS team and group leaders would be brought back to Full Council. The JCS was a good

document that balanced need with effect, protecting 100 per cent of the AONB and 90% of the green belt, while introducing the new weapon of local green spaces. It was important to review the strategy every five years to ensure that the Council was on track. He ended by stating that he would not be proposing the motion if he did not think that the JCS would be good for Cheltenham.

Upon 7 members standing in their seats, a recorded vote was requested and agreed.

RESOLVED THAT

- 1. The Joint Core Strategy Pre Submission, set out in Appendix 1, be approved for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the JCS proposed to be submitted to the Secretary of State for independent examination;**
- 2. It be noted that the latest ONS projections for population, which are expected in May 2014, are not reflected in the JCS. We recognise that the figures in the plan including strategic housing allocations will need to be revised to reflect these new projections and would seek to ensure that any further reductions in the quantity of housing development for the Cheltenham area are made in the proposed urban extensions (North West Cheltenham and South Cheltenham/Leckhampton).**
- 3. Local Green Spaces be designated where appropriate as part of the Cheltenham Local Plan. We would particularly wish to evaluate the potential for Local Green Space designation in Leckhampton and North West Cheltenham, where green areas of particular local significance are known to exist. We further resolve that, with immediate effect, any planning application to be determined on strategic sites in Cheltenham will comply with the requirements of the JCS including policies SA1 and INF4 in regards to the identification of Local Green Space.**
- 4. Authority be delegated to the Chief Executives in Cheltenham and Tewkesbury and the Corporate Director of Services and Neighbourhoods for Gloucester City Council in consultation with the relevant Lead Members to make any necessary minor amendments including the identification of any saved plan policies as considered appropriate by the three JCS Councils prior to:
 - i. publication of the Pre Submission JCS and**
 - ii. submission of the JCS to the Secretary of State for independent examination.****

Voting

For; 18 - Councillors Barnes, Britter, Coleman, Flynn, Godwin, Colin Hay, Rowena Hay, Jeffries, Jordan, McKinlay, Rawson, Reid, Stennett, Stewart, Thornton, Walklett, Wheeler and Whyborn.

Against; 14 – Councillors Bickerton, Chard, Driver, Fisher Fletcher, Hall, Harman, Massey, Regan, Seacome, Smith, Sudbury, Wall and Williams..

Abstentions; 0

9. NOTICES OF MOTION

None received.

10. TO RECEIVE PETITIONS

None received.

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

There was no urgent business.

Wendy Flynn
Chair

Council – 9 April 2014

Public Questions (13)

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| 1. | Question from David Bayne to the Leader Councillor Steve Jordan |
| | Noting the widespread local and political support for the designation of a Local Green Space on the Leckhampton White Land, how will this proposal now be taken forward as part of the JCS implementation of NPPF para 76 in order to protect in perpetuity this important amenity land?" |
| | Response from the Leader |
| | <p>Request for Local Green Space (LGS) designation at Leckhampton has been proposed by both statutory consultees (Warden and Leckhampton Parish Council), local action group (LEGLAG), individuals and the Cheltenham MP Martin Horwood. Some of these individuals and groups have simply submitted a request for its designation; others have submitted information which further sets out reasoning for such a designation to be made.</p> <p>The approach adopted by the JCS is that LGS designation must be consistent with the local planning of sustainable development. As such, planning for such designations is appropriate within the Cheltenham Plan. The recently published national planning policy guidance confirms this approach and now provides additional guidance on LGS.</p> <p>Within the Pre Submission JCS, Green Infrastructure forms a key policy that will support both place shaping of new developments, access for recreation and health, and support for biodiversity. Submissions made to the Draft JCS on LGS have helped inform these parts of the plan now included within the Pre Submission version, in particular policy INF4 and which now makes specific reference to LGS.</p> <p>The new approach to Policy SA1 in the JCS is designed to ensure that planning applications which come before the adoption of the Cheltenham Plan incorporate areas of local green space which meet the criteria above whilst delivering the development requirements set out in the plan.</p> <p>This Council will now expect any developer submitting a planning application to demonstrate assessment of protection of land for local green space in line with policies SA1 and INF4 of the Pre Submission JCS.</p> |
| 2. | Question from Chris Nelson to the Leader Councillor Steve Jordan |
| | Can he please explain how the 9,100 new house requirements within the JCS has been calculated for Cheltenham? For instance, how many of these houses are from demand within the town and how many from outside the town (i.e. inwards migration)? |
| | Response from the Leader |

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| | <p>The 9,100 housing requirement for Cheltenham has been calculated using the 2011 based household projections with a partial return to trend in household formation rates calculated for the age group 25 – 34 year olds. Migration includes that both from the UK (projection flows from one authority to another in the UK) and international migration, the former being a big factor in population change for many authorities, including the JCS. The raw data that supports the calculation is available to view via the following link http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-uk--england-and-wales--scotland-and-northern-ireland/mid-2011-and-mid-2012/rft---mid-2012-uk-population-estimates.zip</p> <p>The ONS data on migration flows is one of a number of factors input into PopGroup suite of software, run by consultants Nathaniel Lichfield and Partners. Migration flows together with wider inputs including; fertility and mortality rates, household headship rates, housing vacancy rates (including second home and holiday home ownership levels), employment change, unemployment levels and commuting patterns. Details of the PopGroup model can be viewed via the following link http://www.gct-ics.org/Documents/PublicConsultation/DevelopingthePreferredOption/NLPAssessmentofHousingNeedsFULLREPORT.pdf</p> <p>The latest outputs from the PopGroup model indicate that around 57% of population increase for Cheltenham is derived from migration, with the greatest number from UK flows as opposed to international migration. Migration forms a key element of population change across all local authorities and is something we have to consider assessing housing need.</p> <p>Conclusions on the projections which have informed the JCS are available via reports commissioned from consultants Cambridge Centre for Housing and Planning Research and Nathaniel Lichfield and Partners, all available to view via http://www.gct-ics.org/EvidenceBase/AssessmentofHousingRequirements.aspx</p> <p>In a supplementary question, Mr Nelson referred Members to table SP2A on page 27 of the JCS submission document which appeared to illustrate an oversupply of housing of 569 across three authorities above the target of 30,500. Members could also see on this table that when you look at each Councils' targets and supply figures that it is only Cheltenham that is planning an over supply of houses. So why can we not simply reduce the planned build on Leckhampton by this 569 houses, as to do so would recognize the voice of this Council expressed unanimously at the JCS debate on 28 February and also have absolutely no impact on our partners figures, so could be regarded as a change which this Council could easily agree to without having to re-negotiate or delay the JCS?</p> <p>In his response Councillor Jordan commented that this wasn't a supplementary to clarify the original answer, it was a different question. However, he confirmed that the JCS process had to set out the projected supply and he acknowledged that currently there was an over provision across the JCS area. The figures for Cheltenham could be reviewed when there was new evidence available, including ONS projections.</p> |
| <p>3.</p> | <p>Question from Chris Nelson to the Leader Councillor Steve Jordan</p> <p>Public and private statements have been made by Councillors suggesting that it is only because of pressure from Tewkesbury and Gloucester Councils that Leckhampton has been left in the JCS; irrespective of external pressures on Cheltenham Council, real or imagined, can he please state his personal view of whether Leckhampton should remain in the JCS. If he could remove Leckhampton as a strategic site within the JCS, would he?</p> |

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| | <p>Response from the Leader</p> |
| | <p>The Conservative majority on Tewkesbury Council have resisted any reduction to the housing allocation at Leckhampton. The difficulty in completely removing the Leckhampton site from the JCS is because it is not in the Green Belt and it is likely that removal at this stage would be challenged at the future Examination in Public (EiP), as well as by other Councils, particularly as other Green Belt sites have been identified to meet the needs of the JCS.</p> <p>There may be hope in the new Local Green Space (LGS) designation included in the NPPF with support from Martin Horwood MP. Included in the policies in the JCS is the requirement for developers to preserve areas of green space that fulfil the LGS criteria. If the Pre Submission JCS is agreed today, this Council intends to insist that any developer submitting a planning application must comply with the policy requirements relating to local green space.</p> <p>There may also be hope in the facts that the new ONS population projections due to be published in May could lead to a reduction in assessed housing need. If this happens, the Council will almost certainly wish to reduce the allocations for the strategic sites rather than ease the pressure for brownfield development</p> <p>So while it would be desirable to remove the Leckhampton site it would not be sensible to do so at this stage for the reasons mentioned above.</p> <p>In a supplementary question Mr Nelson said that having attended the JCS debate at Tewkesbury on Monday night, he was pleased to hear that the reason Up Hatherley was removed from the JCS was because, for political reasons, Cheltenham threatened to reject the JCS. Given that at the 28 February Council Meeting this Council voted unanimously to negotiate the removal of BOTH Leckhampton and Up Hatherley from the JCS, why is it that the Council negotiators did not also insist, for the same political reasons, on saving Leckhampton?</p> <p>In response the Leader advised that Up Hatherley had been in the highest category of Green Belt being proposed for development which justified its removal. In the case of Leckhampton there was currently no legitimate defence against development to justify its removal at this stage, much as he would have liked to. However, there was still a way to go and the council was keen to use the new Local Green Space designation.</p> |
| <p>4.</p> | <p>Question from Anne McIntosh to the Leader Councillor Steve Jordan</p> |
| | <p>Will the Council provide - and make it available for public scrutiny - a full data index, complete with references and background, for the figures given by the Cambridge consultancy they commissioned and upon which they have based their housing projection to 2031?</p> |
| | <p>Response from the Leader</p> |
| | <p>All data used is drawn directly from the ONS and can be viewed via the following link www.ons.gov.uk . Assumptions made in regard to household formation rates are dealt with via work commissioned from consultants Cambridge Centre for Planning and Household Research and can be viewed via the following link http://www.gct-jcs.org/EvidenceBase/AssessmentofHousingRequirements.aspx</p> |
| <p>5.</p> | <p>Question from Anne McIntosh to the Leader Councillor Steve Jordan</p> |
| | <p>Until recently, it was felt that we had only to deal with the possibility of severe flooding once in 100 years, but now it is predicted more wet winters will be the norm and thus more flooding. During the developer forum for Leckhampton in 2013, the developers</p> |

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| | <p>were asked whether they had considered the flooding risks and they answered that they had only allowed for the standard 1 in 100 year flood event (E. Pimley, pers. comm.) now inadequate in view of emerging data.</p> <p>Will the Council demand further hydrological modelling to still see if the proposed number of houses, other buildings and areas of hard standing still accommodates such flood risks in the light of climatic changes and these comments, and is the council confident the flood barrier built recently off the Shurdington Road to protect Warden Hill homes will save that area from further flooding if the intensive building on the land above them, off Shurdington Road, is allowed?</p> |
| | <p>Response from the Leader</p> |
| | <p>The JCS allocation of the urban extension at Leckhampton and the planning application regarding this land are separate matters and so it would be wrong to comment, or pre-judge evidence submitted, as part of the application which has yet to be determined.</p> <p>The site housing totals shown in the Joint Core Strategy are an estimate of capacity taking into account the areas of land within allocations which have been deemed deliverable through work assessing a range of factors including flood risk.</p> <p>The flood risk work undertaken on the Leckhampton site and the other strategic allocations in the JCS was developed in co-operation with the Environment Agency and it has fully reviewed and endorsed it. Both the Level 1 and detailed Level 2 strategic flood risk assessments (SFRAs) took into account the possible impacts of climate change.</p> <p>As part of the level 2 assessment for Leckhampton the flood extents for key return periods (1 in 20, 100, 100 plus climate change and 1000 years to represent Flood Zone 3b, Flood Zone 3a, Flood Zone 3a plus climate change and Flood Zone 2 respectively) were determined and mapped for each watercourse.</p> <p>Because the SFRA2 work was done comprehensively, no further hydrological work is proposed on the part of the local authority on these sites – and this approach has been confirmed as acceptable by the Environment Agency. However, on some sites, detailed Flood Risk Assessments will need to be submitted as part of development proposals.</p> <p>At the Leckhampton site, the SFRA modelling demonstrated that a more detailed Flood Risk Assessment would be required for the site as part of the proposal, and this work will need to be rigorously tested through the development management process and in decision taking.</p> <p>Notwithstanding this, the Environment agency and our own capacity work has confirmed that within the application area, sufficient developable land is available to ensure that the scale of development proposed in policy SA1 is achievable.</p> |
| <p>6.</p> | <p>Question from Margaret White to the Leader Councillor Steve Jordan</p> |
| | <p>In September 2013, I asked the Lib Dems whether they had altered their 2012 Manifesto, which was to protect the Green Belt and to resist urban sprawl. The answer given was unclear and the Government's views on the subject have been reviewed again which if interpreted correctly by the JCS, will mean much of our green belt and fields can be protected.</p> <p>I have seen no change in the Lib Dem Manifesto published. Can the Lib Dems still claim to be a green party as they are now championing building on the green belt and green</p> |

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| | <p>spaces?</p> <p>Therefore, may I ask again if they will ensure that brownfield sites are developed prior to any greenbelt or green fields are built on?</p> |
| | <p>Response from Cabinet Member</p> |
| | <p>I would not be as optimistic about the position of Nick Boles, Minister for Planning, as the questioner is. The general consensus among local authorities and environmental organisations like CPRE is that the Government's position has not shifted much. However there seems to be a willingness on Government's part to recognise that environmental considerations may sometimes overcome the requirement to meet assessed housing need; and this is a point we need to bear in mind in our ongoing work on the JCS and the Cheltenham Plan.</p> <p>It would not be a fair assessment of the Liberal Democrat position in Cheltenham to say that we are championing development on green fields, any more than it would be true to accuse the Conservative leaders of the other JCS councils of doing so. Our aim as a group on this council is to protect as much of the countryside as we can, which is the purpose of the amendments we will be putting forward today. However, we also have to bear in mind that at some point we will have to submit a plan that meets the Government's requirements. The recent rejection by Planning Inspectors of the East Devon plan, leaving their countryside open to a developer free for all, shows the risks of having a plan rejected for being non-compliant or not having a plan at all.</p> <p>So far as the manifesto for the coming election is concerned, it will be published shortly, but will certainly contain a commitment to do all we can to protect our green fields and maintain a very substantial Green Belt to prevent the coalescence of Cheltenham, Gloucester and Bishops Cleeve.</p> <p>So far as pursuing a 'brownfield first' policy is concerned, this is answered in my response to question 13.</p> <p>In a supplementary question Margaret White asked the Leader whether he thought his interpretation was superior to that of the government minister.</p> <p>The Leader replied that this was absolutely not the case and a special meeting with officials from the Department of Communities and Local Government had been arranged to clarify the issue. This meeting has made it clear that there was no overall change of Government policy. At this stage in the process it was appropriate to review the boundaries of the Green Belt in order to meet housing needs and once the boundaries are defined defend them for the duration of the plan period. However, there was now more emphasis that failure to meet need could be justified if appropriate for environmental reasons.</p> |
| <p>7.</p> | <p>Question from Margaret White to the Leader Councillor Steve Jordan</p> |
| | <p>Last September, I drew attention to the fact that the ONS figures being used were intended for short term use only. I was assured that the figures were being scrutinized thoroughly and the public would be informed of the outcome. However, the Council is still awaiting the correct and updated housing figures and is still using figures which the ONS themselves have said were unfit for the purpose that they are being used. The revised figures from the ONS will be available in 2-3 weeks, why do the JCS officers not wait for these to be released to allow a proper assessment of local housing needs?</p> |
| | <p>Response from the Leader</p> |
| | <p>Even were we to wait for these updated figures, we would still need the household projections which will not be ready until Autumn 2014. The plan must progress and we have taken advice from two sets of consultants, Nathaniel Lichfield and Partners and the</p> |

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| | <p>Cambridge Centre for Housing and Planning Research.</p> <p>The OAN of the JCS is based upon the Interim 2011-based sub-national population projections for England; they are the latest official local authority level projections and as such need to be taken into account as part of the evidence base used in determining the housing requirement. The assumptions made in reaching the OAN were benchmarked against the national projections published in 2013, which presented the outputs of the 2011 census at a national level. The projections at a local level are expected in May 2014 and once available these too will be benchmarked against the assumptions made to date on the OAN.</p> <p>I will be proposing to Council that any change in the ONS figures should be included in the Submission JCS.</p> <p>In a supplementary question Margaret White asked whether the Leader thought it was sensible to use ONS figures which were known to be unfit for purpose.</p> <p>In response the Leader advised that the process would always take account of the latest evidence available. National projections had been produced and once local figures were available they would be taken on board and any appropriate adjustments made.</p> |
| <p>8.</p> | <p>Question from Dr Elizabeth Pimley to the Leader Councillor Steve Jordan</p> |
| | <p>Considering people pressure already evident on Leckhampton hill SSSI grassland how will council ensure their legal obligation to prevent further damage to valuable protected habitat as there is not enough retained public open space to counter this in current plans?</p> |
| | <p>Response from the Leader</p> |
| | <p>The JCS allocation of the urban extension at Leckhampton and the planning application regarding this land are separate and so it would be wrong to comment or pre-judge evidence submitted as part of the application which has yet to be determined.</p> <p>Although these are yet to be updated, the indicative site layouts in the JCS document show that within the allocation area there is scope to provide significant areas of open space. JCS policy SA1 requires that where areas of local green space meet the requirements of the NPPF, whilst ensuring that the scheme as a whole meets development requirements, these should be retained.</p> <p>The strategic allocation at Leckhampton also contains protected Green Infrastructure corridors which assist with biodiversity preservation and enhancement and create linkages with the surrounding Green Belt, AONB watercourses and the wider countryside.</p> <p>Within the Pre Submission JCS green infrastructure plays a key role in supporting both the place-shaping of new developments, access for recreation and health, and support for biodiversity. Submissions made to the Draft JCS on LGS have helped inform these parts of the plan now included within the Pre Submission version, in particular policy INF4 (Green Infrastructure)</p> <p>Gloucestershire Wildlife Trust and Natural England monitor the state of SSSI's and this monitoring framework is incorporated into the JCS. Protection for the natural environment is a key part of the planning process and we have worked with Natural England and the Wildlife Trust as part of the JCS process.</p> |

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| | Strategic Objective 4 and (conserving and enhancing the environment) and policy SD11 (Biodiversity and Geodiversity) set out the requirements for applications in protecting biodiversity – alongside the national and legislative protection SSSI's already benefit from. |
| 9. | Question from Dr Elizabeth Pimley to the Leader Councillor Steve Jordan |
| | Considering that 1 in 100 year flood events happening more frequently with climate change how will council ensure developments account for this as current hydrological models used by developers for Leckhampton only factor bad flood event every 100 years? |
| | Response from the Leader |
| | Please see answer to question 5. |
| 10. | Question from Gerry Potter to the Leader Councillor Steve Jordan |
| | Powerful arguments by MPs, prospective MPs, County, Borough and Parish Councillors, CPRE, and many other prominent people, have all stated that the South Cheltenham lands should not be developed with a 1,000 signature petition reinforcing this. A Local Green Space (LGS) application, fully in line with the National Planning Policy Framework (NPPF), has been handed in, together with a Country Park idea with a 2,000 signature petition. Additionally, a 70-page application and Neighbourhood Plan concept put forward by Leckhampton with Warden Hill Parish Council, Shurdington Parish Council and LEGLAG has been sent. Finally, Cheltenham Borough Council voted on February 28, unanimously asking for Leckhampton to be taken out of the JCS. What more has to be done to convince Officers that these fields to the South of Cheltenham should not be developed? |
| | Response from the Leader |
| | What Cheltenham Borough Council voted for on 28 February was that, "This Council directs that the JCS Team reconsider the status of Leckhampton and Up Hatherley as strategic sites within the JCS and explores the possibility of withdrawing these locations from the Strategy and report back to Council in April." In reality it is not officers that need convincing but the other Councils in the JCS. While I'm pleased that our 2 partner Councils agreed to remove Up Hatherley as a strategic site they did not support removing Leckhampton. The main difference is that while Up Hatherley is in Green Belt, Leckhampton has no specific protection so it is difficult to delete it completely while elsewhere sites in Green Belt are proposed for development. However policies in the JCS, particularly the requirement for developers to preserve areas of local green space whilst meeting the development requirements of the allocation, together with enhanced protection for the AONB, amount to a robust approach to mitigating impacts of development at Leckhampton at a strategic level. If the Pre Submission JCS is agreed, this Council intends to insist on any developer submitting a planning application must comply with the policy requirements relating to Local Green Space. In a supplementary question Mr Potter said that during the debate at Tewkesbury's Joint Core Strategy meeting on Monday it was stated that Gloucester City Council has an 11 year housing land supply. Given that Cheltenham and Tewkesbury have struggled to meet their 5 year housing land supply couldn't Gloucester have offered more of its brownfield sites into the JCS. This would surely have saved Cheltenham from having to find roughly an equal share of the housing total with Gloucester and removed hotly disputed sites from the JCS, such as South Cheltenham? |

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| | <p>The Leader assured Mr Potter that this had had been taken into account as that was the point of the 3 councils working together on the JCS. However the plan covers the next 17 years not just 11.</p> |
| 11. | Question from Gerry Potter to the Leader Councillor Steve Jordan |
| | <p>I was told by Planning Officers at Cheltenham Borough Council that evidence is needed about why development should not take place on the Leckhampton fields. I have sent a large amount of photos to CBC Officers, and Councillors, of bad flooding that regularly occurs on the proposed development lands at Leckhampton during times of high rainfall.</p> <p>Why has no notice been taken of the evidence in these photos because the land downstream, slightly west of the proposed development site, was badly flooded in 2007 and it is well known that residents living the other side of the road from this proposed site i.e. the Warden Hill area, are extremely worried that this will happen again if houses were to be built on this land ?</p> <p>There is huge concern that if the soak away on the Leckhampton land is built upon then surely, a torrent of water (when it happens again) would cause a greater deluge towards Warden Hill.</p> <p>There is no confidence in the balancing ponds having the desired effect, no matter how much the developers try to reassure us.</p> |
| | Response from the Leader |
| | <p>Please see question 5, recent photographs do show surface water, however the Environment Agency are of the view that surface water can be dealt with appropriately through suitable sustainable drainage systems. Flooding shown in photos of David French Court also pre-date the flood mitigation scheme implemented at that location.</p> |
| 12. | Question from Liz Dries to the Leader Councillor Steve Jordan |
| | <p>Why is this Council voting on this JCS pre-submission document, before the most up to date ONS housing statistics are available in May 2014 and when several of the other vital evidence based documents, the traffic modelling, infra-structure plans, the Strategic Economic plan, SEP, which are needed to support the sustainability of the site allocations, are still not available?</p> |
| | Response from the Leader |
| | <p>As mentioned in answer to question 7, even were we to wait for these we would still need the household projections which will not be ready till Autumn 2014. It is important we make progress on the JCS; the plan has been informed by the strategic outputs of transport modelling and the update to the Infrastructure Delivery Plan. In addition the Council has been working in partnership with the LEP on the preparation of the Strategic Economic Plan. The Pre Submission version of the JCS reflects the outputs of these elements of the evidence base.</p> |
| 13. | Question from Helen Wells to the Leader Councillor Steve Jordan |
| | <p>Will this council follow the NPPF guidelines and commit to development of Brownfield land <u>first</u> before considering new development on existing greenbelt or greenfield land.</p> <p>If not - Why not?</p> |
| | Response from Cabinet Member |
| | <p>The questioner touches on a major problem with the NPPF. While it sets out 'brownfield first' as a core principle, it provides very little in the way of firm policies to put this principle into action. The NPPF is by no means as robust in supporting 'brownfield first' as the previous policy PPG3, and there is evidence emerging across the country that</p> |

Planning Inspectors are not being supportive of councils that attempt to impose 'brownfield first' and phasing of development. The requirement in the NPPF for councils to have a five year supply of deliverable housing land also makes it very hard to phase development.

Despite these limitations, we are doing all we can to pursue a 'brownfield first' policy.

Strategic Objective 6 and Policy SD11 in the JCS direct residential development to previously developed (brownfield) land. However, the available previously developed sites in the JCS area are not sufficient to meet need.

The introduction to the infrastructure policies in the JCS encourages the development of brownfield land wherever viable and commits the Local Planning Authorities to take into account, on a case by case basis, evidence of any mitigating circumstances that affect the viability of redevelopment to ensure that development is not biased toward greenfield sites.

In considering sites it is important that the Council has regard and acts upon the guidance on the need for a 5 year housing land supply, set out in the NPPF. Applying a 'brownfield first' approach by withholding greenfield sites until all brownfield areas are developed would make Cheltenham extremely vulnerable to not having a 5 year supply of housing and therefore put the town at risk from speculative development. It would also not accord with the NPPF above.

While the Council is keen to promote the development of brownfield sites, it is not able to refuse to consider planning applications relating to greenfield or Green Belt land on the basis that brownfield sites may be available. The Council will apply the policies of the development plan and NPPF in considering such applications.

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