



# CHELTENHAM BOROUGH COUNCIL

## Notice of a meeting of Cabinet

**Tuesday, 6 December 2016  
6.00 pm  
Pittville Room - Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Peter Jeffries, Andrew McKinlay and Roger Whyborn

### Agenda

	<b>SECTION 1 : PROCEDURAL MATTERS</b>	
<b>1.</b>	<b>APOLOGIES</b>	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>	<b>MINUTES OF THE LAST MEETING</b> Minutes of the Special Cabinet meeting held on 28 October 2016 Minutes of the meeting held on 8 November 2016	(Pages 5 - 16)
<b>4.</b>	<b>PUBLIC AND MEMBER QUESTIONS AND PETITIONS</b> These must be received no later than 12 noon on the fourth working day before the date of the meeting	
	<b>SECTION 2 :THE COUNCIL</b> <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
	<b>SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE</b> <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
	<b>SECTION 4 : OTHER COMMITTEES</b> <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
	<b>SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS</b>	
<b>5.</b>	<b>LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2017/18</b> Report of the Cabinet Member Finance	(Pages 17 - 24)

6.	<b>TREASURY MID-TERM REPORT 2016/17</b> Report of the Cabinet Member Finance	(Pages 25 - 40)
7.	<b>APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA AND NEIGHBOURHOOD FORUM BY THE WEST CHELTENHAM NEIGHBOURHOOD FORUM</b> Report of the Cabinet Member Development and Safety	(Pages 41 - 72)
8.	<b>CHELTENHAM PLAN PART 1 : PREFERRED OPTIONS</b> Report of the Cabinet Member Development and Safety	(Pages 73 - 288)
9.	<b>GREEN WASTE CHARGES</b> Report of the Cabinet Member Clean and Green Environment	(Pages 289 - 296)
10.	<b>WASTE AND RECYCLING SERVICE REDESIGN AND ROUTES OPTIMISATION</b> Report of the Cabinet Member Clean and Green Environment	(Pages 297 - 348)
11.	<b>SHOPMOBILITY COMMISSIONING</b> Report of the Cabinet Member Healthy Lifestyles	(Pages 349 - 360)
12.	<b>ACQUISITION OF COMMUNICATIONS DATA USING THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY</b> Report of the Cabinet Member Corporate Services	(Pages 361 - 390)
13.	<b>COUNTER FRAUD UNIT BUSINESS CASE</b> Report of the Cabinet Member Corporate Services	(Pages 391 - 426)
14.	<b>INVESTMENT PROPERTY PORTFOLIO</b> Report of the Cabinet Member Finance- REPORT TO FOLLOW	
	<b>SECTION 6 : BRIEFING SESSION</b> • Leader and Cabinet Members	
15.	<b>BRIEFING FROM CABINET MEMBERS</b>	
	<b>SECTION 7 : DECISIONS OF CABINET MEMBERS</b> Member decisions taken since the last Cabinet meeting	
	<b>SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION</b>	
	<b>SECTION 9 : LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS</b>	
16.	<b>LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS</b>	

		<p><b>The Cabinet is recommended to approve the following resolution:-</b></p> <p>“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely:</p> <p>Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p>	
<b>17.</b>		<p><b>EXEMPT MINUTES</b> Exempt minutes of the Special Cabinet meeting held on 28 October 2016</p>	(Pages 427 - 430)

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### Cabinet

**Friday, 28th October, 2016**

**5.00 - 5.50 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)

### Minutes

**1. APOLOGIES**

None.

**2. DECLARATIONS OF INTEREST**

Councillor Rowena Hay declared a non pecuniary interest in Agenda item 4- Oakley Resource Centre as a Trustee of the Oakley Neighbourhood Project and Regeneration Partnership. She would not participate in the debate.

**3. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**

There were none.

**4. OAKLEY RESOURCE CENTRE**

The Leader introduced the report and explained that Oakley Resource Centre had been a valuable resource for the local community over the past 20 years. On 14 September the joint trustees of Oakley Regeneration Partnership (ORP) and Oakley Neighbourhood Project (ONP) announced that they were undertaking the managed closure of both organisations and as part of this process ONP staff had been put on notice with contracts terminating on 31.10.16.

The Leader expressed his sadness at this and wished to put on record his thanks to all who had been involved for their contributions to the local community over the last 20 years. He explained that the council wished to take steps to ensure that the community-side of the building remained open to the public from 1 November 2016 and discussions had accelerated to facilitate this until 31 March 2017. He made reference to the motion submitted to the recent Council meeting by Councillor Hay calling for a meeting of the statutory bodies, CGC, the County Council, the Police, Cheltenham Borough Homes and other relevant organisations with an interest in the local area to identify what services were required and how best to deliver them. Elected members recognised the value of the support that these organisations and their volunteers provided to the local community and the motion was passed unanimously.

The Leader took the opportunity to thank officers involved to bring this report to Cabinet. He reported that the Trustees had agreed an early dilapidations

package and CBH and Gloucestershire Care Services were assisting in providing rent. Finally the Leader pointed out that recommendation 3 was no longer required since the lease had been surrendered. He added that a press release would be issued on Monday to inform the public of progress.

**RESOLVED THAT**

- 1. the early surrender of the lease between Cheltenham Borough Council and Oakley Regeneration Partnership be agreed to enable the Council to assume operational responsibility of the building from 1.11.16.**
- 2. authority be delegated to the Head of Property and Asset Management to enter into a surrender agreement with Oakley Regeneration Partnership that protects the council's interests with regard to dilapidations, that permits entry for CBC staff onto the premises from 1 November 2016 and that ensures all rents paid in advance are divided appropriately between ONP and CBC.**
- 3. authority be delegated to the Head of Property Services to agree terms with Cheltenham Borough Homes Ltd and Gloucestershire Care Services to secure occupation by those organisations until the expiry date of their existing sub-underleases, upon substantially the same terms as those in the existing sub-underleases granted by ONP to Cheltenham Borough Homes Ltd and Gloucestershire Care Services.**

**5. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Clean and Green Environment reported that to date 1800 responses had been received to the waste and recycling consultation. He urged fellow Cabinet Members to promote the consultation, the closing date for which was 14 November.

The Leader expressed his disappointment at Tewkesbury Borough Council's decision not to approve the main modifications to the Joint Core Strategy which had been approved by Cheltenham Borough Council and Gloucester City Councils the previous week. This meant that at that this stage the Joint Core Strategy could not be progressed and the planned consultation process would thus be deferred. He reported that discussions would take place next week to see how things could be brought back on course and Cheltenham would need to consider what steps should be taken should the JCS cease to exist. The Leader informed that as a result of Tewkesbury's decision the publication of the Cheltenham Plan consultation had now been deferred. It had been hoped that the local plan could be synchronised with the JCS as a local plan was needed as soon as practical but discussions were ongoing as to how this could be taken forward.

**6. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS  
RESOLVED THAT**

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

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

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

**7. PROPERTY MATTER**

The Cabinet Member Finance introduced the exempt report which sought Cabinet's permission to proceed with securing the council's financial and legal interests on a property matter. Members discussed the issues in detail and

**RESOLVED THAT**

**The recommendations be agreed**

**Chairman**



**Cabinet**

**Tuesday, 8th November, 2016**

**6.00 - 6.50 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)

**Minutes**

**1. APOLOGIES**

Councillor Peter Jeffries

**2. DECLARATIONS OF INTEREST**

There were none.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 11 October were approved and signed as a correct record.

**4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**

There were none.

**5. TOWNSCAPE - CAPITAL AND LARGE SCALE WORKS PROGRAMME**

The Cabinet Member Development and Safety introduced the report, the purpose of which was to present to Cabinet the programme of capital and large scale works for functions which were the responsibility of the Townscape team. This covered public realm, flood alleviation and public art and the report clarified the programme and regularised authority for all areas of the programme. He explained that capital sums have been previously approved and allocated for this use at budget setting.

**RESOLVED THAT**

**The programme of Townscape work at Appendix 2 be approved.**

**6. SOCIAL SUSTAINABILITY - A LOCAL APPROACH TO BUILDING NEW COMMUNITIES**

The Leader introduced the report which sought endorsement of "a local model for building socially sustainable communities". This was an approach developed through the partnership of Cheltenham Borough Homes, Bromford, Sovereign and Barnwood Trust to influence community outcomes and governance arising from new development. If endorsed officers would use the model in the

negotiation of master planning, community infrastructure and approaches to governance on appropriate development sites and with development partners and affordable housing providers.

The Leader highlighted that the council was committed to its existing communities and building new ones which was essential for the town as a whole. When building new communities it was essential that new areas were taken into consideration as infrastructure and accessibility was key. This would form a framework which any developer would be expected to take on board. Support for the model had been received from the Cheltenham partnerships as well as from Tewkesbury colleagues due to cross boundary issues.

Members supported the model and recognised that actively involving communities was key.

Finally the Leader wished to put on record his thanks to Cheltenham Borough Homes and other partners for their work in putting this model together.

#### **RESOLVED THAT**

**The model for social sustainability as an approach in master planning key sites across the Borough be endorsed.**

#### **7. BUDGET MONITORING REPORT TO 30 SEPTEMBER 2016**

The Cabinet Member Finance introduced the report and explained that the purpose of the budget monitoring report was to notify members of any known significant variations and to highlight key issues. She was pleased to report that there were no significant issues but wished to highlight the following :

Net revenue- Ubico was incurring additional costs of £50 k due to a number of reasons, one of which was a growth in property numbers. The service redesign in 2017 would include a forecast of increased property numbers and this was laid down in paragraphs 2.11 and 2.12 of the report.

Car Parking income was overachieving its target by £200 k although some achievement targets were under by £39k.

Investment property and treasury management have both done well overall and the projected underspend for the year was £106 500.

The Cabinet Member Finance said that an area of careful monitoring was the REST programme. The £124k from staff savings that was agreed for virement to support this has become more pressured and will be further reviewed in December.

The Cabinet Member Finance said that the next monitoring report would be presented to Cabinet in January 2017. She highlighted the concerns which remained regarding the impact of Government funding cuts and the undecided arrangements with regard to business rates and the future of new homes bonus.

Members noted the report and highlighted the importance of receiving three monthly reports back to Cabinet and that in the interim Members should be alerted to any problems under the relevant budget headings.

**RESOLVED THAT**

- 1. the contents of this report including the key projected variances to the 2016/17 budget and the expected delivery of services within budget be noted.**
- 2. the reduction in the use of the Car Parking Equalisation Reserve, approved in accordance with B11.4 of Financial Rules where the Section 151 Officer has delegated authority to approve in year transfers to and from earmarked reserves to support the activities of the council be noted.**

**8. HOUSING REVENUE ACCOUNT NEW BUILD- GARAGE SITE REDEVELOPMENTS AND THE USE OF RIGHT TO BUY RECEIPTS**

In the absence of the Cabinet Member Housing the Leader introduced the report and explained that in March 2015 Cabinet resolved that the authority sought bids from contractors to build new homes across Cheltenham on a number of garage sites. This report sought approval to enter into a JCT Design and Build Contract with J Harper and Sons with Total Scheme Costs not to exceed £1, 772, 000. The scheme would deliver up to twelve new homes on three HRA garage sites.

The Leader explained that whilst the council's preferred option was to build affordable homes on council owned land, the complex nature of some of these sites meant that it may not always be possible to spend Right to Buy Receipts in this way due to the government imposed time limits on the use of these receipts. It was therefore proposed that any Right to Buy Receipts that could not be used for building new affordable homes on council-owned land be used instead for purchasing dwellings, subject to appropriate parameters. To date three homes had been purchased this way, with a further four homes in the pipeline following Cabinet approvals in November 2015 and September 2016 to use Right to Buy receipts for this purpose. The Leader clarified that the report would be forwarded to Council for authorisation of the allocation of funding for the construction of the twelve dwellings and approval of sourcing loan finance from the Public Works Loan Board. He wished to put on record his thanks to all those who had been involved.

Members welcomed the report and were encouraged by the proposed development. It was agreed to amend the second recommendation to include consultation with the Cabinet Member Housing, which would be particularly relevant if the number of dwellings changed. A Member commented on the benefit the developments on garage sites had brought to those areas and praised CBH, the council and the contractors for their work with those communities. The care and attention paid to the neighbours during the construction phase had been much appreciated and hoped this approach would continue.

**RESOLVED THAT**

1. Subject to subsequent Council approval, the Authority be authorised to accept the tender received from J Harper and Sons enter into a JCT Design and Build Contract for the construction of up to twelve new dwellings with Total Scheme Costs not to exceed £1,772,000.
2. authority be delegated to the Head of Property and Asset Management, in consultation with the Borough Solicitor and the Cabinet Member Housing to:
  - 2.1 Conclude the JCT Design and Build contract with J Harper and Sons.
  - 2.2 Take all necessary steps and undertake all necessary procedures, including entering into any legal agreements or other documentation as may be required to implement or facilitate the developments.
  - 2.3 Agree the final number of dwellings that will be built, in the event that the council is unable to proceed with the development of all twelve new dwellings because of site complications (such as unresolved rights of way issues).
3. authority be delegated to the Head of Property and Asset Management, in consultation with the Section 151 Officer and Cabinet Member for Housing, to use the Right to Buy Receipts to purchase dwellings that are considered suitable for use as affordable housing (in accordance with the parameters set out within paragraph 5.4 of this report) PROVIDED THAT the Head of Property Services is satisfied it would not be possible to use these receipts to support the approved delivery of new affordable housing on council owned sites due to time restrictions on the use of these receipts and PROVIDED FURTHER that the expenditure remains within Council approved budgets for the use of delivering new affordable housing.
4. the Borough Solicitor be authorised to negotiate and complete such documents as she deems necessary or desirable to conclude the transactions negotiated by the Head of Property and Asset Management.
5. the Authority be authorised to charge Affordable Rents to all dwellings.

that Council be recommended to :

6. Authorise the allocation of up to £1,772,000 for the construction of up to twelve new dwellings.
7. Note that the Total Scheme Costs of £1,772,000(broken down in



**further detail in exempt Appendix 3) will be funded by circa £531,000 of RTB receipts with the balance funded by the most appropriate combination of the other funding streams noted within the report – this decision being delegated to the Section 151 Officer in accordance with Financial Rules B7 and B8.**

- 8. Approves the Authority sourcing loan finance of up to £1,200,000 from the Public Works Loan Board to be used for the construction of twelve new dwellings.**

**9. FUTURE PROVISION OF INTERNAL AUDIT SERVICES**

The Cabinet Member Corporate Services introduced the report and explained that Internal Audit Services were currently provided by Audit Cotswolds to Cheltenham Borough Council, Cotswold District Council and West Oxfordshire District Council. Forest of Dean District Council received its Internal Audit Services from South West Audit Partnership (SWAP). As a result of a review in order to ensure effective and efficient working arrangements, it became clear that it would be preferable for one internal audit provider to be commissioned to provide internal audit services for the shared services, and/or all of the Council's services.

The report was considered by the Audit Committee on 21 September and agreed unanimously. In addition the 2020 Partnership Joint Committee considered a report at its meeting on 30 September. They recommended partner councils become members of SWAP, a company limited by guarantee, and also recommended to the partner councils to commission internal audit services from SWAP with effect from 1 April 2017.

**RESOLVED THAT**

- 1. It be agreed that the South West Audit Partnership (SWAP) provide the council's internal audit service from 1<sup>st</sup> April 2017.**
- 2. The Authority becomes a member council of South West Audit Partnership Limited from 1st April, 2017.**
- 3. The Section 151 Officer be authorised to finalise the arrangement referred to above in consultation with the relevant Cabinet Member(s) and the Borough Solicitor.**
- 4. The chairman of the Audit Committee be appointed to the Members' Board and the Section 151 Officer to the Board of Directors.**

**10. TOURISM DEVELOPMENT PROJECT UPDATE**

The Leader introduced the report and explained that in March 2016 Cabinet had delegated authority to the Managing Director, Place and Economic Development, in consultation with the relevant Cabinet Member, to consider how to allocate £50 000 funding set aside to support strategic tourism and to begin implementation of the report by Creative tourist "A Strategic Outcomes

Proposition for Cheltenham". It was agreed that the funding should be split between consultancy fees for the engagement of a tourism consultant, Kelly Ballard, and an operational budget to deliver some of the actions.

The Leader explained that the report outlined the key deliverables expected from this first phase of implementation together with a number of specific outputs from the project. It also provided an update on current activity, which included working with Gloucester, the Cotswolds Tourism Partnership, the Cheltenham BID and the Cheltenham Trust. He highlighted that whilst the Cheltenham Trust managed the tourism Information centre the council maintained the strategic overview of tourism and it was important to make best use of tourism for the town.

#### **RESOLVED THAT**

**the progress and direction of travel of the tourism development project be noted.**

#### **11. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Development and Safety informed Members that he was representing the partnership comprising the Police, businesses and the voluntary sector that evening at the National Purple Flag awards ceremony. Cheltenham had a high quality night time economy and a safe town environment. Attending the awards was validation at the very successful way the night time economy was managed.

The Cabinet Member Clean and Green Environment said that to date 1900 responses had been received to the waste and recycling consultation which the council would give significant weight to. He wished to put on record his thanks to officers and the Echo for giving the consultation high priority.

The Leader made reference to the briefing he had circulated to Members with regard to the JCS. Collectively the three councils believed it was required although Tewkesbury could not support it as it currently stood due to concerns about the inclusion of Twigworth and the fact that the Ministry of Defence now intended to retain significant portions of the MoD Ashchurch Strategic Allocation. The Leader reported that the Leaders have jointly agreed that as both issues each raised potential soundness issues for the plan submitted to the three Councils in October, a report in respect of these matters would need to be brought to all three councils in January. He explained that there was concern with regard to the Cheltenham Plan which had been deferred as a result of these issues but hoped that this would be brought to Cabinet in December so it could be synchronised with the JCS.

#### **12. CREMATORIUM DEVELOPMENT PROGRAMME UPDATE**

The Leader of the Council explained that this item was being taken as urgent as there was concern with the existing cremators and the council could not afford to delay the programme to replace them. The option to take this as urgent had received the approval of the Chair of Overview and Scrutiny.

The Cabinet Member Clean and Green Environment introduced the report and firstly wished to put on record his thanks to the opposition for agreeing to this

report coming as an urgent item and for officers for their hard work hard in achieving this.

The Cabinet Member reminded Members that in September 2015 Cabinet approved the principle of building a new crematorium on council-owned land to the east of the current cemetery and in October 2015 Council approved a total budget of to £7 443 100 for the proposed development of which £6.5 million of this budget was allocated to design and build. He reported that the pre-construction phase was fast approaching and Wilmot Dixon had been appointed as principal contractor and Pick Everard as project managers. He explained that there were two main issues :

- 1) Site Access-the conclusions of the access options study were being considered by the programme team. The difficulty with the existing network of routes within the cemetery was recognised as was the necessity for a temporary haul route to the south of the cemetery to facilitate construction vehicles to avoid disruption.
- 2) It was important to future proof the new build which included car parking and landscaping and he wished to address the issue of a second new chapel which was currently outside the scope of the current programme. If a second new build chapel was built once the new facility was in operation this would be disruptive to the service (or even shut it down for a period of time). He was therefore proposing that a second chapel be included in the planning application for the new facility. He informed that the increase in costs of including the second chapel would be £460k which was substantially less than the original quote.

It was therefore proposed by the project board that the scope of the programme be varied to take account of the wish to fully explore the potential for delivering a second chapel within the new development and to ensure that increased estimates relating to potential access road options could be accommodated within the original budget. The Cabinet Member highlighted that the existing buildings would not be redundant but their use in the future was uncertain which was why the view was not to let the funds allocated for their refurbishment lie idle when the funding could be reallocated to allow the project to move forward.

The Cabinet Member said serious consideration should be given to the views of the local funeral directors who supported the proposal for a second chapel. In view of population expansion both within the borough and beyond there would in any case be increased demand for the service.

In terms of seeking approval for the preparation of a business case to determine whether a second chapel should be constructed he said there were options which could be considered for the existing listed building such as a café or a place to hold wakes. He also believed that any sale proceeds from the nursery site should be ringfenced to the service.

Members supported the proposal and believed that the proposal that additional financial support be diverted to the new build development from finance originally identified for refurbishing the existing chapel was sensible. They recognised and welcomed the fact that the new build chapel would have 150

seat capacity with an additional capacity of 60-75 seats should a second chapel be built.

**RESOLVED THAT**

- 1. the restructuring of the crematorium programme budget be approved and specifically that additional financial support be diverted to the new build development, from finance originally identified for refurbishing the existing chapels;**
- 2. the consequent change in scope of the programme as detailed in Section 2.7 be approved ;**
- 3. the preparation of a business case to determine whether a second new chapel should be constructed, as an integral component of the new crematorium development, as set out in Section 3 be approved;**
- 4. the assessed changes to the programme's risk profile, as set out in Section 5 and Appendix 1 be noted.**

**Chairman**

**Cheltenham Borough Council  
 Cabinet – 6<sup>th</sup> December 2016  
 Council – 12<sup>th</sup> December 2016  
 Local Council Tax support Scheme for 2017/18**

<b>Accountable member</b>	<b>Councillor Rowena Hay, Cabinet Member Finance</b>
<b>Accountable officer</b>	<b>Paul Jones, 151 Finance officer</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key/Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	The Local Government Finance Act 1992, which was amended by the local Government Finance Act 2012, requires Cheltenham Borough Council to make or revise its working age local council tax support scheme for 2017/18 by 31 <sup>st</sup> January 2017. The pension age scheme is set nationally and both are administered by the local council.
<b>Recommendations</b>	<b>That Council :</b>  <b>Keep the working age council tax support scheme unchanged for 2017/18, other than any annual uprating of premiums, allowances and non-dependant deductions.</b>

<b>Financial implications</b>	<p>In 2014/15 the government stopped separately identifying the contribution they make to both the working and pension age schemes, leaving it entirely up to the local council to decide how much they are prepared to spend on council tax support.</p> <p>In the previous year (2013/14) the government contributed around 90% of the cost of the scheme and with changes to the council tax empty property and second home discounts the 10% shortfall was fully covered.</p> <p>Since 2013/14 the council tax support caseload has reduced by just over 10% in Cheltenham and the amount paid out between April 2013 and September 2016 has reduced by £651,189 across all preceptors (county/police/district/parish)</p> <p><b>Contact officer: Paul Jones, Paul.Jones@cheltenham.gov.uk, 01242 775154</b></p>
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<p><b>Legal implications</b></p>	<p>The Welfare Reform Act 2012 abolished Council Tax Benefit and instead required each authority to design a scheme specifying the reductions which are to apply to amounts of Council tax. The prescribed regulations set out the matters that must be included in such a scheme.</p> <p>The Local Government Tax Support 'LCTS', scheme is required under Section 13A of the Local Government Finance Act 1992 (updated in 2012).</p> <p>Any review of the LGTS scheme must focus on effectiveness, efficiency, fairness and transparency. It will also consider their impact on the localism agenda.</p> <p>Pensioners (those over state pension age) are protected from any changes, but otherwise the Council has discretion to decide how it wishes to design its scheme to cover any shortfall, in accordance with the prescribed requirements.</p> <p><b>Contact officer: Peter Lewis, peter.lewis@tewkesbury.gov.uk, 01684 272012</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>No direct HR implications arising from the content of the report</p> <p><b>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<p><b>Key risks</b></p>	<p><b>See appendix 1</b></p>
<p><b>Corporate and community plan Implications</b></p>	<p>None</p>
<p><b>Environmental and climate change implications</b></p>	<p>None</p>
<p><b>Property/Asset Implications</b></p>	<p>There are no implications with regard to the council's property assets.</p> <p><b>Contact officer: David Roberts@cheltenham.gov.uk</b></p>

## 1. Background

- 1.1 Prior to April 2013, both the working and pension age schemes (council tax benefit) to help people on a low income to pay their council tax, was set nationally and fully funded.
- 1.2 In April 2013 the government gave us 90% of the cost of the previous year's scheme, nationally set the pension age scheme that we had to administer and gave the local authority the responsibility of creating its own working age scheme each year, as long as it complied with certain conditions, such as protecting the vulnerable and to not disadvantage those in work.
- 1.3 In Cheltenham, we adopted the default scheme for working age customers, which mirrored the old council tax benefit scheme and meant both working and pension age schemes remained similar and retained the maximum award that could be granted at 100%, if the person's income was low.
- 1.4 In addition we also reduced the council tax discounts on empty properties and second homes to generate additional income to fund the 10% shortfall in grant.
- 1.5 In 2014/15 the government stopped separately identifying the contribution they make to both the working and pension age schemes, leaving it entirely up to the local council to decide how much they are prepared to spend on council tax support. However they still set the pension age scheme nationally, so any savings could only be made from the working age scheme.
- 1.6 Since 2013, the number of people claiming council tax support has reduced by 10% and the amount awarded has also reduced by £651,189 (county/police/district/parish). This is mainly due to welfare cuts in working age benefits, the changes in pension age and until 2016/17, a freeze in the council tax charge.
- 1.7 In September 2016, we had 4211 working age customers and 2710 pension age customers claiming help with their council tax through council tax support.
- 1.8 Council tax support is means tested, so the more money the person has the less support they receive.

## 2. Reasons for recommendations

- 2.1 The majority of welfare benefit cuts since 2013 have been targeted at the working age. We are one year into a four year freeze on most working age benefits, the new out of work benefit cap rates of £257.69 per week for single people and £384.62 per week for couple/lone parents (including rent benefit) started on 7<sup>th</sup> November 2016 and a limit on child premiums is due to be introduced in April 2017, which will restrict the maximum child premium additions to two children for new claims or breaks in benefit.
- 2.2 There has been a reduction in the number of people claiming council tax support between 2013 and September 2016 of just over 10% and the amount awarded has reduced by around £651,189 for the same period.
- 2.3 Universal credit live date for all **new claims** in Cheltenham has been delayed until 2018 and we are still awaiting the Governments response to the recommendations made by the independent report they commissioned on the future of council tax support that was published in April 2016.

## 3. Alternative options considered

- 3.1 The potential to reduce the maximum award to less than 100% for working age customers was considered, but due to the reasons above it was decided not to consult on these options for 2017/18.

**4. Consultation and feedback**

- 4.1 A six week period of consultation ran from 17<sup>th</sup> October to 27<sup>th</sup> November 2016 on the council's website and every council tax support award letter during the period made reference to the public consultation. In addition the main voluntary agencies in Cheltenham were also contacted for their opinions as they are dealing with customers affected by all the welfare benefit cuts on a day to day basis.
- 4.2 The finance officers from the County Council and the Police Authority were also contacted as the main preceptors for their comments.
- 4.3 At week five of the consultation we had only received one response, which was from the Gloucester & District CAB supporting the proposal to keep the scheme unchanged for a further year. If any further responses are received they will be contained in the background information papers.

**5. Performance management –monitoring and review**

- 5.1 The Benefit service will monitor any increase/decrease of council tax support and any significant changes will be reported to cabinet.

<b>Report author</b>	<b>Contact officer: Paul Aldridge , Paul.Aldridge@cheltenham.gov.uk, 01242 264196</b>
<b>Appendices</b>	<ul style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Countywide data on reduction in caseload and awards made</li> <li>3. Results of public consultation (Only if any further responses are received in week six)</li> </ul>
<b>Background information</b>	Working age Council tax support scheme for 2016/17 (available from Paul Aldridge on request)



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	If a working age council tax support scheme is not approved it will not meet the legal requirements to have a scheme in place by 31 <sup>st</sup> January 2017.	Council		3	3	9	Accept				
2	Financial risk if take up of council tax support significantly increases as a result of any increase in council tax	Paul Jones		3	3	9	Accept	Ongoing monitoring throughout the year as part of internal controls			

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close



<b>CTS Caseload</b>	Chelt	Cotswold	Forest of Dean	Gloucester	Stroud	Tewks	Total	Reduction
2013	7774	5060	6777	10679	7255	5073	42618	
Jun-16	7019	4313	6181	9560	6512	4571	38156	
<b>Decrease</b>	<b>755</b>	<b>747</b>	<b>596</b>	<b>1119</b>	<b>743</b>	<b>502</b>	<b>4462</b>	<b>10.46%</b>
<b>CTS Current Caseload</b>								% Split
Working Age	4263	1834	3124	6012	3257	2371	20861	54.67%
Pension Age	2756	2479	3057	3548	3255	2200	17295	45.33%
<b>Total</b>	<b>7019</b>	<b>4313</b>	<b>6181</b>	<b>9560</b>	<b>6512</b>	<b>4571</b>	<b>38156</b>	
<b>Cost of CTS Scheme</b>								Reduction
2013/2014	6,516,800	4,635,752	5,909,816	8,554,677	6,346,351	4,099,241	<b>36,062,637</b>	
2014/2015	6,147,649	4,125,504	5,669,808	8,159,075	6,051,847	3,945,526	34,099,409	
2015/2016	5,884,091	3,934,895	5,342,243	7,699,039	5,742,891	3,780,440	32,383,599	
2016/2017 to date	5,924,700	3,902,947	5,572,842	7,807,655	5,884,933	3,821,091	<b>32,907,383</b>	<b>9.75%</b>
<b>2015/2016 Split</b>								% Split
Working Age	3,516,921	1,664,461	2,693,559	4,850,395	2,832,968	1,953,353	17,511,657	54.08%
Pension Age	2,367,170	2,270,434	2,648,684	2,848,644	2,909,923	1,827,087	14,871,942	45.92%
<b>Total</b>	<b>5,884,091</b>	<b>3,934,895</b>	<b>5,342,243</b>	<b>7,699,039</b>	<b>5,742,891</b>	<b>3,780,440</b>	<b>32,383,599</b>	



**Cheltenham Borough Council  
Cabinet – 6<sup>th</sup> December 2016  
Council – 12<sup>th</sup> December 2016  
Treasury Mid-Term Report 2016/17**

<b>Accountable member</b>	Finance, Rowena Hay
<b>Accountable officer</b>	Section 151 Officer, Paul Jones
<b>Accountable scrutiny</b>	Treasury Management Panel
<b>Ward(s) affected</b>	None
<b>Key Decision</b>	Yes
<b>Executive summary</b>	The Treasury Management Strategy for 2016/17 has been determined by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009 (revised 2011), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority has adopted the code and complies with its requirements.
<b>Consultation</b>	The Treasury Management Panel considered this report on 14th November 2016.
<b>Recommendations</b>	<b>Treasury Management Panel approves the following recommendation to Cabinet/Council:</b>  <b>1. Note the contents of the summary report of the treasury management activity during the first six months of 2016/17.</b>
<b>Financial implications</b>	All financial implications are detailed throughout the report  <b>Contact officer: Andrew Sherbourne, andrew.sherbourne@cheltenham.gov.uk, 01242 264337</b>
<b>Legal implications</b>	None specific arising from the report recommendations.  <b>Contact officer: Peter Lewis, peter.lewis@tewkesbury.gov.uk, 01242 264216</b>

<b>HR implications (including learning and organisational development)</b>	No direct HR implications arising from this report <b>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk. 01242 264355</b>
<b>Key risks</b>	see appendix 2
<b>Corporate and community plan Implications</b>	None
<b>Environmental and climate change implications</b>	None

## 1. Background

- 1.1** The Treasury Management Strategy for 2016/17 has been developed by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009 (revised 2011), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority has adopted the code and complies with its requirements, one of which is the provision of a Mid-year report to Members.
- 1.2** The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return. The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

## 2. Economic update for the first six months

- 2.1** The following key points have been provided by the councils Treasury Advisors, Capita Treasury Solutions.

- 2.2** During most of 2015, the economy had faced headwinds for exporters from the appreciation during the year of sterling against the Euro, and weak growth in the EU, China and emerging markets, plus the dampening effect of the Government's continuing austerity programme. The referendum vote for Brexit in June this year delivered an immediate shock fall in confidence indicators and business surveys, pointing to an impending sharp slowdown in the economy. However, subsequent surveys have shown a sharp recovery in confidence and business surveys, though it is generally expected that although the economy will now avoid flat lining, growth will be weak through the second half of 2016 and in 2017.
- 2.3** The Bank of England meeting on August 4th addressed this expected slowdown in growth by a package of measures including a cut in Bank Rate from 0.50% to 0.25%. The Inflation Report included an unchanged forecast for growth for 2016 of 2.0% but cut the forecast for 2017 from 2.3% to just 0.8%. The Governor of the Bank of England, Mark Carney, had warned that a vote for Brexit would be likely to cause a slowing in growth, particularly from a reduction in business investment, due to the uncertainty of whether the UK would have continuing full access, (i.e. without tariffs), to the EU single market. He also warned that the Bank could not do all the heavy lifting and suggested that the Government will need to help growth by increasing investment expenditure and possibly by using fiscal policy tools (taxation). The new Chancellor Phillip Hammond announced after the referendum result, that the target of achieving a budget surplus in 2020 will be eased in the Autumn Statement on November 23.
- 2.4** The Inflation Report also included a sharp rise in the forecast for inflation to around 2.4% in 2018 and 2019. CPI has started rising during 2016 as the falls in the price of oil and food twelve months ago fall out of the calculation during the year and, in addition, the post referendum 10% fall in the value of sterling on a trade weighted basis is likely to result in a 3% increase in CPI over a time period of 3-4 years. However, the MPC is expected to overlook this upward blip from this devaluation of sterling in order to support economic growth, especially if pay increases continue to remain subdued and therefore pose little danger of stoking core inflationary price pressures within the UK economy.
- 2.5** The American economy had a patchy 2015 with sharp swings in the growth rate leaving the overall growth for the year at 2.4%. Quarter 1 of 2016 disappointed at +0.8% on an annualised basis while quarter 2 improved, but only to a lacklustre +1.4%. However, forward indicators are pointing towards a pickup in growth in the rest of 2016. The American Federal Bank embarked on its long anticipated first increase in rates at its December 2015 meeting. At that point, confidence was high that there would then be four more increases to come in 2016. Since then, more downbeat news on the international scene and then the Brexit vote, have caused a delay in the timing of the second increase which is now strongly expected in December this year.
- 2.6** In the Eurozone, the ECB commenced in March 2015 its massive €1.1 trillion programme of quantitative easing to buy high credit quality government and other debt of selected EZ countries at a rate of €60bn per month; this was intended to run initially to September 2016 but was extended to March 2017 at its December 2015 meeting. At its December and March meetings it progressively cut its deposit facility rate to reach -0.4% and its main refinancing rate from 0.05% to zero. At its March meeting, it also increased its monthly asset purchases to €80bn. These measures have struggled to make a significant impact in boosting economic growth and in helping inflation to rise from around zero towards the target of 2%. GDP growth rose by 0.6% in quarter 1 2016 (1.7% y/y) but slowed to +0.3% (+1.6% y/y) in quarter 2. This has added to comments from many forecasters that central banks around the world are running out of ammunition to stimulate economic growth and to boost inflation. They stress that

national governments will need to do more by way of structural reforms, fiscal measures and direct investment expenditure to support demand in the their economies and economic growth.

### 3. Portfolio position 1/4/2016 to 30/9/2016

Movements in the Council's borrowing during the first six months of 2016/17 financial year can be seen in the table below. Long term loans are deemed to be those repayable over a period of more than one year.

Source of Loan	Balance at 1 April 2016 £	Raised during Apr-Sept £	Repaid during Apr-Sept £	Balance at 30 Sept 2016 £
<b>Temporary Borrowing</b>				
Local Authority	0	1,000,000	1,000,000	0
Temporary Investment	21,000	0	0	0
<b>Total Short Term Borrowing</b>	<b>21,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>21,000</b>
<b>Long Term Borrowing</b>				
- Public Works Loan Board	49,459,478	0	263,098	49,196,380
- Market Loans	15,900,000	0	0	15,900,000
<b>Long Term Borrowing</b>	<b>65,359,478</b>	<b>0</b>	<b>263,098</b>	<b>65,096,380</b>
<b>Total External Borrowing</b>	<b>65,380,478</b>	<b>1,000,000</b>	<b>1,263,098</b>	<b>65,117,380</b>

- 3.1** In February 2016 the Council's borrowing costs for 2016/17 was budgeted to be £2,115,800 and this is expected to come in at £2,121,893, an overspend of £6,093. The small increase estimated is in respect of what the General Fund needs to pay the HRA for the reserves and balances held within the council investment balances. These balances are expected to come in higher than what was estimated in February 2016.
- 3.2** The Public Works Loan Board (PWLB) remains an attractive source of borrowing for the Council as it offers flexibility and control. No long term borrowing has occurred yet and it is very likely that no borrowing will be undertaken in this financial year.
- 3.3** Debt rescheduling opportunities have been very limited in the current economic climate given the consequent structure of interest rates, and following the increase in the



margin added to gilt yields which has impacted PWLB new borrowing rates since October 2010. No debt rescheduling has therefore been undertaken to date in the current financial year.

#### 4. Investments

The DCLG's Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles.

Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy for 2016/17 approved by Council on the 12th February 2016. This restricted new investment to the following:-

Investment	Max Sum per institution/group	Maximum period
<b>Debt Management Agency Deposit Facility*</b> (DMADF) <ul style="list-style-type: none"> <li>this facility is at present available for investments up to 6 months</li> </ul>	UNLIMITED	6 months
<b>UK Government Gilts</b>	£2m	2 years
<b>UK Government Treasury Bills</b>	UNLIMITED	1 year
<b>Term deposits</b> with the UK government or with UK local authorities (i.e. local authorities as defined under Section 23 of the 2003 Act) with maturities up to 1 year	£7m	unlimited
<b>Term deposits</b> with credit-rated deposit takers (banks and building societies), including callable deposits, with maturities up to 1 year (UK & Non-UK)	£7m	1 year
<b>Money Market Funds</b> with UK/Ireland/Luxembourg domiciled	£2m	1 year
<b>Corporate Bonds</b> held in a broker's nominee account (King & Shaxson Ltd)	£2m	2 years to maturity
<b>T-Bills</b> issued by the DMO (Government)	UNLIMITED	1 year
<b>Certificates of deposit (CD's) &amp; Bonds</b> issued by banks and building societies covered by UK Government (explicit) guarantee	£7m	2 years

This Council applies the creditworthiness service provided by Capita. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard and Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- Credit watches and credit outlooks from credit rating agencies;
- CDS spreads to give early warning of likely changes in credit ratings;

- Sovereign ratings to select counterparties from only the most creditworthy countries.
- 4.1** It is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the 0.25% Bank Rate. The continuing potential for a re-emergence of a Eurozone sovereign debt crisis together with other risks which could impact on the creditworthiness of banks, prompts a low risk strategy. Given this risk environment, investment returns are likely to remain low.
- 4.2 Investments** - Movements in the Council's investment portfolio during the first six months of 2016/17 can be seen in the table below.

<b>Source of Loan</b>	<b>Balance at 1 April 2016 £</b>	<b>Raised during Apr-Sept £</b>	<b>Repaid during Apr-Sept £</b>	<b>Balance at 30 Sept 2016 £</b>
<b>Short term Lending</b>				
Bank – Term Deposit	9,000,000	9,000,000	10,000,000	8,000,000
Building Societies	5,300,000	5,300,000	5,300,000	5,300,000
Call A/C's	3,660,000	68,405,000	62,145,000	9,920,000
Glos Airport Ltd	140,000	0	35,000	105,000
Money Market Funds	2,000,000	8,300,000	6,300,000	4,000,000
<b>Total Short Term Lending</b>	<b>20,100,000</b>	<b>91,005,000</b>	<b>83,780,000</b>	<b>27,325,000</b>
<b>Icelandic Banks in administration</b>	<b>Balance at 1 April 2016 £</b>	<b>Raised during Apr-Sept £</b>	<b>Repaid during the year £</b>	<b>Balance at 30 Sept 2016 £</b>
- Kaupthing Singer & Friedlander	484,986	0	0	484,986
- Glitnir	572,400	0	572,400	0
<b>Total Icelandic Banks</b>	<b>1,057,386</b>	<b>0</b>	<b>572,400</b>	<b>484,986</b>
<b>Total External Investments</b>	<b>21,157,386</b>	<b>91,005,000</b>	<b>84,352,400</b>	<b>27,809,986</b>

- 4.3** In February 2016 the Council's Investment income for 2016/17 was budgeted to be £123,200. The average cash balances representing the council's reserves and working balances, was £23.575m during the period this report covers. The Council anticipates an investment outturn of £130,000 at a rate of 0.50% for this financial year as treasury officers have been able to gain some good rates with the Bonds and Certificate of Deposits purchased. Security of capital has remained the Council's main investment objective. This has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2016/17.
- 4.4** Included within the investments of £27.810m as at 30<sup>th</sup> September 2016, the Council has £485km deposited in the collapsed Icelandic bank Kaupthing Singer & Friedlander.
- 4.5** In June 2016 the council participated in an auction to sell its Icelandic Krona's held in an escrow account in relation to Glitnir, to the Central Bank of Iceland, who then repaid the monies back in Euro's. The timing of receiving the Euro's into the council's bank account in sterling was favourable as the monies were received after the Brexit Referendum which had a big impact on the exchange rate, resulting in the council receiving £627,856 on the 4<sup>th</sup> July 2016. The Council has no further monies outstanding with Glitnir now.
- 4.6** Kaupthing Singer & Friedlander administrators have made distributions of 83.75p in the pound to date. Administrators currently estimate a total return of 85p-86.5p in the pound. No future date for the next dividend payment has been set yet.

## 5. Prudential Indicators

- 5.1** During the financial year to date the Council has operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Policy Statement and Annual Treasury Strategy Statement. Appendix 1 attached highlights the major indicators.

## 6. Outlook

	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19
Bank rate	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.25%	0.25%	0.25%	0.25%	0.50%
5yr PWLB rate	1.00%	1.00%	1.10%	1.10%	1.10%	1.10%	1.20%	1.20%	1.20%	1.20%	1.30%
10yr PWLB rate	1.50%	1.50%	1.60%	1.60%	1.60%	1.60%	1.70%	1.70%	1.70%	1.70%	1.80%
25yr PWLB rate	2.30%	2.30%	2.40%	2.40%	2.40%	2.40%	2.50%	2.50%	2.50%	2.50%	2.60%
50yr PWLB rate	2.10%	2.10%	2.20%	2.20%	2.20%	2.20%	2.30%	2.30%	2.30%	2.30%	2.40%

- 6.1** Capita Asset Services undertook a quarterly review of its interest rate forecasts after the MPC meeting of 4th August cut Bank Rate to 0.25% and gave forward guidance that it expected to cut Bank Rate again to near zero before the year end. The above

forecast therefore includes a further cut to 0.10% in November this year and a first increase in May 2018, to 0.25%, but no further increase to 0.50% until a year later. Mark Carney has repeatedly stated that increases in Bank Rate will be slow and gradual after they do start. The MPC is concerned about the impact of increases on many heavily indebted consumers, especially when the growth in average disposable income is still weak and could well turn negative when inflation rises during the next two years to exceed average pay increases.

The overall longer run trend is for gilt yields and PWLB rates to rise, albeit gently. An eventual world economic recovery may also see investors switching from the safe haven of bonds to equities. However, we have been experiencing exceptional levels of volatility in financial markets which have caused significant swings in PWLB rates. Our PWLB rate forecasts are based on the Certainty Rate (minus 20 bps) which has been accessible to most authorities since 1st November 2012.

The overall balance of risks to economic recovery in the UK remains to the downside. Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Monetary policy action reaching its limit of effectiveness and failing to stimulate significant sustainable growth, combat the threat of deflation and reduce high levels of debt in some major developed economies, combined with a lack of adequate action from national governments to promote growth through structural reforms, fiscal policy and investment expenditure.
- Weak capitalisation of some European banks.
- A resurgence of the Eurozone sovereign debt crisis.
- Geopolitical risks in Europe, the Middle East and Asia, increasing safe haven flows.
- Emerging country economies, currencies and corporates destabilised by falling commodity prices and / or Fed. rate increases, causing a further flight to safe havens (bonds).
- UK economic growth and increases in inflation are weaker than we currently anticipate.
- Weak growth or recession in the UK's main trading partners - the EU and US.

The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include: -

- The pace and timing of increases in the Fed. funds rate causing a fundamental reassessment by investors of the relative risks of holding bonds as opposed to equities and leading to a major flight from bonds to equities.
- UK inflation returning to significantly higher levels than in the wider EU and US, causing an increase in the inflation premium inherent to gilt yields.

## **7. Performance management**

### **7.1 In compliance with the requirements of the Treasury Management CIPFA Code of**

Practice this report provides members with a summary report of the treasury management activity during the first six months of 2016/17. None of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

<b>Report author</b>	<b>Contact officer: Andrew Sherbourne, andrew.sherbourne@cheltenham.gov.uk</b>  <b>01242 264337</b>
<b>Appendices</b>	Prudential Indicators Appendix 1  Risk Appendix 2
<b>Background information</b>	Treasury Management Strategy, Council 12th February 2016



## 1. The Council's Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

### 1.1 Prudential Indicator for Capital Expenditure

This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget.

Capital Expenditure by Service	2016/17 Original Estimate £m	2016/17 Current Position £m	2016/17 Revised Estimate £m
General Fund	9.196	0.825	9.129
HRA	8.219	2.201	8.362
<b>Total capital expenditure</b>	<b>17.415</b>	<b>3.026</b>	<b>17.491</b>

Capital expenditure for the General Fund is estimated to come in under budget at year end by around £3.3m. This is mainly due to the Crematorium project which has been delayed. It is likely that no PWLB borrowing will be taken in this financial year now.

### 1.2 Changes to the Financing of the Capital Programme

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Capital Expenditure	2016/17 Original Estimate £m	2016/17 Revised Estimate £m
<b>Total capital expenditure</b>		
Financed by:		
Capital receipts	1.080	5.213
Capital grants	0.380	0.727
Capital reserves	6.568	6.082
3 <sup>rd</sup> Party Contributions	0.750	1.447
Revenue	1.722	1.630
<b>Borrowing requirement</b>	<b>6.915</b>	<b>2.392</b>

### 1.3

Changes to the Prudential Indicators for the Capital Financing Requirement (CFR), External Debt and the Operational Boundary

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

#### Prudential Indicator – Capital Financing Requirement

We are on target to achieve the original forecast Capital Financing Requirement (*or explain any significant changes*).

#### Prudential Indicator – the Operational Boundary for external debt

	2016/17 Original Estimate £m	2016/17 Current Position £m	2016/17 Revised Estimate £m
<b>Prudential Indicator – Capital Financing Requirement</b>			
<b>Total CFR</b>	86.148	86.148	86.148
<b>Prudential Indicator – the Operational Boundary for external debt</b>			
Borrowing	107.00	65.117	107.00
Other long term liabilities*	0	0	0
<b>Total debt (year- end position)</b>	<b>78.833</b>	<b>65.117</b>	<b>75.150</b>

The Director of Finance reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator.

A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

<b>Authorised limit for external debt</b>	2016/17 Original Indicator £m	2016/17 Current Position £m	2016/17 Revised Indicator £m
Borrowing	117.00	117.00	117.00



#### 1.4 Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose\*. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2016/17 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	<b>2016/17 Original Estimate £m</b>	<b>2016/17 Current Position £m</b>	<b>2016/17 Revised Estimate £m</b>
Borrowing (Total Debt)	68.530	65.117	64.850
<b>CFR* (year-end position)</b>	86.148	86.148	86.148



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	LOBO Loans - If £7m of these loans is recalled by the banks if they choose to exercise their option then we would need to have the resources on the day to repay. Alternative borrowing arrangements at today's current rates would be favourable for the Council	Section 151 Officer Paul Jones	24 <sup>th</sup> January 2012	1	2	2	Accept	If the loans are recalled the council could take out temporary borrowing which is currently much lower than the rates on these loans. Any capital receipts available could also be used to repay debt.	March 2017	Section 151 Officer Paul Jones	



**Application for designation of a Neighbourhood Area and  
Neighbourhood Forum by the West Cheltenham Neighbourhood Forum**

<b>Accountable member</b>	<b>Councillor McKinlay – Lead Member for Local Development Plan</b>
<b>Accountable officer</b>	<b>Tracey Crews – Director of Planning</b>
<b>Ward(s) affected</b>	<b>Hesters Way, Springbank, St. Peter's, St Mark's and Benhall and The Reddings</b>
<b>Executive summary</b>	<p>Cheltenham Borough Council has a statutory duty to advise or assist communities in the preparation of Neighbourhood Development Plans (NDP). The Localism Act 2011 sets out the Local Planning Authority's (LPA) responsibilities including designating Neighbourhood Plan Areas by inserting provisions into the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>An application to designate a neighbourhood plan area and designate the West Cheltenham Neighbourhood Forum as the neighbourhood forum for that area has been received. This application has been assessed against the requirements set out in the legislation and is considered to meet the requirements to enable designation of the neighbourhood area and of the neighbourhood forum. The Council's Neighbourhood Planning Protocol has been used to guide officers in assessing the application (see Appendix 6).</p> <p>Approval of this application enables the West Cheltenham Neighbourhood Forum to prepare a NDP for the area covered by the designation.</p>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li><b>1. To approve the designation of the West Cheltenham Neighbourhood Forum area for the purpose of preparing a Neighbourhood Development Plan.</b></li> <li><b>2. To approve the designation of the West Cheltenham Neighbourhood Forum as neighbourhood forum for that area.</b></li> </ol>

<p><b>Financial implications</b></p>	<p>Additional financial contributions are available from DCLG to support Neighbourhood Planning. This is in recognition of the legal obligations placed upon the Council to provide advice and support to those seeking to introduce a Neighbourhood Development Plan (NDP). This advice and support also includes arranging for the examination of the NDP and the referendum on the NDP. The Council may submit claims to the DCLG to cover the expenditure within the set limits. At present a local authority may submit claims of up to £30,000 for each completed NDP for consideration by the DCLG, made up of £20,000 once they have set a date for a referendum following a successful examination; £5,000 for the first five neighbourhood areas designated and £5,000 for the first five neighbourhood forums designated.</p> <p>There will be resource implications for Officers due to the requirement to provide some assistance and advise communities in the preparation of a Neighbourhood Plan; checking a submitted Plan meets legal requirements, arranging for the independent examination of the Plan; determining whether the Neighbourhood Plan meets the basic conditions and other legal requirements, arranging a referendum, and, subject to the results of the referendum, bringing the Plan into force.</p> <p>The resource implications are corporate-wide including Environment and Regulatory Services, Commissioning, Financial Services, Democratic Services and One Legal.</p> <p>Appropriate claims to the DCLG will need to be made to ensure the additional cost burden to the Council is mitigated.</p> <p>Contact officer: Sarah Didcote, Business Partner Manager sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
<p><b>Legal implications</b></p>	<p>This work is pursuant to Sections 61G and 61H of the Town and Country Planning Act 1990 as inserted by the Localism Act 2011 and applied by Section 38C of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015.</p> <p><b>Contact officer: Nick Jonathan, <a href="mailto:nick.jonathan@tewkesbury.gov.uk">nick.jonathan@tewkesbury.gov.uk</a>, 01684 272032</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>Officers are working closely with the neighbourhood forum. Officer resources will be programmed as appropriate.</p> <p>There are no Trade Union implications.</p> <p><b>Contact officer: Julie McCarthy, <a href="mailto:julie.mccarthy@cheltenham.gov.uk">julie.mccarthy@cheltenham.gov.uk</a>, 01242 777249</b></p>
<p><b>Key risks</b></p>	<p>Local authorities are required to provide assistance to parish councils and neighbourhood forums in the neighbourhood planning process. They must take decisions as soon as possible and within statutory time periods. If the Council does not act constructively and make decisions on time then there is a risk that it will fail its statutory duties.</p>

<p><b>Environmental/Social/Equality Implications</b></p>	<p>There are no known implications at this stage; however a neighbourhood development plan may require a strategic environmental assessment (SEA) under the EU Regulations and/or a Habitat Regulations Assessment (HRA). This will depend on the content of the neighbourhood plan.</p> <p>Preparation of Neighbourhood Development Plans could have implications for biodiversity, habitats, energy usage, waste and recycling and/or protected species. These would need to be considered by the body preparing the Plan as appropriate.</p> <p>The responsibility resides with the authorised body however the Borough Council may wish to support the authorised body to undertake a SEA/HRA screening of draft plans to determine whether a SEA and/or HRA will be required.</p>
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## 1. Background

- 1.1 The planning system helps decide what gets built, where and when. It is essential for supporting economic growth, improving people’s quality of life, and protecting the natural environment. The Government’s intention is to give local communities a greater say in planning decisions by providing the opportunity to prepare a ‘Neighbourhood Development Plan’, also known as a Neighbourhood Plan (NP).
- 1.2 Neighbourhood planning was introduced through the Localism Act 2011 with specific legislation the *Neighbourhood Planning (General) Regulations 2012* and subsequently amended by the *Neighbourhood Planning (General) Regulations 2015* came into force in April 2012 and February 2015 respectively. The report will refer to these as “the 2012 Regulations”.
- 1.3 NPs are a statutory community-led framework for guiding the future development and growth of an area. NPs relate to the use and development of land and associated social, economic and environmental issues. NPs can establish general planning policies for the development and use of land in a neighbourhood, for example where new homes and offices should be built and what they should look like. The NP can be detailed or general, depending what local people want. However, NPs still need to meet the needs of the wider area, which will be set out through the Joint Core Strategy and the Cheltenham Plan.
- 1.4 NPs will be subject to full public engagement, examination and a public referendum. Once adopted a NP will form part of the statutory development plan (along with the Joint Core Strategy and Cheltenham Plan), which is used for guiding decisions on planning applications.
- 1.5 The presumption is that local authorities will designate neighbourhood areas on existing parish boundaries unless there is a valid planning reason not to do so. In non-parished areas, community and business groups can apply as long as they are able to demonstrate that they qualify as a relevant body and that its neighbourhood area/boundaries are justified. They will be classified as a neighbourhood forum. There are specific rules associated with running a forum.
- 1.6 This is the first application the Borough has received to designate a neighbourhood forum. An application for designation of a neighbourhood area from Leckhampton and Warden Hill Parish Council was received and approved in 2015.
- 1.7 There are five key stages to neighbourhood planning. The principles of how the Council will manage the neighbourhood planning process and how decisions will be made are set out in the Council’s Neighbourhood Planning Protocol (this was approved by Council on 14<sup>th</sup> December 2015 and is included in Appendix 6).
- 1.8 **Stage 1: defining the neighbourhood (current stage).** Parish Council, community groups or

business groups apply to the Local Planning Authority for their area to be designated. The Local Authority determines the application using criteria established in the Localism Act and the 2012 Regulations.

**1.9 Stage 2: preparing the Plan.** The Parish Council or neighbourhood forum will need to prioritise their early ideas, and draw up their Plans according to the following rules:

- a) they must be in conformity with local and national strategic planning policies;
- b) they must be in conformity with the law;
- c) neighbourhood planning cannot be used to block the building of new homes and businesses identified in the Borough's development plans. They can, however, use Neighbourhood Planning to influence the type, design, location and mix of new development;
- d) NPs must contribute to achieving sustainable development; and
- e) the NP must also be subject to public consultation.

**1.10 Stage 3: independent check.** Once a NP has been prepared, an independent examiner will check that it meets the right basic standards. If the Plan does not meet the right standards the examiner will recommend changes. The Local Planning Authority will then need to consider the examiner's views and decide whether to make those changes. If the examiner recommends significant changes, then the Parish Council or neighbourhood forum may decide to consult the local community again before proceeding.

**1.11 Stage 4: community referendum.** The Council will organise a referendum on any Plan that meets the basic standards. This ensures that the community has the final say on whether a NP comes into force. People living in the neighbourhood who are registered to vote in local elections will be entitled to vote in the referendum. If more than 50% of people voting in the referendum support the plan, then the Local Planning Authority must bring it into force.

**1.12 Stage 5: legal force.** Once a NP is 'made' (i.e. it is in force), it carries legal weight as part of the planning authority's development plan. Decision makers are obliged to consider proposals for development in the neighbourhood against the NP.

**1.13** Local Planning Authorities have a statutory duty to advise or assist communities in the preparation of NPs and to take Plans through a process of independent examination. The Council's responsibilities include:

- Designating the area of the NP;
- Designate neighbourhood forums;
- Advising or assisting communities in the preparation of a Neighbourhood Plan;
- Checking a submitted Plan meets legal requirements;
- Arranging for the independent examination of the Plan;
- Determining whether the NP meets the basic conditions and other legal requirements;
- Arranging a referendum to ensure that the local community has the final say on whether a NP comes into force in their area; and
- Subject to the results of the referendum, bringing the Plan into force (Cabinet decision).



1.14 The Council's Neighbourhood Planning Protocol sets out the how the Council will determine each stage of the process:

STAGE	COUNCIL ROLE
<b>Publicising Neighbourhood Area / Forum Applications</b>	Cabinet, the Planning and Liaison Member working group and local ward members for the areas concerned are to be notified.
<b>Designating Neighbourhood Areas</b>	<b>Cabinet to decide</b> on whether to designate Neighbourhood Area.
Designating Neighbourhood Forums	<b>Cabinet to decide</b> on whether to designate Neighbourhood Forum.
<b>Pre-submission consultation and publicity</b>	Officers to provide comments. Consideration of the plan/order will also be made via the Planning and Liaison Member Working Group.
<b>Submission of Neighbourhood Development Plan Examination</b>	<b>Council to decide</b> whether the Neighbourhood Plan and Order should be submitted for examination.
<b>Referendum</b>	Cheltenham Borough Council will publish the examiner's report and <b>Council to decide</b> whether to approve the plan for referendum.
<b>Adoption</b>	The council will run the referendum on behalf of the parish council/forum.
	The decisions to adopt a Neighbourhood Development Plan and a Neighbourhood Development Order are <b>made by Cabinet</b> .

## 2. Process for designation of a neighbourhood area

2.1 The 2012 Regulations specify that the following must be submitted by the relevant body:

- A map identifying the proposed Neighbourhood Area (Regulation 5(1)(a));
- A statement explaining why the area is appropriate to be designated as a Neighbourhood Area (Regulation 5(1)(b)); and
- A statement explaining that the body making the area application is capable of being a relevant body (Regulation 5(1)(c)).

2.2 Prior to the Council determining the application the Council is required to publicise the application for a period of not less than six weeks to invite representations on the proposal. The application is required to be publicised on the Borough Council's website and in any other such manner as is considered likely to bring the application to the attention of people who live, work or carry out business in the area to which the application relates.

2.3 The Local Authority is required to determine this application within thirteen weeks of first being publicised having regard to the following matters set out in Sections 61G and 61H of the Town and Country Planning Act 1990 and the 2012 Regulations (as amended):

- 1) Is the organisation making the application a relevant body?
- 2) Is the area identified for designation as a Neighbourhood Area considered appropriate?
- 3) Would the area more appropriately be designated as a business area i.e. the area is wholly or predominantly in business use?

- 4) Does the area overlap with another designated area?
- 5) Any comments received during the public consultation.

### **3. Process for designation of a neighbourhood forum**

**3.1** The 2012 Regulations (as amended) specify that the following must be submitted by the relevant body as part of an application for designation of a neighbourhood forum:

- The name of the proposed neighbourhood forum;
- A copy of the written constitution of the proposed neighbourhood forum;
- The name of the neighbourhood area to which the application relates and a map which identifies the area;
- The contact details of at least one member of the proposed neighbourhood forum to be made public in regulations 9 and 10; and
- A statement which explains how the proposed neighbourhood forum meets the conditions contain in section 61F(5) of the 1990 Act.

### **4. West Cheltenham Neighbourhood Forum Application**

**4.1** An application to designate a neighbourhood plan area and designate the West Cheltenham Neighbourhood Forum as the neighbourhood forum for that area was accepted on 22<sup>nd</sup> July 2016. Through discussions between the Forum and officers it was decided to start the consultation on 14<sup>th</sup> September and close on it 31<sup>st</sup> October 2016. The application was published on the Council's website ([www.cheltenham.gov.uk/info/1004/planning\\_policy/1155/neighbourhood\\_plans](http://www.cheltenham.gov.uk/info/1004/planning_policy/1155/neighbourhood_plans)) and was made available in the following locations:

- Municipal Offices; Charlton Kings Library; Cheltenham Library; Hesters Way Library and Community Resource Centre; Prestbury Library; Up Hatherley Library; Bishop's Cleve Library; Springbank Community Resource Centre, Cheltenham West End Partnership Community Resource Centre; and Oakley Community Resource Centre.

**4.2** The application has been considered and assessed against the matters set out in sections two and three:

- 1) West Cheltenham Neighbourhood Forum qualifies as a relevant body to make an application (see Appendix 2 for the criteria set out in section 61F of the 1990 Act and section 8 of the 2012 regulations);
- 2) The area proposed to be designated does not include any parish or any organisation currently seeking to be designated and there are no other designated areas that overlap with the proposed area;
- 3) The area proposed for designation cannot be described as being wholly or predominantly in business use and, therefore, it would be inappropriate to designate the area as a business area;
- 4) The area proposed is supported by a statement explaining why the area is considered appropriate.

**3.3** One response supporting the application was received within the consultation period. The membership details of the forum show that there is local support and no official objections have

been received. On the basis of these points raised above, officers can see no planning reason to object to this application. Officers recommend the designation should be approved and the Forum should be enabled to continue to produce their neighbourhood plan.

## 5. Relevant Council Policies and Strategies

5.1 The following plans are considered relevant:

- Cheltenham Borough Council Local Plan, Second Review (adopted July 2006)
- Joint Core Strategy: Submission version (November 2014).
- Emerging Cheltenham Plan (part one). Issues and Options consultation: June to August 2015.

## 6. Alternative options Considered

6.1 The neighbourhood area application process is a statutory requirement, so for this reason there is no suitable alternative to its production. Sign off has been delegated to Cabinet as per the Council's Neighbourhood Planning Protocol adopted on 14<sup>th</sup> December 2015 (see Appendix 6).

## 7. Consultation and feedback

7.1 The prescribed date for determining an area application is thirteen weeks from the date immediately following that on which the application is first publicised.

## 8. Performance management –monitoring and review

8.1 The main consideration for the Council is to ensure it carries out its duty to determine the application within eight weeks of the application first being publicised. This has been achieved.

<b>Report author</b>	<b>Contact officer:</b> John Rowley, Senior Planning Policy Officer John.rowley@cheltenham.gov.uk, 01242 774928
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Neighbourhood Planning Criteria</li> <li>3. Application for Designation of a Neighbourhood Plan Forum and Area</li> <li>4. West Cheltenham Neighbourhood Forum Constitution</li> <li>5. West Cheltenham Neighbourhood Forum Area Map</li> <li>6. Cheltenham Borough Council Neighbourhood Planning Protocol</li> </ol>
<b>Background information</b>	All background information regarding the application will be made available on the <a href="#">Council's website</a> .

## Risk Assessment

## Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
	There is a legal issue in that if the Neighbourhood area application is not published and publicised by the Council now that it has been received, the Council could be acting unlawfully. There are potential legal risks including a possible legal challenge.	Tracey Crews	14.7.15	2	2	4	Accept	None	N/A	Tracey Crews	N/A if the recommendations of this report are agreed.	
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p><b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>												

Extract from The Town and Country Planning Act 1990 as amended

**61F Authorisation to act in relation to neighbourhood areas**

- (1) For the purposes of a neighbourhood development order, a parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council.
- (2) If that neighbourhood area also includes the whole or any part of the area of another parish council, the parish council is authorised for those purposes to act in relation to that neighbourhood area only if the other parish council have given their consent.
- (3) For the purposes of a neighbourhood development order, an organisation or body is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area.
- (4) An organisation or body may be designated for a neighbourhood area only if that area does not consist of or include the whole or any part of the area of a parish council.
- (5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions—
  - (a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
  - (b) its membership is open to—
    - (i) individuals who live in the neighbourhood area concerned,
    - (ii) individuals who work there (whether for businesses carried on there or otherwise), and
    - (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
  - (c) its membership includes a minimum of 21 individuals each of whom—
    - (i) lives in the neighbourhood area concerned,
    - (ii) works there (whether for a business carried on there or otherwise), or
    - (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
  - (d) it has a written constitution, and
  - (e) such other conditions as may be prescribed.
- (6) A local planning authority may also designate an organisation or body as a neighbourhood forum if they are satisfied that the organisation or body meets prescribed conditions.
- (7) A local planning authority—

- (a) must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—
  - (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),
  - (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
  - (iii) whose purpose reflects (in general terms) the character of that area,
- (b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,
- (c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and
- (d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.

(8) A designation—

- (a) ceases to have effect at the end of the period of 5 years beginning with the day on which it is made but without affecting the validity of any proposal for a neighbourhood development order made before the end of that period, and
- (b) in the case of the designation of an unincorporated association, is not to be affected merely because of a change in the membership of the association.

(9) A local planning authority may withdraw an organisation or body's designation as a neighbourhood forum if they consider that the organisation or body is no longer meeting—

- (a) the conditions by reference to which it was designated, or
- (b) any other criteria to which the authority were required to have regard in making the designation;

and, where an organisation or body's designation is withdrawn, the authority must give reasons to the organisation or body.

(10) A proposal for a neighbourhood development order by a parish council or neighbourhood forum may not be made at any time in relation to a neighbourhood area if there is at that time another proposal by the council or forum in relation to that area that is outstanding.

(11) Each local planning authority must make such arrangements as they consider appropriate for making people aware as to the times when organisations or bodies could make applications to be designated as neighbourhood forums for neighbourhood areas.

(12) Regulations—

- (a) may make provision in connection with proposals made by qualifying bodies for neighbourhood development orders, and

- (b) may make provision in connection with designations (or withdrawals of designations) of organisations or bodies as neighbourhood forums (including provision of a kind mentioned in section 61G(11)(a) to (g)).

(13) The regulations may in particular make provision—

- (a) as to the consequences of the creation of a new parish council, or a change in the area of a parish council, on any proposal made for a neighbourhood development order,
- (b) as to the consequences of the dissolution of a neighbourhood forum on any proposal for a neighbourhood development order made by it,
- (c) suspending the operation of any duty of a local planning authority under paragraph 6 or 7 of Schedule 4B in cases where they are considering the withdrawal of the designation of an organisation or body as a neighbourhood forum,
- (d) for determining when a proposal for a neighbourhood development order is to be regarded as outstanding, and
- (e) requiring a local planning authority to have regard (in addition, where relevant, to the matters set out in subsection (7)(a)) to prescribed matters in determining whether to designate an organisation or body as a neighbourhood forum.

### **Extract from The Neighbourhood Planning (General) Regulations 2012**

#### **Application for designation of a neighbourhood area**

7. —(1) Where a relevant body(1) submits an area application to the local planning authority it must include—
- (a) a map which identifies the area to which the area application relates;
  - (b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
  - (c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
- (2) A local planning authority may decline to consider an area application if the relevant body has already made an area application and a decision has not yet been made on that application.

#### **Application for designation of a neighbourhood forum**

Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—

- (a) the name of the proposed neighbourhood forum;
- (b) a copy of the written constitution of the proposed neighbourhood forum;
- (c) the name of the neighbourhood area to which the application relates and a map which identifies the area;

- (d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
- (e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.



## Neighbourhood Forum Application Information

Below is the information prepared for Cheltenham Borough Council in relation to the application process for designation of a neighbourhood forum.

### 1. Name of the proposed Neighbourhood Area

West Cheltenham

### 2. Name of the proposed/designated Neighbourhood Forum

West Cheltenham Neighbourhood Forum

### 3. Written Constitution (attached)

The constitution for the neighbourhood forums contains the following:

- the name and purpose of the neighbourhood forum,
- aims and objectives
- working arrangements including sub-groups, partners and their roles,
- pattern of meetings and details of how decisions will be made,
- details of governance, including official positions,
- arrangements for management and financial management,
- membership rules and regulations.

### 4. Contact/s for proposed Neighbourhood Forum

The contact details below are of two steering committee members.

Title: Mr

First Name: Andy

Surname: Hayes

Address: Hesters Way Community  
Resource Centre, Cassin Drive,  
Cheltenham

Postcode: GL51 7SU

Email:  
andyhayes@hwpartnership.org.uk

Title: Mrs

First Name: Jenny

Surname: Perkin

Address: Hesters way Community  
Resource Centre, Cassin Drive,  
Cheltenham GL51 7SU

Postcode: GL51 7SU

Email:  
jennyperkin@hwpartnership.org.uk

### 5. Statement

*This section provides includes the purpose, aims and ambitions of the neighbourhood forum and to demonstrate how its membership is representative of the local community.*

Please set out the purpose, aims and ambitions of the proposed neighbourhood forum

here:

The proposed West Cheltenham Neighbourhood Forum's express purpose is to produce a Neighbourhood Plan which will achieve amongst others the following goals;

- To detail aspirations for transport, traffic and parking
- To mitigation against the effects of climate change.

We have gathered over 50 individuals including local residents and employees of local businesses plus the requisite local councillors to establish the forum. (a list is attached) These members represent a wide range of local interests from across the area and consider themselves to be a 'relevant body' capable of being designated as a Neighbourhood Forum.

We have established a constitution for the forum to guide this project which is attached

At recent meetings the group has designated an area for the Neighbourhood Plan (attached) the boundaries of which it felt reflected a discrete and unified district in West Cheltenham taking account of local partnership, ward and parish boundaries. The northern boundary was defined as the River Chelt, ruling out the northern most part of the current Hesters Way Partnership's area of benefit after consultation with the Big Local who expressed an intention to develop their own plan in the near future. The east of the area followed the Gloucester Road which is on the boundary of the St Peters ward and to the south the boundary of the St Marks and Springbank wards. The western edge of Cheltenham was taken as the western boundary. Once agreed we can supply an ordnance survey map of the area.

## **6. Membership of proposed Neighbourhood Forum**

The attached spreadsheet includes the names and addresses the forum members

## **7. Map of proposed Neighbourhood Forum**

A map of the Neighbourhood Forum area is attached

**8. Declaration**

I/We hereby apply to designate a neighbourhood forum as described on this form and the accompanying information.

Name(s): Andy Hayes

Date: 18/07/16

Name(s): Jenny Perkin

Date: 18/07/16

## WEST CHELTENHAM NEIGHBOURHOOD DEVELOPMENT FORUM CONSTITUTION

### 1. Background

The Forum has been established to draw up and maintain a Neighbourhood Development Plan for West Cheltenham, using the powers in the Localism Act 2011.

### 2. Area covered by the Forum

The Area covered by the Forum is the council wards of Springbank, Hesters Way St Marks and parts of St Peters defined by the attached map.

Future general meetings of the Forum may, by majority vote, alter the boundaries of the area.

### 3. Aims & purposes of the Forum

The Forum shall:

- Draw up a **plan for the future development** of the area.
- Further the **social, economic, health, educational and environmental well-being** of West Cheltenham.
- **Allocate sites for business, retail and housing development** including affordable housing.
- Plan for **public realm improvements** and **consider and recommend improvements** for the street environment in the area.
- Express aspirations for **transport, traffic and parking**.
- Ensure developments **mitigate against the effects of climate change**.
- Seek to **protect existing buildings/areas of note** and worth.
- Aim to **support local businesses, associations, organisations and employers**.
- Consider and **recommend improvements for the street environment** in the area.
- Seek to **protect and improve community resources** and facilities such as libraries, community centres and public facilities.
- Consider how to **protect green spaces** and bring environmental benefits to the area.
- **Involve as many residents**, local workers and local businesses in the process as possible.
- **Attract wide support** for the plan across the area, taking in a range of views.
- **Campaign to have the plan adopted** by relevant bodies and by referendum.
- Work to **maintain and update the plan** as necessary.
- Plan to **improve community safety**.

The Forum shall aim to be as inclusive as possible and shall not discriminate on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The Forum will be open to local councillors and other politicians who represent the area, but shall not be a party political body.

### 4. Membership

- Membership will be open to anyone who lives or works or has a business in the area defined in Article 2. Associate membership may be given to any interested local resident living or working outside the area.
- Individuals will become members of the Forum once they have given their contact details (Including where possible an email address) to the Secretary or other officer.

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- An up to date record of the membership shall be kept by the Secretary. It is the obligation of members to notify the secretary in writing of changes of circumstance that affect their membership rights.
- Members may resign from the Forum at any time in writing to the Secretary or verbally at a meeting.
- There shall be no group membership of the Forum. However, residents' associations and other local groups shall be encouraged to support and assist the work of the Forum.

### 5. Officers

- Members of the Forum shall elect by simple majority officers to carry out the business of the Forum. In order to stand for election as an officer, a candidate will need to be a member of the Forum. He/she will also need to be proposed and seconded by two other members of the Forum. Associate members of the Forum shall not be eligible for election.
- The officers of the Forum shall be:
  - A Chair - who shall chair the meetings.
  - A Vice-Chair– who shall provide support and assistance to the Chair.
  - A Secretary - who shall be responsible for the taking of minutes; keeping a record of members; and distribution of internal paperwork and emails.
  - A Treasurer - who shall be responsible for the Forum's bank accounts.
  - A Marketing and Communications officer – who shall be responsible for external paper/electronic circulars and a website.
- Any vacancies for these posts shall be filled by an election at a subsequent general meeting, provided at least 14 days' notice is given of the meeting and the election.
- Any officer who does not attend two consecutive meetings without apology will be deemed to have resigned effective from the second meeting.

### 6. General Meetings

- The Forum will hold general meetings open to all members.
- The Secretary shall ensure that notice of the date of all general meetings is given to all members (by email where possible) not less than 14 days before the meeting.
- The minutes of all general meetings shall be available (by email where possible) to all members and associate members, as well as those who have attended recent meetings. Minutes of each meeting shall be approved by the following meeting.
- The quorum for all general meetings shall be 11 members including Chair/Vice-Chair and one other officer.
- In the event of a general meeting failing to achieve a quorum, business may be discussed and proposals put to the next meeting for ratification. In the event of two consecutive ordinary meetings being inquorate, the second meeting may call a Special General Meeting. Such a Special General Meeting will be deemed to be quorate.

- A general meeting may decide, by majority vote, to establish a steering committee to lead the day-to-day running of the Forum. A general meeting may also, by majority vote, decide to establish sub-committees and working groups to work on specific areas to be covered by the Plan. All committees and working groups shall report on their work to general meetings.

### 7. Special General Meetings

- The Chair, the Vice-Chair or the Secretary may at any time call a Special General Meeting of the Forum, either for the purpose of altering the Constitution, or for considering any matters which the officers may decide should be specially referred to members.
- A Special General Meeting may also be called at the written request to the Secretary of not less than 5 members, who must give reasons for their request. Any matters notified to the Secretary 14 days before the Special General Meeting shall be discussed at the meeting.
- The Secretary shall give at least 14 days' notice to members of a Special General Meeting called in the circumstances set out in Article 6(v) above.

### 8. Voting

- Voting at all meetings shall be by a show of hands of members, unless otherwise resolved. Each member present shall have one vote. Votes are not transferable. Associate members shall not have a vote, unless otherwise resolved.
- A simple majority of votes shall prevail, except where otherwise provided in these rules. In the event of a tied vote, the Chair shall have a second or casting vote.
- Any member or associate member with a conflict of interest on an issue being discussed at a meeting shall declare it. A conflict of interest is any situation in which a member or associate member's personal interests, or duties which they owe to another body, and those of the Forum arise simultaneously or appear to clash.
- Proxy voting is not accepted.

### 9. Financial Records & Funding

- The Treasurer shall open a bank account in the name of the Forum. The account shall have at least three signatories. Any payments over £500 need to be agreed by the Forum, authorised by two signatories and countersigned by a third signatory. All other payments need to be authorized by at least two of the signatories, and counter-signed by a third.
- The Treasurer shall keep proper financial records and produce annual accounts, which will be presented at appropriate meetings.
- The Forum shall seek to raise money from individuals and local groups. This shall pay for the running costs of the Forum, such as administration, printing and room hire.
- Where appropriate, the Forum may apply for grants and donations from public authorities, charities and other organisations.
- The Forum may also seek funds and sponsorship from local businesses. However, in order to avoid any conflict of interest, all donations/gifts of more than £100 will need to be approved by a majority vote at a general meeting of the Forum.

- All money raised by the Forum shall be spent for the purposes laid out in the Aims of the Forum (Article 3).

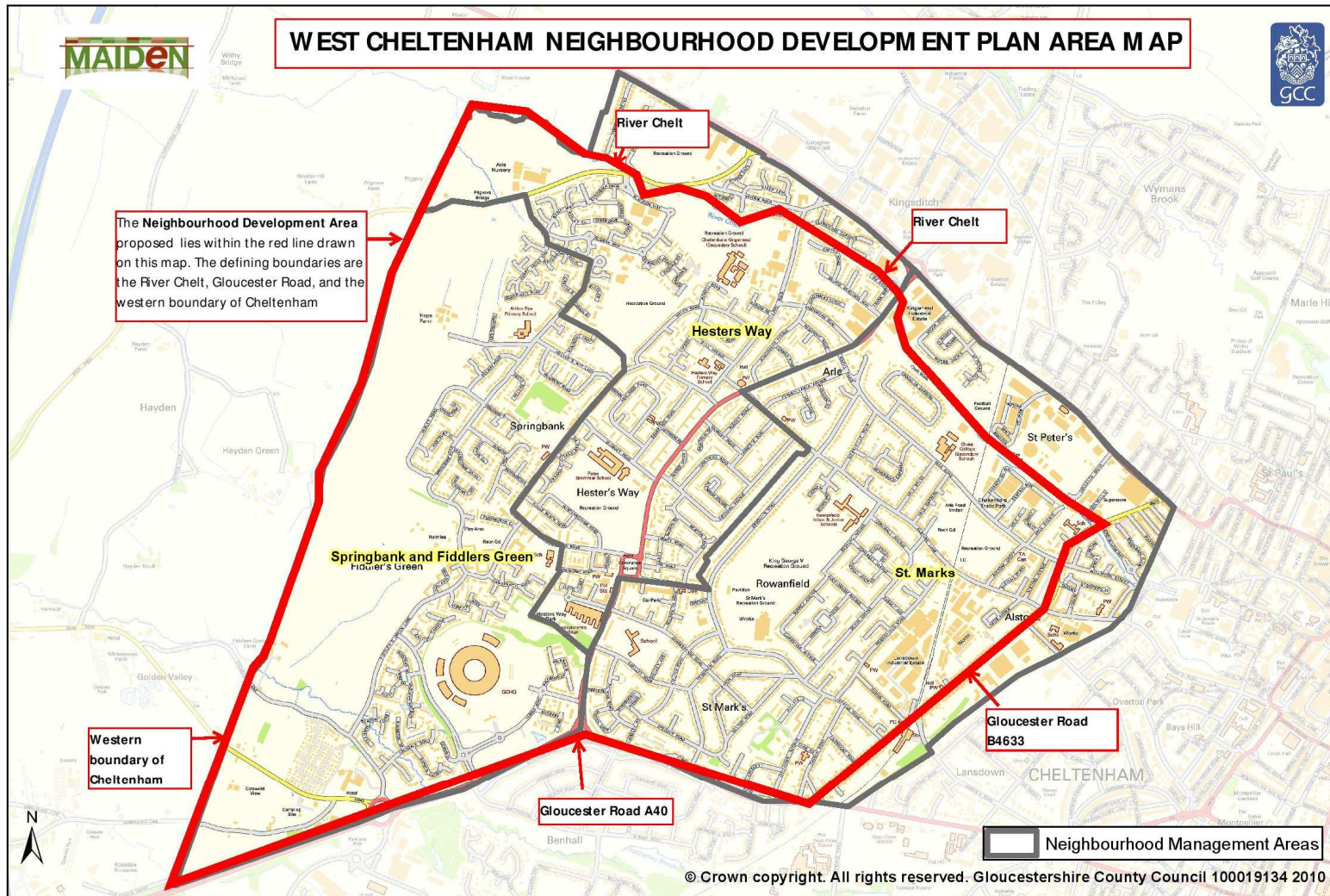
### **10. Changes to the Constitution**

- The Constitution may be altered at a Special General Meeting.
- Any proposed changes must be given to the Secretary at least 21 days before the meeting. Any proposed changes must be circulated to all members at least 14 days before a Special General Meeting where they will be discussed. Any proposed changes must be circulated on paper to all members present at the meeting where they are being discussed.
- Changes to the Constitution must be agreed by at least two-thirds of members present.

### **11. Dissolution**

- If a meeting by simple majority decides that it is necessary or appropriate to close down the Forum, a Special General Meeting shall be called by the Secretary to consider whether or not to do so.
- The Forum may only be dissolved at a Special General Meeting called for that purpose. All members must be notified of such a meeting at least 21 days before it takes place.
- Upon dissolution, funds and possessions held by the Forum will be disposed of according to
  - (a) the wishes of the meeting and
  - (b) in so far as not disposed of under (a), for any of the aims and purposes set out in Article 3.

(This Constitution was adopted as the Constitution of the West Cheltenham Neighbourhood Development Forum at a meeting held on 8<sup>th</sup> June 2016).



Research Team October 2012

0.55 Miles

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# Neighbourhood Planning Protocol

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## 1.0 Introduction

The Localism Act and the Neighbourhood Planning (General) Regulations 2012 (as amended) offers a new opportunity for local communities to lead and prepare statutory plans for their localities and to prepare Orders giving planning permission for specific development. This opportunity requires communities to take on new roles and responsibilities for preparing statutory planning documents.

To support communities the Council has produced a Protocol for Neighbourhood Planning in Cheltenham. This is intended to:

- Provide general overview and advice to interested local community groups on the Neighbourhood Planning process;
- Provide guidance on how the Council will support and process neighbourhood plans and orders; and
- Provide a coordinated approach within the Council in relation to Neighbourhood Planning.

The Protocol will be kept under review.

## 2.0 What is Neighbourhood Planning?

Neighbourhood Planning offers three planning tools.

### Neighbourhood Development Plans

These Plans allow communities to establish general planning policies for the development and use of land within a defined neighbourhood area and so influence the type, design, location and mix of new development. These plans must be in conformity with adopted district level plans and national planning policy and guidance. They should also support the strategic development needs set out in the Local Plan, plan positively to support local development and **should not promote less development** than set out in the Local Plan or undermine its strategic policies.<sup>12</sup>

### Neighbourhood Development Orders

This is a community led “order” that grants planning permission in relation to a Neighbourhood Area for development specified in the Order. An order cannot relate to ‘excluded’ development (for example transport or road works) and does not grant building regulations approval.

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<sup>1</sup> National Planning Policy Framework, Paragraph 16 and 184

<sup>2</sup> National Planning Practice Guidance [Paragraph: 044 Reference ID: 41-044-20140306](#)

## Community Right to Build Orders

This is a particular type of Neighbourhood Development Order that grants planning permission for small-scale, site-specific, community-led developments. Building Regulations approval is still required.

The Neighbourhood Planning process is based on community led proposals being subject to an independent examination. Subject to the Examiner recommending approval a local referendum will then determine whether the plan or order should be used to help decide planning applications in the neighbourhood area. The local referendum will be open to residents on the electoral register within the designated neighbourhood area. If the Plan or Order is supported by over 50% of the turnout, the local authority must adopt the plan and include it within its suite of development plans<sup>3</sup>; or in the case of orders, “make” the Order so removing the need for separate planning permission.

Neighbourhood planning proposals must be:

- In line with local and national planning policies;
- In line with other laws (e.g. European obligations<sup>4</sup>); and
- In accordance with the local planning authority plans for growth.

Cheltenham’s plans for growth are included in the emerging Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; all statutory planning documents for the area including Neighbourhood Development Plans must be consistent with this strategic plan.

There is no requirement for communities to undertake neighbourhood planning. For groups interested in using these planning tools there are a number of publications from organisations funded by government to assist communities in neighbourhood planning. These details are available in the Council’s Neighbourhood Planning webpage.

It is important for local communities to know what neighbourhood planning can and cannot do. A quick summary is provided below:

<b>A Neighbourhood Plan can...</b>	<b>A Neighbourhood Plan cannot...</b>
✓ Decide where and what type of development should happen in the neighbourhood;	✗ Conflict with the strategic parts of the development plan (Joint Core Strategy and Cheltenham Plan) or supersede its policies;
✓ Promote more development than is set	

<sup>3</sup> Planning law requires that applications for planning permission must be determined in accordance with development plans (this includes local plans and neighbourhood plans), unless material considerations indicate otherwise (National Planning Policy Framework, paragraph 2).

<sup>4</sup> National Planning Practice Guidance [Paragraph: 078 Reference ID: 41-078-20140306](#)

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| <p>out in the Joint Core Strategy and Cheltenham Plan; and</p> <p>✓ Include policies that take precedence over policies in the adopted Local Plan (and in time the non-strategic parts of the Cheltenham Plan), provided the Neighbourhood Plan policies do not conflict with the Joint Core Strategy.</p> | <p>✗ Be used to prevent development that has been identified in the Council's adopted development plan; and</p> <p>✗ Be prepared by a body other than a parish council or a neighbourhood forum.</p> |
|--|--|
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### 3.0 The Council's role as the local planning authority

Cheltenham Borough Council is the local planning authority and it is required to:

- Accept, publicise and determine applications for the designation of Neighbourhood Forums and Neighbourhood Areas;
- Publish a map of all its designated Neighbourhood Areas;
- Publicise at key stages a Neighbourhood Development Plan, Neighbourhood Development Order or Community Right to Build Order;
- Provide technical support for the Plan or Order;
- At submission check that a submitted Neighbourhood Development Plan, Neighbourhood Development Order or Community Right to Build Order meets the basic requirements;
- Arrange and fund an independent examination and publish the Examiner's decision;
- Decide whether to submit for referendum and the referendum boundary (taking into account the recommendation of the Examiner) and arrange and fund a referendum in accordance with the Neighbourhood Planning (Referendum) Regulations 2012 (as amended); and
- Bring the Plan or Order into force i.e. adopt the Plan and include it as part of the Council's statutory development plan<sup>5</sup> or make the Order, subject to a positive referendum result.

### 4.0 The Role of the Community

Principally the community's role is plan maker or order promoter and their responsibilities include:

- Forming a group. The neighbourhood planning process recognises town and parish councils as 'relevant bodies'<sup>6</sup> capable of carrying out neighbourhood planning. In non-parished areas Neighbourhood Forum can be formed, these are subject to strict regulations;
- Making an application to the Council for designation as the Neighbourhood Forum (This does not apply to parish councils wishing to designate their full parished area);

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<sup>5</sup> The 'statutory development plan' can consist of more than one plan

<sup>6</sup> Section 61G of the 1990 Town and Country Planning Act

- Making application for the Neighbourhood Area;
- Preparing the draft Plan or Order in accordance with the Localism Act, the regulations and national planning policy and guidance and the Council's statutory development plan;
- Resource the drafting of plan and undertake public consultation in accordance with the Regulations; and
- Submit the draft Plan or Order, which has been prepared in accordance with the Regulations, to Cheltenham Borough Council.

## 5.0 Establishing a Neighbourhood Forum

For non-parished areas within Cheltenham the Regulations require that Neighbourhood Development Plans and Orders are prepared by designated Neighbourhood Forums for a defined Neighbourhood Area. It is anticipated that a new Neighbourhood Planning Forum is constituted specifically to use the Neighbourhood Planning tools. Regulations require neighbourhood forums:

- To have a written constitution;
- To be established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned;
- Ensure its membership is open to, individuals who live and/or work in the neighbourhood area;
- Its membership includes a minimum of 21 individuals each of whom live or work in the area; membership should include an elected ward member for the area;

The Council will use these regulations to help review applications seeking to establish a Neighbourhood Forum. The Council will require neighbourhood forums to provide evidence it has attempted to engage local stakeholders including existing community and residents groups, local businesses and local ward members. Local Member support for the Forum will be helpful in this process.

In making the application for a Neighbourhood Area the reasoning for the boundary needs to be given.

Cheltenham Borough Council will accept applications for designation of a Neighbourhood Forum and a Neighbourhood Area at the same time, however in accordance with the Regulations **there cannot be more than one designated group for a Neighbourhood Area**. Where two applications for designation of Neighbourhood Planning Forums for the same Neighbourhood Area are received, the applications will be determined by the Council's Cabinet.

The designation is valid for five years from the date it was made and ceases after that. This does not affect the validity of a Plan or Order brought into force within the five year period. The Council may also withdraw a designation before this time if the designated group no longer meets or does not follow conditions attached to the designation.

## 6.0 Preparing a Neighbourhood Development Plan, Neighbourhood Development Order or Community Right to Build Order

In preparing the Plan or Order the Parish Council and/or designated Neighbourhood Forum should have regard to the following:

- The Plan or Order should set out policies in relation to the development and use of land within the neighbourhood area;
- The Plan should have regard to the National Planning Policy Framework and national Planning Practice Guidance;
- Proposals must be in general conformity with the strategic policies contained within the Joint Core Strategy<sup>7</sup>, the Cheltenham Plan and other key policy documents;
- Proposals must be compatible with EU obligations and the Human Rights Act;
- Neighbourhood Planning is intended as a tool for communities to promote and unlock development; and
- The specific requirements of the Localism Act Neighbourhood Planning (General) Regulations 2012 (as amended).

## 7.0 Resources

There is no requirement or expectation by Government for local authorities to fund communities to undertake Neighbourhood Planning. Cheltenham Borough Council does not have a budget to fund Neighbourhood Planning and it will not write the plan or order for the local community. Any funding the Government provides to the Council to support Neighbourhood Planning will be kept by the Council to support the cost of the required independent examination and referendum.

Government funding has been provided to a number of organisations to support community groups in Neighbourhood Planning. Where possible the Council provides signposting to Government funding these organisations via its Neighbourhood Planning webpage.

Council officer support will be prioritised for areas where there are opportunities for new development in support of the Joint Core Strategy and Cheltenham Plan aims and objectives.

The amount of support the Council is able to provide will be relative to the time the Parish Council or Neighbourhood Forum wish to achieve adoption; early engagement is vitally important in this regard. It allows the council to safeguard time and resources for a neighbourhood plan or order into its corporate project management systems.

The Council will use existing planning systems that record planning enquiries, responses and applications.

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<sup>7</sup> All policies in the Joint Core Strategy are strategic

The Council will offer the following support to groups approved to progress Neighbourhood Development Plans and Orders:

- A lead officer from Planning will act as the Council's main point of contact;
- The Council will provide technical advice on the Neighbourhood Planning processes and planning issues;
- Provide available baseline data and make contacts with other parts of the Council as necessary;
- Provide advice on what supporting information will be required;
- Provide feedback on draft reports, etc. within an agreed timeframe; and
- Advise on consultation requirements.

## 8.0 The Council's Neighbourhood Planning Protocol

The following principles set out how the Council will manage the neighbourhood planning process at each stage. Supporting this protocol is a process checklist which is located in Appendix A.

### Publicising Neighbourhood Areas and Neighbourhood Forums

- a) Applications will be publicised on the Council's Neighbourhood Planning webpage;
- b) **Cabinet Member for Plan Preparation, the Planning and Liaison Member working group and local ward members** for the areas concerned are to be notified;
- c) Any known major stakeholders/landowners notified; and
- d) Democracy and Elections Office notified.

### Designating Neighbourhood Areas and Neighbourhood Forums

- a) Decision on applications for designation on Neighbourhood Areas/ Neighbourhood Planning Forum will be made by the **Cabinet**;
- b) Where there are competing applications for designation of a Forum/Neighbourhood Area the views of the **Cabinet and local ward members** for the areas concerned will be sought in making the decision;
- c) Decisions to de-designate existing Neighbourhood Planning Forums to be made by **Cabinet**; and
- d) Key Officers in the Council notified of decisions including Elections Office.

### Pre-submission consultation and publicity

- a) The parish council, relevant organisation or neighbourhood forum is required to consult the Borough Council (along with other relevant consultation bodies), the Council will provide comments to this consultation in its capacity as the local planning authority; and
- b) Officers will provide comments and consideration of the plan/order will also be made via the **Planning and Liaison Member Working Group**.
- c) The council strongly encourages Parish Councils and Neighbourhood Forums to request the Planning Inspectorate to peer review pre-submission plans. This is not a free service and Parish Councils and Neighbourhood Forums will have to fund this.

### Submission of Neighbourhood Development Plan

- a) The Council will validate Neighbourhood Plans against national planning policy, local planning policy and will flag up any issues in relation to other legislation e.g. Habitat Regulations in order to make sure it is ready to go to Independent Examination; and
- b) **Council** will determine whether the submitted Neighbourhood Plans and Orders should move to examination;

### Independent Examination, Referendum and Adoption

- a) Independent Examiner agreed by the Parish Council/Forum and appointed by the Council;
- b) Report of the Examiner published, approves or rejects the Plan or Order for referendum;

- c) Subject to a positive examination the **Council** will determine whether the plan should progress to a referendum by publishing a decision statement;
- d) The council will run the referendum on behalf of the parish council/forum;
- e) Decisions to adopt a Neighbourhood Development Plan and a Neighbourhood Development Order are made by **Cabinet**;
- f) Decisions to modify or revoke existing Neighbourhood Development Plans/Orders to be made by **Council**; and
- g) Key Officers in the Council notified of decisions including Elections Office.

### **Parish Councils and Designated Neighbourhood Forums will be expected to:**

- Form a steering group with terms of reference and representative stakeholder engagement;
- Set out a programme to undertake the Plan including date of submission to Cheltenham Borough Council. This should be discussed with the relevant officers to help the council safeguard time and resources<sup>8</sup>;
- Seek support from organisations funded by the Government to support Neighbourhood Planning;
- Seek opportunities for widespread stakeholder engagement;
- Create and maintain a website for the Plan or Order;
- Maintain contact with the Council at key stages in drafting the Plan and advise of changes to programme;
- Engage local governance structures such as the positive participation partnership and neighbourhood co-ordination groups;
- Adhere to the Neighbourhood Planning Regulations;
- If appropriate undertake a Sustainability Appraisal and a Habitats Assessment of the Plan to assess its viability\*;
- If appropriate undertake a Transport Impact Assessment\*;
- Demonstrate consultation on the draft plan through consultation plan and consultation record;
- To advise the Council if at any stage a decision is taken not to continue with the Plan and designation to be withdrawn; and
- Finally, maintain the principle of Neighbourhood Planning as a tool to promote growth.

\* The Council supported by Government and non-Government organisations will provide advice where possible.

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<sup>8</sup> Progress on the Plan and Order can only be achieved in a timely manner with early engagement with the council



## SIMPLIFIED NEIGHBOURHOOD PLANNING PROCESS

**STAGE ONE:**

The council  
designates:

Application submitted by community group and/or Parish Council to Cheltenham Borough Council.

Applications publicised in line with regulations (4 to 6 weeks).  
Cheltenham Borough Council agrees or rejects application and

**STAGE TWO:**

Community prepares  
draft Neighbourhood  
Plan or Order with

Community Group (Parish Council or Neighbourhood Forum) prepares draft Neighbourhood Development Plan or Order with Background documents, studies and assessments as required to support the Plan.

**STAGE THREE:**

Independent  
Examination

Cheltenham Borough Council validates (at Full Council) that the submitted draft Neighbourhood Development Plan or Order meets procedural requirements

Independent Examiner agreed by the Forum and appointed by Cheltenham Borough Council.

**STAGE FOUR:**

Local Referendum

Referendum must be open to those on the electoral register within the Plan Boundary. A wider Referendum area may be used if deemed necessary by Cheltenham Borough Council taking into account the

**STAGE FIVE:**

Adoption

If more than 50% of the votes support the Plan or Order, it is adopted or made by Cheltenham Borough Council via its Cabinet. Adopted Neighbourhood Development Plans form part of the Councils statutory Development Plan,

## **APPENDIX A: Neighbourhood Planning Process Checklist**

*This checklist has been produced with reference to the Neighbourhood Planning (General) Regulations 2012 and should only be used as a guide, please refer to the regulations to ensure your plan is compliant.*

This is a process checklist for those wishing to undertake neighbourhood planning to help ensure that the Regulations are met. The checklist focuses on those elements of the Regulations that need to be met.

### **1. Defining the Neighbourhood Area (Regulation 5)**

The first step in the process is the designation of a Neighbourhood Area. The Neighbourhood Area will define the area covered by the proposed Neighbourhood Development Plan. Neighbourhood Areas cannot overlap and the local planning authority must have regard to the desirability of maintaining the boundaries of other Neighbourhood Areas that have already been designated. There is no minimum or maximum size for a Neighbourhood Area. It may be the area administered by the Parish Council or an area proposed by a Neighbourhood Forum. In the following paragraphs of this checklist references shall be made to Neighbourhood Forum on the basis that this shall include, where appropriate, the Parish Council. Applications for the designation of a Neighbourhood Area must be made to the Council and it must include the following information:

- An Ordnance Survey map of the area · A statement explaining why this area is considered appropriate
- A statement that the organisation or body making the application is a 'relevant body' (i.e. The body or organisation making the application is or is capable of being designated as a Neighbourhood Forum).

The Council will publicise the application (Regulation 6), determine, and publish the decision (Regulation 7) in accordance with the Regulations.

### **2. Designating the Neighbourhood Forum (Regulation 8)**

The next step is to make an application for the designation of the Neighbourhood Forum. The application must include:

- The name of the proposed neighbourhood forum
- A copy of the written constitution of the proposed neighbourhood forum
- The name of neighbourhood area and a map identifying the area
- The contact details of at least one member of the proposed neighbourhood forum (these details will be made public);
- A statement that the organisation or body making the application is a 'relevant body' (To be a relevant body the Forum must be set up to promote or improve the social, economic and environmental well-being of the neighbourhood area; and must have

at least 21 members, with membership open to all those who live, work or are local authority elected members for that area<sup>9</sup>)

The Council will publicise the application (Regulation 9), determine and publish the decision (Regulation 10) in accordance with the Regulations.

### **3. Neighbourhood Development Plan**

The Neighbourhood Forum is then able to start work on the neighbourhood development plan. A neighbourhood development plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any specified part of the neighbourhood area. Support is available from the Council.

#### **Pre-submission consultation and publicity (Regulation 14)**

Before submitting a Neighbourhood Plan to the Council the Neighbourhood Forum must publicise in an appropriate manner in the neighbourhood area:

- details of the proposals in a draft neighbourhood development plan
- details of where and when proposals for the neighbourhood development plan can be seen
- details of how to make representations
- the deadline for receipt of representations (minimum 6 week period)

The Neighbourhood Forum must also consult relevant consultation bodies that may be affected by neighbourhood development plan (a list of the relevant consultation bodies is attached as Appendix 1) and send a copy of proposals for the neighbourhood development plan to the Council.

#### **Submission of Neighbourhood Development Plan (Regulation 15)**

When a Neighbourhood Forum submits a Neighbourhood Development Plan to the Council it must include the following:

- a map or statement identifying the proposed neighbourhood plan area
- a consultation statement (which includes details of those persons and bodies consulted about the plan, explains how they were consulted, summarises the main issues raised by consultees and describes how issues have been considered and where relevant addressed in the proposed Neighbourhood Development Plan)
- the proposed Neighbourhood Development Plan; and
- a statement explaining how the proposed neighbourhood development plan meets the relevant legislation otherwise known as the Basic Conditions Statement.

The Council will, if satisfied that the above requirements have been met in accordance with the Regulations, then validate, publish the plan (Regulation 16), appoint an examiner,

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<sup>9</sup> Neighbourhood Forums should represent the character of the area, involving a range of people and groups. Ideally these should include local Councillors and local businesses, as well as resident groups, community organisations, faith groups, and groups representing

submit the plan for examination (Regulation 17), publish the examiner's report (Regulation 18), publish the decision (Regulation 19), conduct a referendum, and publicise the Neighbourhood Development Plan (Regulation 20) in accordance with the Regulations. The Plan then becomes part of the Statutory Development Plan.

## Cheltenham Borough Council

**Cabinet – 6<sup>th</sup> December 2016**

### Cheltenham Plan Part 1: Preferred Options

<b>Accountable member</b>	<b>Councillor McKinlay – Lead Member for Local Development Plan</b>
<b>Accountable officer</b>	<b>Tracey Crews – Director of Planning</b>  <b>Philip Stephenson – Planning Policy Team Leader</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Executive summary</b>	<p>All local authorities are under a statutory obligation to prepare a development plan. Cheltenham Borough Council has chosen to do this through the preparation of two main development plan documents; the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Cheltenham Plan. Together the two plans will provide the planning framework for the Borough until 2031, along with Gloucestershire minerals and waste plans and any neighbourhood plans made.</p> <p>Work to progress the development of the Cheltenham Plan has been underway since 2012. In summer 2013 consultation took place on the scope of the plan, the Council published the plan’s draft vision and objectives in February 2014 and consultation on Issues and Options took place in summer of 2015.</p> <p>The Cheltenham Plan project initiation document was agreed by Planning and Liaison Member Working Group on the 15th of October 2014 and updated on 26th of July 2016. This sets the direction and timetable for development for the subsequent phases of the plan which will be delivered in sections called ‘parts’.</p> <p>The first part of the Cheltenham Plan to be developed will deal primarily with policy relating to the development and protection of land for residential and employment use; the designation ‘Local Green Space’ for some green areas in Cheltenham; and the setting out of an economic strategy for the Borough.</p> <p>This consultation document forms the ‘Preferred Options’ stage of part one. The results of the previous Issues and Options consultation have helped the Council to narrow down the alternatives available in meeting the Plan’s strategy. Having considered the relevant evidence, including sustainability appraisal and the findings of the ongoing JCS process, the Plan has become more focussed than before and clear spatial priorities have emerged.</p> <p>This Preferred Options consultation is ‘non-statutory’ in that it is an additional stage that is being undertaken and could have been omitted prior to producing and undertaking statutory (regulation 19) consultation on the version to be submitted to examination (that is the Pre-Submission version). The Council, however, believe that community engagement is an essential</p>

<p><b>Recommendations</b></p>	<p>part of plan preparation. This consultation will allow respondents to have their say on specific options whilst also allowing the Council enough time to take feedback into account before the plan reaches its Pre-Submission version.</p> <ol style="list-style-type: none"> <li><b>1. That the Cheltenham Plan Part 1, Preferred Options document set out in Appendix 2, be approved for public consultation</b></li> <li><b>2. That Cabinet delegates authority to the Director of Planning, in consultation with the Cabinet Member Development and Safety, to make any minor amendments to the document prior to consultation.</b></li> </ol>
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<p><b>Financial implications</b></p>	<p>The Council approved a one-off budget in 2015/16 of £100,000 to cover the costs of implementing the Cheltenham Plan. This has been transferred to an earmarked reserve held to support the costs of implementing the Cheltenham Plan. The balance on the earmarked reserve at 31st March 2016 was £107,230.</p> <p><b>Contact: Accountant Nina Philippidis, <a href="mailto:nina.philippidis@cheltenham.gov.uk">nina.philippidis@cheltenham.gov.uk</a> 01242 264121</b></p>
<p><b>Legal implications</b></p>	<p>The Council is required to have an up to date development plan for its area and must prepare it in accordance with legislative requirements, including ensuring the compliance with the Statement of Community Involvement.</p> <p>The development plan for Cheltenham Borough being the development plan documents which have been adopted or approved in relation to its area and the neighbourhood development plans which have been made in relation to that area.</p> <p>If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or made (as the case may be).</p> <p><b>Contact: Solicitor Cheryl Lester <a href="mailto:cheryl.lester@tewkesbury.gov.uk">cheryl.lester@tewkesbury.gov.uk</a> 01684 272013.</b></p>
<p><b>Corporate and community plan Implications</b></p>	<p>The Cheltenham Plan supports and is referenced by the Corporate Strategy and wider community planning.</p>

<b>Property/Asset Implications</b>	<p>The removal of the Green Belt between the West and North West Cheltenham Strategic Allocations in JCS comprises land which is owned by the Borough including the site known as 'Arle Nurseries' (which straddles the administrative boundaries of Cheltenham Borough and Tewkesbury Borough). This area is being put forward as a housing allocation in the Cheltenham Plan Part 1 – Preferred Options. The Borough also own land at Priors Farm and Royal Well. These sites are being allocated for mixed use in the Cheltenham Plan Part 1 – Preferred Options. Any proposals would need to be sustainable and in accordance with the development plan as a whole.</p> <p><b>Contact: Head of Property David Roberts,</b>  <a href="mailto:david.roberts@cheltenham.gov.uk">david.roberts@cheltenham.gov.uk</a> 01242 264151</p>
<b>HR implications (including learning and organisational development)</b>	<p>There are no staffing or Trade Union implications.</p> <p><b>Contact: HR Manager Julie McCarthy,</b>  <a href="mailto:julie.mccarthy@cheltenham.gov.uk">julie.mccarthy@cheltenham.gov.uk</a> 01242 777249</p>
<b>Key risks</b>	<p>Corporate risk CR81: If the Council does not progress as quickly as possible to preparing the Cheltenham Plan, then the Borough will be exposed to the risk of inappropriate development.</p>
<b>Environmental/Social/Equality Implications</b>	<p>Corporate Action ENV 6: We will commence preparation of a Cheltenham Plan.</p> <p>Progressing with this stage of consultation will allow the Cheltenham Plan to progress in accordance with its timescales as set out in the project initiation document. The Cheltenham Plan will be subject to Sustainability Appraisal, which will inform subsequent selection of options and sites alongside the consultation responses received.</p>

## 1. Background

- 1.1** All local authorities are under a statutory obligation to prepare a development plan. Cheltenham Borough Council has chosen to do this through the preparation of two development plans documents; the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Cheltenham Plan. Together the two plans will provide the planning framework for the Borough until 2031 along with Gloucestershire minerals and waste plans and any neighbourhood plans made.
- 1.2** Since the adoption of the Cheltenham Borough Local Plan (2006), both national planning policy and guidance has been updated and condensed into a more useful and readable form. Alongside these changes the Government has abolished regional and county strategic level planning and the Council has entered collaborative working on the JCS, currently in examination. These changes have meant that many of the requirements set out in regulations concerning the contents of a local plan have already been met. For example, the JCS identifies objectively assessed development need for the area and sets out requirements for strategic sites. The JCS also contains a suite of strategic development management policies on issues as design, heritage and the provision of infrastructure. The National Planning Policy Framework (NPPF) and national Planning Practice Guidance (nPPG) provide detailed planning policy direction and the government is clear that this guidance should not be duplicated at a local level.

- 1.3** In most cases, the JCS partially rather than completely supersedes policy in the adopted local plan. Usually, the JCS picks up the strategic elements of a policy, but does not always provide local detail (although this detail may have been picked up in the JCS' evidence base). In some cases this detail does not need to be immediately replicated in the Cheltenham Plan, either because the detail was superfluous, as the policy will achieve the same result as before, or because the planning issues raised can be addressed through preparation or updating of Supplementary Planning Documents (SPDs) to the JCS or and/or informal practice or advice notes. A list of current Local Plan policies which will be superseded by the JCS on adoption has been prepared and is available as part of the JCS examination website.<sup>1</sup>
- 1.4** Work has been undertaken since 2012 on developing the Cheltenham Plan. At times this has significantly slowed due to the need to focus resources on the JCS; but during this time we have engaged with the community and stakeholders to establish what the future contents of the Cheltenham Plan should be and how it should be progressed. The vision and objectives set out in the scope of the Cheltenham Plan were developed by Planning and Liaison Member Working Group and the scoping document was subject to an eight week public consultation, ending on the 2<sup>nd</sup> of September 2013. The Issues and Options stage followed in 2015 and provided a more focused consultation by setting out the key issues facing the Borough along with a series of possible options for ways forward.
- 1.5** The development of the Cheltenham Plan is guided by a Project Initiation Document (PID) which forms an important part of the project management of local plan preparation. The latest version of the PID was agreed by Planning and Liaison Member Working Group on the 26th of July 2016. The PID and an updated timetable will be agreed in November.
- 1.6** The drafting of the consultation document has been undertaken in collaboration with Members through the liaison group which has been an effective way to ensure that the Cheltenham Plan is democratically guided, remains on schedule and will be effective once adopted.
- 1.7** The Plan will be delivered over a series of documents which will together comprise the Cheltenham Plan. Because policies in the 2006 adopted Local Plan have been saved, we can continue to use policies not superseded by the JCS on its adoption which accord with the JCS and NPPF into the future. Therefore parts of the 2006 local plan can be replaced in stages, and as each phase of the new Cheltenham Plan is produced, part of the 2006 local plan will be superseded.
- 1.8** The first phase of the plan focusses on land allocations, designation of Local Green Space and the setting out of an economic development strategy for the Borough, including an update of policies for safeguarding existing employment sites. This consultation document identifies land which through technical studies has been found to be likely to be able to accommodate different uses. The consultation will seek views from the public and stakeholders as to whether they agree that these areas are appropriate for these uses, and whether they therefore should be further investigated for development or protection of their current use in the next phase of plan making.
- 1.9** The document also contains a section on potential options for Article 4 directions. The executive summary at the beginning of the consultation document contains brief descriptions of what each chapter contains.
- 1.10** Once this phase is complete, other areas for development, including the wider development management policies can be pursued. The approach is one of replacing and updating the policy framework as it becomes necessary in order to most efficiently use the Council's resources and

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<sup>1</sup> Available at: <http://www.gct-jcs.org/Documents/Examination-Document-Library/Superseded-Development-Plan-Policies-and-Proposals.pdf>



ensure continuity of planning policy cover on these issues.

- 1.11** This approach has the advantage of allowing flexibility in terms of revision and review in response to changing circumstances; which is an inherent feature of the Government's current planning regime, particularly in relation to the nPPG. It also means that changes in local policy will not necessarily require changes to the JCS, because the JCS will only contain the 'hooks' on which Development Plan Documents will be based.

## **2. Reasons for recommendations**

- 2.1** This consultation document forms the 'Preferred Options' stage of part one. The consultation sets out preferred options within each of the main policy areas. These options represent what the council believe to be the most reasonable options to address issues within the Borough and to achieve the vision and objectives. Discounted, alternative options are also listed so that respondents can understand the thought processes behind each decision. The consultation provides a chance for these options to be tested and refined before the Plan moves on to the next stage.

## **3. Alternative options considered**

- 3.1** Whilst the Town and Country Planning (Local Planning) (England) Regulations 2012 only requires that prior to submission to the Secretary of State the proposed submission document is published for representations; the addition of this preferred options stage of consultation allows a deeper dialogue with the public, statutory consultees and stakeholders to allow them to contribute to plan making, and consider their aspirations and values in regard to the directions for growth in the Borough.
- 3.2** Before reaching the current preferred options stage of the Cheltenham Plan, a range of alternative options as to how this consultation could be carried out were considered, particularly whether or not to include a preferred option for each of the sites in the earlier issues and options stage. It was felt through consultation with the member working group, that it would be better at the issues and options stage to present the information available about each of the sites in visual form, and allowed feedback before we drew up preferred options. This preferred options stage will ensure that further consultation responses can be fairly assessed before any decisions are made in drafting the Pre-Submission version.

## **4. Consultation and Feedback**

- 4.1** Consultation (including internal consultation) has been undertaken on the Cheltenham Plan Part 1, Preferred Options, this includes:
- Planning and Liaison Member Working Group – A cross party group with a remit to consider and advise on the emerging Cheltenham Plan and provide guidance and feedback to Planning Committee, Cabinet and Council as appropriate. Through monthly meetings the working group has had a number of opportunities to comment and shape the working drafts in addition to meetings with wider members and each of the political groups who requested an individual update meeting.
  - Internal officer working group - made up of officers from across the council with a remit to work with, consider, advise and inform the emerging Cheltenham Plan and request information from, and provide feedback to, individual teams as appropriate. This group has had the opportunity to feed into the draft scope, visioning and objectives consultation, has been kept informed on progress with the plan and members have fed into information supplied as part of the Issues and Options consultation.

- Liaison with the Strategy and Engagement team under Richard Gibson to ensure that the Cheltenham Plan aligns well with the Corporate Strategy and that consultation response can be elicited as widely as possible within the Borough.
- The Cheltenham Taskforce – regular updates and discussions with officers leading preparation of the Cheltenham Plan.
- Keeping Cheltenham's parishes and communities up to date on the latest developments on the plan through updates to the regular 'C5' and Neighbourhood and Community Group Chairs meetings.
- Feedback from the Cheltenham Plan Scoping consultation (July –September 2013)
- Feedback from the 2015 Issues and Options Consultation (June – August 2015) - Comments have been summarised and uploaded to the website. These have been used to directly influence the content of the Preferred Options document.

Feedback from the above groups and consultations has been considered and incorporated where appropriate.

- 4.2** Consultation on the Preferred Options document is scheduled to take place in early 2017. Members of the public and organisations will be given a period of 6 weeks to comment. Comments will be invited from all contacts on our Planning database and copies of the document will be made available (in paper format) at the Council's deposit locations and electronically via the Council's website. Efforts will be made to ensure the public, local businesses, statutory consultees and stakeholders are aware of the consultation through media releases, engagement with parish and neighbourhood groups, and via council networks to alert groups to help cascade information. A small number of public consultation events will occur, likely to centre on busy times, which could include displays at the Regent Arcade and Municipal Offices and other locations.

## **5. Performance management – monitoring and review**

- 5.1** This is not a policy document in itself; however the responses from the consultation will be used to inform the production of the Pre-Submission Cheltenham Plan (Part 1).
- 5.2** The Council will regularly monitor the effectiveness of the Cheltenham Plan in the planning process and use the results to review policies and practices. If necessary, the Council will review the Cheltenham Plan, which would be indicated through a change to the Local Development Scheme (LDS)
- 5.3** The timetable for delivery of part 1 of the Cheltenham Plan is set out below:
- Early 2017 – 6 week consultation on the Preferred Options
  - Spring/Summer 2017 – Pre Submission consultation
  - Summer/Autumn 2017 – Submission to the Secretary of State
  - Winter 2017 – Examination in Public
  - Early 2018 – Adoption
- 5.4** Performance against the LDS's milestones is monitored through the Authority Monitoring report which is prepared annually.

5.5 The LDS was last updated in February 2015 and will be revised prior to submission of a Development Plan Document for examination.

<b>Report author</b>	<p><b>Contact: Senior Planning Officer John Rowley,</b>  <b>john.rowley@cheltenham.gov.uk</b></p> <p><b>01242 774928</b></p>
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Cheltenham Plan (Part 1) Preferred Options, appendices and <a href="#">Sustainability Appraisal</a></li> </ol>
<b>Background information</b>	<p>Background information and updates on consultation can be found at <a href="https://www.cheltenham.gov.uk/info/1004/planning_policy">https://www.cheltenham.gov.uk/info/1004/planning_policy</a></p>

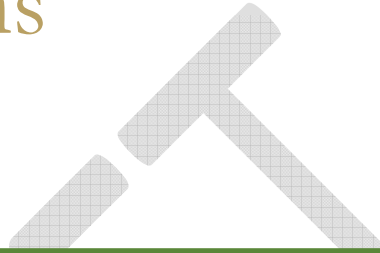
**Risk Assessment  
Appendix 1**

Corporate Risk	Corporate Risk Owner	Proposed Action	Original Impact	Original Likelihood	Original Score	Current Impact	Current Likelihood	Current Score	Control	Risk Control Progress	Corporate Risk Manager	Corporate Risk Last Updated	Target Impact	Target Likelihood	Target Score	Target Date
CR81 - If the Council does not progress as quickly as possible to preparing the Cheltenham Plan, then the Borough will be exposed to the risk of inappropriate development.	Tracey Crews	Scrutiny Task Group set up to advise and challenge on the development of a Cheltenham Plan	3 - Marginal	4 - Moderate	12	3 - Marginal	4 - Moderate	12	Reduce	The Plan has slipped from going to cabinet in September 2016 as the Cheltenham Plan consultation cannot be made public before the Main Modification draft of the JCS has been approved by Councils. Therefore consultation on the Cheltenham Plan is likely to happen at the same time as consultation on that document. The Cheltenham Plan preferred Options document is on target for November Cabinet to approve for consultation.	Philip Stephenson	01/09/2016	3 - Marginal	4 - Moderate	12	30/06/17

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# Cheltenham Plan (Part One) 2011 to 2031

## Preferred Options Consultation



**CHELTENHAM**  
BOROUGH COUNCIL

Cheltenham Borough Council ● Planning Policy Team  
January 2016 ● [localplan@cheltenham.gov.uk](mailto:localplan@cheltenham.gov.uk)

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**FOREWORD**

Foreword text...

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## EXECUTIVE SUMMARY

The following bullet points represent a brief summary of each chapter of the document. Please read each chapter in full before making a comment.

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### INTRODUCTION

- The Cheltenham Plan: Part 1 will, when adopted form part of the statutory development plan for the borough.
- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy will contain overarching, strategic level policies which the Cheltenham Plan will complement in providing a more local level of detail.
- This consultation sets out the Council's preferred options for Part 1 for the Cheltenham Plan and not final decisions.
- The consultation is an opportunity for everyone to input and have their say on what the Council think is the best way forward for the borough.
- It is a relatively early stage consultation and there will be more opportunities for people to have their say in future.

---

### VISION AND OBJECTIVES

- The vision and objectives have been through two sets of consultation and have been shaped by local communities and businesses.
- The Cheltenham Plan vision and objectives should also be viewed within the context of those of the JCS as well as the Council's own corporate vision and emerging place strategy.

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### THE ECONOMY

- Cheltenham has a diverse economy with a very strong retail offer.
- The Borough's rate of economic growth has been below average but the number of jobs has been increasing strongly.
- Cheltenham supports a significant number of jobs and provides work for many living outside the district.
- Cheltenham has a large amount of office space but some of it is not the right size or type for modern business requirements. There is a high demand for more contemporary office space.
- The Cheltenham Plan will play a key role delivering the aspirations of the Joint Core Strategy.
- There are opportunities for expanding activities in the cyber-security and associated sectors.

---

## THE ECONOMIC STRATEGY OF THE PLAN

- The Cheltenham Plan is part of a coordinated approach to deliver economic growth with a range of organisations.
- This part of the Cheltenham Plan is focused on the traditional employment uses (office, industrial, warehousing etc.) as these remain an important part of the economy.
- The Plan will introduce a special designation for key employment sites which will protect them from changing to other uses.
- Other employment land will still have strong protection but will have some flexibility for changing to other uses.
- A small number of sites not currently used for employment will be allocated for job generating use.
- A policy to promote the cyber-security industry is proposed.
- The former Honeybourne Rail line will continue to be safeguarded for sustainable transport.

---

## LOCAL GREEN SPACE

- The NPPF makes provision for local communities to identify green areas of particular importance where development will not be permitted except in very special circumstances.
- Local Green Space (LGS) is an exceptional designation and is not suitable for most green spaces.
- Evidence provided by the community has been assessed by a panel of officers using criteria derived from national policy and guidance.
- LGS at Leckhampton is not part of this consultation because it currently remains part of JCS discussions. It will be included in the next stage of the Cheltenham Plan.
- The preferred option sets out five sites to be designated as LGS at this stage.

---

## DEVELOPMENT PROPOSALS

- One of the aims of the Cheltenham Plan is to ensure that the Council maintains a healthy supply of land for housing.
- The JCS sets a housing requirement for Cheltenham of 10,915 dwellings between 2011-2031.
- The urban area of Cheltenham has a target to provide 557 additional dwellings.
- The preferred option is to allocate six sites for housing and six sites for mixed-use development to help meet the housing requirements.
- Two sites outside the current urban area (Leckhampton and Arle Nurseries / Old Gloucester Road) are also proposed, although Leckhampton is indicative only at this stage.

---

## AMENDMENTS TO THE PRINCIPAL URBAN AREA

- The boundary of the Principal Urban Area (PUA) is an important part of Cheltenham planning policy.
- It is reasonable that the PUA is reviewed to ensure it is consistent and that any anomalies are removed.
- A review has been undertaken and the preferred option is that proposed changes are accepted.

---

## PERMITTED DEVELOPMENT RIGHTS AND THE USE OF ARTICLE 4 DIRECTIONS

- The Council is aware that the density of Houses in Multiple Occupation (HMO) in the St Pauls and All Saints area has caused issues for residents.
- Currently no planning permission is required for the conversion of a dwelling into an HMO for up to six residents.
- The Council can issue an Article 4 direction which would mean that planning permission would be required but this can have negative effects.
- The consultation seeks responses on whether restricting HMOs is favoured.
- It also seeks responses on whether other specific types of development should be restricted in other parts of the borough.

---

## CONSERVATION AREA REVIEW 2016-2018

- The Council is undertaking a two year review of conservation areas.
- Feedback on the project is not required at this point but officers will engage with local communities directly.



## I INTRODUCTION

- 1.0.1 The Cheltenham Plan, together with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, the Gloucestershire Minerals and Waste Local Plans and any neighbourhood plans made in the future will, when adopted, comprise the statutory development plan for Cheltenham up to 2031.
- 1.0.2 In a plan-led system, the development plan and neighbourhood plans set out the overarching context and specific policies that are used to manage and guide development through the decisions the Council makes on planning applications. The development plan also sets out higher-level objectives and aspirations that aim both to conserve what is valued and cherished within Cheltenham and to encourage development in spatial and policy areas the Council wishes to promote in the public interest.
- 1.0.3 Whilst the development plan is primarily concerned with land-use planning, it is a shared project that will support delivery of many of the Council's outcomes set out in its Corporate Strategy.

### 1.1 Policy context

- 1.1.2 Since the adoption of the Cheltenham Borough Local Plan Second Review (2006) national planning policy has been rewritten and condensed into a more streamlined and accessible format. The emergence of a National Planning Policy Framework (NPPF) has also been complemented by the publication of extensive national Planning Practice Guidance (nPPG). Alongside these changes, the Government has also abolished regional and county strategic level planning and, as a result, the Council has entered collaborative working on the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS), now at an advanced public examination stage.
- 1.1.3 The above changes have meant that many of the requirements set out in regulations concerning the contents of a local plan have already been met. For example, the JCS identifies objectively assessed development need for the area and sets out requirements for strategic sites. The JCS also contains a suite of strategic development management policies on issues such as design, heritage and the provision of infrastructure.
- 1.1.4 The NPPF and nPPG provide detailed planning policy direction which is explicit in stating that this guidance should not be duplicated at a local level.
- 1.1.5 The JCS picks up the strategic elements of policy, but does not always provide local detail. This is why there is a need for Cheltenham Plan policy to follow closely on from the adoption of the JCS. This is particularly around the areas of:

- Site allocations within the Borough (outside of the strategic allocations identified within the JCS) to demonstrate how Cheltenham will meet its development needs up to 2031;
- A clear local economic strategy which will inform employment, retail and town centre uses provision in the Plan;
- Provision for local infrastructure (particularly local green space).

1.1.6 Policies contained in the Cheltenham Borough Local Plan Second Review (2006) which are not replaced by the JCS or Cheltenham Plan: Part 1 will remain in force. Part 2 of the Cheltenham Plan (which will start to be produced in 2017) will review these policies.

## 1.2 The Cheltenham Plan approach

1.2.1 The new Cheltenham Plan is divided into two main parts. Part 1 considers the 3 primary issues set out above and is represented by this document. Part 2 will consider topics of a less strategic nature and will contain a suite of detailed development management policies to help shape the way in which Cheltenham develops up to 2031. The Part 2 document will be produced in 2017.

1.2.2 Owing to the fact that policies in the 2006 adopted Local Plan have been saved, we can continue to use policies not superseded by the JCS into the future (providing they accord with the JCS and NPPF). These policies will then be replaced in stages as each phase of the new Cheltenham Plan is produced until the whole of the 2006 local plan is superseded.

1.2.3 The overall approach is one of replacing and updating the policy framework as it becomes necessary in order to most efficiently use the Council's resources and ensure continuity of planning policy cover on these issues. This is reflected in the reuse of policy numbering. The approach has the advantage of flexibility in terms of revision and review in response to changing circumstances which is an inherent feature of the Government's current planning regime, particularly in relation to the nPPG. It also means that changes in local policy will not necessarily require changes to the JCS, because the JCS will only contain the 'hooks' on which Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) will be based.

## 1.3 Preparation timetable for Part 1

<b>Cheltenham Plan Scope Consultation (regulation. 18)</b>	Completed	July to September 2013
<b>Draft Vision and Objectives published</b>	Completed	February 2014
<b>Issues and Options consultation</b>	Completed	June 2015
<b>Preferred Options consultation</b>	Ongoing	Early 2017
<b>Evidence base work in Winter 2016/17</b>	Future	Winter 2016/17

<b>Pre-submission consultation</b>	Future	Spring/Summer 2017
<b>Submission to the Secretary of State</b>	Future	Summer/Autumn 2017
<b>Examination: projected to be in Autumn 2017</b>	Future	Winter 2017
<b>Adoption of Part 1</b>	Future	Early 2018

#### 1.4 The story so far

- 1.4.1 Work on the preparation of the Cheltenham Plan began in 2012. During that time we engaged with the community and stakeholders to establish what the future contents of the Cheltenham Plan should be and how it should be progressed. This is part of a process known as scoping and is one step in meeting the statutory requirements for the preparation of a development plan document.
- 1.4.2 The vision and objectives set out in the scope of the Cheltenham Plan were developed by the Planning and Liaison Member Working Group - a member group that is guiding the preparation of the Plan. The scoping document was subject to an eight week public consultation, ending 2 September 2013.
- 1.4.3 Scoping and development of the Plan's vision and objectives was followed by publication and consultation on the Issues and Options Report in June 2015. This stage in the process identified what the Council considered to be the main planning issues and policy options available to help deliver both the vision and objectives of the Plan and the Council's own corporate vision.
- 1.4.4 The stage of the process that is currently being consulted on is the Preferred Options whereby the results of the previous Issues and Options consultation have helped the Council to 'narrow down' the alternatives available in meeting the Plan's strategy. Having considered the relevant evidence, including sustainability appraisal and the findings of the ongoing JCS process, the Plan has become more focussed than before and whilst it still remains quite broad in its approach, clear spatial priorities have begun to emerge.
- 1.4.5 This Preferred Options consultation is 'non-statutory'. This means that Government regulations do not say that it is required as part of the plan making process. The Council, however, believe that it is vital that the Cheltenham Plan is as transparent and backed by the community as much as possible. This consultation will allow respondents to have their say on specific options whilst also allowing the Council enough time to take feedback into account before the plan reaches its final version.

#### 1.5 Supporting evidence base

- 1.5.1 Gathering evidence is critical part of the plan-making process. The Cheltenham Plan is supported by a wealth of supporting information, including the sustainability appraisal, habitats regulations assessment, equalities impact assessments and flooding, landscape and transport studies. The sustainability appraisal and associated assessments are an integral part of the whole process and help inform



the contents of the Plan as it evolves over time. At each stage they will have influenced the content of the document by testing the policy options and potential site allocations for their contribution towards each of the sustainability objectives that were defined as part of the aforementioned scoping stage. We are currently seeking comments on the latest version of the sustainability appraisal. The document is available on the consultation website.

- 1.5.2 Throughout the Plan preparation process the evidence base will be kept under review so that policies and proposals are informed by the most up to date information. All development plans are required to be supported and justified by robust evidence which, given the timescales involved, will likely evolve as the Plan progresses through its various stages. It will therefore be important to ensure that emerging policy is not compromised or undermined by changes in the evidence base which underpin it.

## **1.6 Document layout**

- 1.6.1 The first section of this report details the vision themes and objectives of the Cheltenham Plan. This provides a broad steer for the remainder of the document and sets out some of the main parameters within which the Plan will be required to work.
- 1.6.2 Where preferred options are presented there has been an appraisal of all the reasonable options. The best and most sustainable have been selected based on the evidence available.
- 1.6.3 The second section of the report details the economic strategy for the Plan and opens with an overview of some of the key economic characteristics and trends at play in Cheltenham. It goes on to consider the results of previous public consultation exercises on the Plan and why some previously suggested options for dealing with identified economic challenges have been discounted from the plan-making process, before offering a preferred policy response to some of the main economy-related challenges that are currently being experienced.
- 1.6.4 The third section considers local green space and with reference to recommended policy, explains what the plan is trying to achieve and why.
- 1.6.5 The fourth section comprises a series of local sites and designations. It sets out the preferred stance on site allocations for housing having regard to objectively assessed needs and the policies and proposals of the emerging JCS.
- 1.6.6 Following each policy, links are provided to local evidence as well as cross references to other relevant strategies and plans. Supporting evidence is also provided by way of appendices at the rear of the document.



## 2 VISION AND OBJECTIVES

- 2.0.1 Following the scoping consultation in 2013, the Council published a draft vision and objectives for the Cheltenham Plan in February 2014. The draft vision and objectives were subject to consultation as part of Issues and Options Consultation on the Cheltenham Plan in June 2015 and are included in their latest form below.
- 2.0.2 Local communities, businesses and visitors have all helped to shape what the Cheltenham Plan should deliver (the Vision) and how it should be achieved (the Objectives). Wide ranging consultation has given the Plan a firm direction in which to move forward and this Preferred Options Report provides further detail on how the vision and objectives will be realised whilst aiming to reflect stakeholder involvement in the process thus far.
- 2.0.3 It should be noted that the Cheltenham Plan vision and objectives should also be viewed within the context of the JCS's visions and objectives as well as the Council's own corporate vision. The Cheltenham Plan is also being developed alongside an emerging Place Strategy for the Borough. The objective of the Place Strategy is to draw together the strands which impact on defining Cheltenham as a place and to act as a leadership and influencing tool to support economic growth and the wider well-being of our communities. The chosen way forward will therefore need to ensure that the Plan remains consistent and continues to support the wider aims and objectives of the Council.

### 2.1 Vision Theme A

***Cheltenham is a place where people live in strong, safe, healthy, well-served and well-connected communities.***

#### **Theme A Objectives**

- a) Recognise the local distinctiveness of Cheltenham's various neighbourhoods and deliver regeneration where appropriate;
- b) Ensure provision of sufficient housing land and other opportunities for residential development that meets the needs of the current and future population of the Borough;
- c) Understand what people need from the places where they live and work to help create socially sustainable communities using locally specific models;
- d) Ensure that new communities are integrated with neighbouring communities to promote cohesion and reduce social isolation;
- e) Enable investment in schools, healthcare and other community facilities and meeting places in order to support new and existing communities;
- f) Increase opportunities for sport and active leisure, particularly in areas of under-provision;
- g) Ensure that places are designed in a way that is accessible to all and promotes walking, cycling and use of public transport;
- h) Support a network of neighbourhood centres that provide an appropriate range of local amenities to support sustainable communities; and
- i) Ensure that new development protects public safety and amenity and creates environments that contribute to reducing crime and fear of crime.

## 2.2 Vision Theme B

***Cheltenham is a place with a prosperous and enterprising economy where education and employment opportunities are increasing and diversifying, where businesses choose to invest and where the benefits are felt by all.***

### **Theme B Objectives**

- a) Ensure provision of sufficient employment land and other opportunities for economic development to attract new businesses and to enable existing businesses to grow and develop within Cheltenham;
- b) Promote the development of adaptable and flexible employment space within Cheltenham so that sites and buildings can be re-used with minimal environmental impact;
- c) Assist in developing and maintaining an attractive retail offer in the town centre and other designated centres;
- d) Encourage the delivery of sustainable transport infrastructure, a range of transport options and better links across the Borough including parking provision and public transport;
- e) Encourage knowledge-intensive services businesses in high value sectors; and
- f) Support development of Cheltenham's educational facilities to ensure that the young people have access to a wide range of opportunities.

## 2.3 Vision Theme C

***Cheltenham is a place where the quality and sustainability of our cultural assets and natural and built environment are valued and recognised locally, nationally and internationally and tourists choose to visit and return to.***

### **Theme C Objectives**

- a) Conserve and enhance Cheltenham's architectural, townscape and landscape heritage, particularly within the town's conservation areas;
- b) Conserve, manage and enhance Cheltenham's natural environment and biodiversity;
- c) Support development of Cheltenham's sporting, cultural, arts and tourism infrastructure (including public art) to ensure that the Borough maintains its reputation as a cultural destination and continues to be an attractive place to visit;
- d) Address the challenge of climate change, ensuring that development meets high design and sustainability standards and is built to be adaptable over the long term;
- e) Create a walkable network of interconnected, multifunctional green spaces that link with the wider countryside;
- f) Support provision, maintenance and continued investment in a high quality public and private realm, including formal and informal green spaces and private gardens that contribute to local amenity and wildlife biodiversity; and
- g) Manage and reduce the risk of flooding within the Borough.

- 2.3.1 During the course of the plan period, the Cheltenham Plan will seek to ensure that all the above objectives are realised through the implementation of the policies and proposals that follow.

## 3 THE ECONOMY

### Background

#### 3.1 Overview

- 3.1.1 Cheltenham's Economy supports approximately 72,000 jobs. The town has a diverse economic market including sectors such as light industry, food processing, aerospace, electronics and tourism. The UK Government Communications Headquarters – GCHQ is also located in Cheltenham.
- 3.1.2 Cheltenham is home to a number of sporting and cultural events. It is the home of the flagship race of British steeplechase horse racing calendar, the Gold Cup, the main event of the Cheltenham Festival held every March. The town hosts several nationally significant annual festivals of culture often featuring nationally and internationally famous contributors and attendees.
- 3.1.3 Cheltenham is also a regional shopping centre, home to department stores such as House of Fraser and John Lewis and retail centres including the Regent Arcade and the Brewery, together with a number of independent and local retailers. Kingsditch out of town retail park also features a number of national retailers and has expanded over time to now comprise 161, 500 sq m of industrial and warehouse space. As such, Cheltenham is second only to Bristol in the South West in terms of shopping choice on offer.

#### 3.2 Economic Performance and Outlook

- 3.2.1 Whilst Gloucestershire's annual rate of economic growth is in line with the national average (1.8% between 1997 and 2011), Cheltenham has lagged significantly behind (0.7% for the same period). However, the rate of jobs growth has exceeded the national average and both economic growth and jobs growth are forecast to be strong over the next 20 years (projected 2.4% increase).
- 3.2.2 Approximately 22 per cent of all Gloucestershire's jobs are located in Cheltenham. The town remains a significant employment centre within the County of Gloucestershire and this status is forecast to continue.
- 3.2.3 Productivity rates in Gloucestershire as a whole are below average and are declining relative to the national average. In 2012, workers in Gloucestershire produced £26.00 of Gross Value Added (GVA) for every hour worked. This was below the English average of £28.30. Between 2004 and 2012, GVA per hour worked rose by 16.3% which was lower than across England at 23.4%. This is a particular issue in Cheltenham where retail and service sector employment has increased whilst higher value jobs have declined. It will be challenging to turn this trend around and increase the proportion of high value employment.
- 3.2.4 The decline in high value employment has partly occurred due to a loss of employment land to other uses and lack of modernisation of commercial office space. There has been a shift in user requirements over the past few years towards more modern offices space and larger office facilities.

### 3.3 Enterprise and Innovation

- 3.3.1 Cheltenham has a strong and growing business base with stronger than average long-term growth in the number of enterprises (11.7% growth between 2004 and 2012) and a higher than average number of enterprises per head of the working age population (68 per 1000 people of working age in Cheltenham compared to a national average of 60 per 1000).
- 3.3.2 Long-term growth in the business base has been driven by strong business survival rates relative to the number of start-ups which are close to the national average.
- 3.3.3 Business was badly hit by the recent recession but has begun to recover. Between 2007 and 2010, the percentage of businesses surviving for 1 year fell from 97.5% to 88.2%. However, survival increased significantly in 2011 to 93.2%.
- 3.3.4 Businesses in Cheltenham are more likely to compete on quality, design and innovation compared to nationally, and the rate of patenting is higher than the national average (11.1 patents per 100,000 residents as opposed to 9.4 patents per 100,000 residents nationally).
- 3.3.5 Whilst science and engineering occupations are less prevalent in Cheltenham compared to the national average, ICT roles account for a higher share of jobs undertaken by residents than in comparison with the average across England. However, neighbouring authorities are performing well in science and engineering employment so with the creation of new opportunities in Cheltenham there is a prospect of strengthening in these areas.

### 3.4 Industrial Trends

- 3.4.1 The industry profile and prospects for Cheltenham have changed over the last 15 years and are expected to continue to change in future.
- 3.4.2 *Public Administration, Education and Health* are the joint largest contributor to economic output and one of the fastest growing sectors in that regard. The third largest increase in the number of business units taken up across the Borough since 2000 relates to the health sector and a continuing increase in health employment is forecast.
- 3.4.3 There is a large concentration of employment in *Defence* and the strongest employment growth has occurred in this sector. There is likely to be a continuing demand for subcontracting and supplier arrangements focussing in and around Cheltenham over the next 5-7 years. In this regard, GCHQ runs a small business innovation programme, which is a mechanism for procuring innovative new solutions from technology and innovation-based Small and Medium Enterprises (SMEs). Similarly, there is interest in developing specialist business incubation facilities for the cyber security industry.
- 3.4.4 *Business Services* have grown strongly in terms of economic output (at between 4% and 5% a year since 1997) and are projected to grow further in future. The Professional, Scientific and Technical sub sector occupies the largest number of business services units in Cheltenham.
- 3.4.5 The *Information and Communication* sector has experienced strong growth in economic output and this is forecast to continue. It has the second highest increase

in number of business units in the Borough although there has been a significant fall in employment in telecommunications and printing/ reproduction of recorded media.

- 3.4.6 *Production* (which includes manufacturing) is an important contributor to economic output, but there has been decline in output in the sector and total business units over recent years. The highest concentrations of production employment in the town are found in the manufacture of machinery for metallurgy and manufacture of taps and valves. A further decline in employment forecast.
- 3.4.7 There has been a shift to self-employment or contract-based work in many business service roles. The role of finance and insurance, whilst important in the past, has declined in terms of output and jobs. This is also true of the real estate sector.

### 3.5 People

- 3.5.1 Cheltenham supports a significant number of jobs and provides work for many living outside the district. The town provides a lower share of higher-skilled jobs, and a higher share of lower-skilled jobs compared to the national average. Cheltenham supports a large number of administrative and secretarial jobs, many of which are taken by in-commuters.
- 3.5.2 Those working in Cheltenham have a high qualifications profile although this is not fully reflected in the skills levels of the types of jobs undertaken or workplace earnings. In-commuting appears to highest among people with low to intermediate qualification levels.
- 3.5.3 The levels of unemployment and incidence of benefits claimants are low in Cheltenham, coupled with high rates of economic participation and employment amongst the working-age population.
- 3.5.4 As with many other parts of the country the population of Cheltenham is forecast to get older. So there will be a higher proportion of people over retirement age and therefore less likely to be in employment.

### 3.6 Place

- 3.6.1 Cheltenham's housing market has witnessed significant increases in the prices since the turn of the century and this has been slightly ahead of the national average. Average house prices are now at least seven times average earnings in the Borough.
- 3.6.2 The economic recession experienced in the wider economy in 2008 did not affect the local housing market significantly. Residential property prices have for the most part remained buoyant and continue to rise. One of the effects of this trend has been to destabilise the local economy and, particularly, to place further pressures on employment land and premises for changes of use to residential.
- 3.6.3 For example, since 2010, there has been a distinct and clear loss of B1a (office) floor space including sites that were categorised as 'very good quality' in previous employment land studies. There are also demonstrated losses in A2 professional services to residential uses in areas such as the town's historic core where stakeholders had suggested there is a strong market demand for professional services office accommodation. This demonstrates the strength of the residential values relative to commercial values.



3.6.4 Rateable values of retail properties are higher in Cheltenham than other Gloucestershire districts and the major cities of Birmingham and Bristol, but below other urban centres such as Bath, Cardiff and Oxford. Office rateable values are below many other centres outside of Gloucestershire.

3.6.5 A large share of workers in Cheltenham travel less than 5km from their home to workplace. Whilst traffic congestion on average across the district is no worse than the national average, a number of roads signal evidence of significant increases in congestion over recent years; A4013 northbound; A40 eastbound; A435 southbound; and A46 northbound.

### 3.7 Employment land and premises

3.7.1 Evidence compiled as part of the background work to the Cheltenham Plan largely reflects the results of previous economic / site studies undertaken in Cheltenham since 2007. Together they have presented a consistent view on the existing portfolio of sites and premises re-iterating market strengths but also key factors that need to be addressed. The issues identified by the reports and the new site analysis can be summarised as follows:

- Cheltenham has a large quantum of office space but is not enough to meet demand nor necessarily fit for purpose;
- The offer is mostly concentrated in small size office space in regency and older buildings (80 per cent are less than 500 sq. m);
- There is a continued lack of quality, A-grade office space, particularly in the Town Centre;
- The ongoing loss of B1 and A2 sites and premises to residential use has increased pressure on the remaining employment stock. This pressure will continue if regency stock proves to be equally attractive to the residential market in future;
- A number of structural weaknesses in the portfolio of available premises exist, particularly in terms of a lack of business / enterprise parks;
- There is limited business start-up space, particularly serviced and supported space for incubator or innovation development;
- Many existing industrial sites need upgrading to improve market attractiveness and offer. Upgraded sites will be likely to improve the Gross Value Added (GVA) performance and attractiveness to higher value manufacturing and engineering, finance and business services;
- There are a number of significant and important businesses on single occupier sites where there are constraints to the potential expansion of those businesses at that location;
- There are relatively low vacancy rates within industrial sites even though some developments are of average or poor quality. This could reflect the lack of availability of alternative premises;
- There is a significant proportion of ageing stock, particularly those premises that no longer meet modern business needs and single occupier sites that are adversely affected by amenity or access constraints;
- Older commercial sites with buildings that have been vacant for many years and with amenity and access constraints are not proving attractive to the market and will continue to be considered as potential residential sites instead;
- Those employment-related planning consents being implemented invariably involve losses of B1a land within the Town Centre whilst commitments to increase B1 space remain unimplemented;

- Policy needs to maximise the employment benefits of existing sites while other strategic sites are brought to the market over time.

### **Key issues arising**

#### **3.8 Overview**

3.8.1 As part of the evaluation of the characteristics and trends affecting the economy in Cheltenham, it has been possible to draw certain conclusions which will influence the Cheltenham Plan's stance towards such matters moving forward. Many of these matters were summarised in the Issues and Options Report in 2015 and took account of consultation on the Local Plan Scoping Report in 2013, the finding of the Economic Strategy in 2015, and more recent engagement with local business leaders.

3.8.2 Whilst it is not intended to repeat all the information as part of this document, four key issues have emerged as requiring an appropriate response:

#### **3.9 The need to achieve ambitions for growth**

3.9.1 The Strategic Economic Plan (SEP) was submitted to the Government by the Gloucestershire Local Enterprise Partnership in 2014. It sets an ambitious growth target of 33,900 new jobs to be provided across Gloucestershire between 2015 and 2021. The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) is similarly ambitious setting out a growth target of 39,500 new jobs to be provided in the JCS area between 2011 and 2031.

3.9.2 If the aspirations of the JCS and the SEP are to be fully realised, they will require significant uplift in economic performance and interventions which deliver the transformational change required. Both identify the need to market the attractiveness of Cheltenham and the excellent quality of life it offers. There are several factors and processes that could lead to economic growth and improved productivity. To achieve growth ambitions (with low productivity as the starting base), the economy will need to:

- i. employ more people (and have the capacity for more jobs); and/or
- ii. enhance productivity with investments in innovation, skills and capital; and /or
- iii. develop new markets / activities that are high value added.

#### **3.10 The need to improve the profile of business within Cheltenham**

3.10.1 There is a need to improve the profile of businesses and business issues within Cheltenham and the Council recognises the potential benefits in working with local businesses in this regard. There is currently a false perception that Cheltenham has very limited land available for employment so, in consequence, opportunities for the regeneration, conversion and re-purposing of existing sites and premises need to be promoted.

#### **3.11 The strategic management of land, property and premises**

3.11.1 Providing opportunity for growth and maintaining the quality of life and quality of place that make Cheltenham unique requires the strategic management of infrastructure and land assets. This will involve the active consideration of expansion needs of existing businesses and employers such as the need for specific types of sites and accommodation as well as consideration of business life cycle needs with respect to premises (such as space for business start-ups and premises for growing enterprises).

3.11.2 With the quality of Cheltenham's existing employment sites and premises needing to be improved, appropriate support for relocation of existing businesses to new, higher quality locations will sometimes include consideration of supporting uplift on values of existing sites to residential in order to release investment. However, it is also recognised that there is also a market for older and less valuable employment land as this will often be cheaper to rent.

### **3.12 Opportunities presented by the Cyber Security industry**

3.12.1 Public and private sector cyber security activities are significant for Cheltenham and present unique opportunities in terms of high value jobs and activities. In particular, GCHQ presents opportunities to attract new private sector technology jobs and activities.

3.12.2 The area in and around Cheltenham, Great Malvern and Hereford is already recognised as a growing centre in the UK for the research, development and commercialisation of cyber security products and services. There are real opportunities from expanding activities in the cyber-security sector but also in any spin-off or associated ICT, digital and technology activities that may have a complementary use for the skills, specialisms and market contacts of the existing cyber security sector. The challenge will be to use the planning system to help nurture and support this potential.

### **3.13 Implications for the Cheltenham Plan**

3.13.1 In terms of tackling the above issues, the Cheltenham Plan has a key role to play. For instance, whilst in strategic land use terms, the JCS is the lead strategy and has identified new sites to cater for some 39,500 jobs between 2011 and 2031, the Cheltenham Plan can complement those ambitions by helping to manage the need for further new allocations in future. The protection of existing land and premises from inappropriate changes of use is fundamental in this process.

3.13.2 The Plan is an important facilitator of change and is an integral component in raising awareness of the opportunities that are available for business in Cheltenham. Whilst it will achieve little on its own, by engaging with the private, public and community sectors and inviting input from a wide range of stakeholders as part of the plan preparation process, the Plan's strategy will complement relevant partner initiatives. Furthermore, it will help realise the land use implications of those initiatives with the aim of improving the business profile and economic wellbeing of the town.

3.13.3 By helping to ensure a good choice of land and premises is available to meet the demands of the market, the Plan can help ensure that more people are employed locally and that economic growth is facilitated. In addition, by targeting particular sectors that are considered high value added, it can further enhance opportunities for wealth generation.

3.13.4 These matters are considered in more detail as part of the economic strategy set out later in this document. However, they also informed the alternatives put forward as part of the Issues and Options consultation in June 2015. A summary of the responses to the Issues and Options are set out below together with the Council's assessment of the best way forward in each case.



## Results Arising From Public Consultation on the Cheltenham Local Plan Issues & Options Report (June 2015)

### 3.14 You said

- 3.14.1 As part of the consultation on the Issues and Options Report in June 2015, a total of 3 policy approaches were advanced with each approach containing a number of policy options.
- 3.14.2 The first policy approach entailed **safeguarding existing and future employment land**. The majority of respondents who expressed a preference considered that **Option 3** represented the best way forward. This would entail protecting the best sites whilst recognising opportunities to re-use and redevelop sites that no longer meet the needs of business.
- 3.14.3 The second policy approach entailed **promoting one type of industry over another**. The majority of respondents who expressed a preference considered that **Option 4** represented the best solution. This would involve introducing the selective management of Cheltenham's economy and would take the form of policy intervention in the market to kick-start a cyber-security initiative by reserving employment land for those uses that have an essential need to locate close to GCHQ and other high technology ICT businesses.
- 3.14.4 The third policy approach entailed **promoting a cyber-security cluster** within the context of the area's growing importance as a centre for the research, development and commercialisation of cyber-security products and services. The majority of respondents who expressed a preference considered that **Option 6** represented the best way forward and that there would be benefits of following this approach in continuing to help diversify the local economy whilst taking advantage of one of the area's identified strengths. The views expressed in relation to this option also offer consistency with the opinions made in relation to the second policy approach above.

### 3.15 We've done

- 3.15.1 In taking the views of respondents into account, the Council has undertaken an evaluation of all existing business land in Cheltenham. This has included all active / functioning employment sites together with those sites which are currently unoccupied but where the last use was for employment purposes. As a result of this evaluation exercise and in conjunction with the evidence resulting from a variety of previous employment-related studies, particularly the 'Sites Typology' from the Cheltenham Employment Sites Review (2015), it has been possible to identify which sites should be protected for employment purposes and which sites can be considered for alternative uses, principally housing.
- 3.15.2 Arising from this, the Cheltenham local plan is putting forward a spatial strategy with associated land-use planning policies which reflect the intention to better manage the use of employment land in future whilst having regard to aspirations for growth and the inherent strengths that the Borough possesses. The strategy is founded on market analysis which has identified a strong requirement for town centre employment sites as well as edge of town opportunities for business.
- 3.15.3 The need to safeguard sites and premises in the identified areas partly arises from the fact that in recent years a considerable number of employment uses have been lost owing to changes of use. The changes that have occurred are mostly to residential use and have been justified on the grounds that sustainable housing

development is much needed in the Borough. However, the cumulative effect of these changes has been to reduce the overall amount of employment land available to the extent that greater efforts to facilitate the process of safeguarding have now become paramount.

3.15.4 Cheltenham still maintains a considerable amount of employment land overall but it is important that the land and premises available are suitable to meet the various needs of the market in terms of quantity, quality, deliverability and spatial distribution / location.

3.15.5 Following on from the above, the Council has further explored the possibility of land-use policy intervention that might help facilitate the selective management of the economy in order to create a cyber-security cluster. A specific policy has been formulated to reflect this and is set out below. The policy positively promotes the type of development the Council would like to see in Cheltenham and gives clear support to cyber security activities. This approach is similar to the approach that safeguards land for one use over another although it specifically recognises the importance of cyber security as business activity in the town and is aimed at taking advantage of the immediate opportunities that exist in fostering and further developing the knowledge and technology-based economy.

### **The Preferred Options**

#### **3.16 Safeguarding existing employment land**

**3.16.1 *We will introduce a land use strategy that appropriately safeguards existing employment land and buildings, and promotes cyber-security.***

3.16.2 The areas identified as containing key employment assets are shown on the Proposals Map. The sites contained within these areas are all considered to have realistic potential to make a significant contribution to delivering new jobs and increasing GVA / productivity over the plan period to 2031. As such, they are to be specifically safeguarded from changes to other forms of development with the associated policy taking a criteria-based approach to safeguarding key sites (see Policy EM1 below).

3.16.3 Those employment sites that were not considered to be key sites and which are therefore not delineated on the Proposals Map will be treated in one of two ways:

- Some will continue to be safeguarded for employment through a policy that embodies greater flexibility than that which applies to the areas containing key employment assets (see Policy EM2 below).
- A very small number have been considered for alternative uses and are being advanced with more appropriate / deliverable allocations as part of the Preferred Options.

#### **3.17 Promoting cyber-security**

3.17.1 The National Planning Policy Framework supports local authorities to plan positively for the location, promotion and expansion of cluster networks of knowledge driven, creative or high technology industries. Within this context, and given the significant opportunities presented by the cyber-security sector in Cheltenham, it is considered imperative that the Council should look to support a growing and high technology global industry in the area. Whilst a successful approach will require intervention and coordination across a number of policy areas, appropriate land-use planning will be

integral to the success of any coherent strategy. In this way, planning can be used as one of the primary vehicles for facilitating the positive change that is required and, specifically, it would help steer the implementation of a wider cyber-security business initiative.

- 3.17.2 Consequently, it is proposed to introduce a policy (see Policy EM4 below) which positively promotes the location of appropriate businesses to Cheltenham. The policy is designed to take advantage of the immediate opportunities that are known to exist in terms of GCHQ and its supply chain, but also to provide suitable sites and premises for new and expanding suppliers or new or existing SMEs in this cluster.

### **3.18 Discounted Options**

- 3.18.1 The following options from the Cheltenham Local Plan Issues and Options Report (June 2015) have been discounted from the remainder of the plan preparation process for the reasons identified under each of the headings below.

#### **Option 1 – Continue with general protection of office, industrial and storage space (B uses only) as established by adopted Local Plan Policy EM2.**

- 3.18.2 Existing policy sets out to prevent the loss of office, industrial and storage space on existing sites using a range of criteria. These criteria currently restrict the change of use of land and buildings in existing employment use to a use outside B1, B2 or B8 use class except where the continuation of the use is undesirable on traffic, amenity or environmental grounds, or where there is a demonstrable lack of demand for employment use currently or in the future.

- 3.18.3 Whilst the policy has been partially successful in achieving what was intended back in 2006, there has been a change in the structure of the economy since that time and evidence suggests that there is now a disconnect between the loss of traditional employment land and the supply of local jobs. The Council is aware that whilst the number of jobs has increased in Cheltenham over the last 10 years, there have been losses of employment sites over that time, and that if this trend is allowed to continue, it could pose a significant problem in future. Continued protection of office, industrial and storage space remains essential but a more targeted approach is seen as the way forward to increase the effectiveness of policy overall. Two policies, both based on previous adopted Local Plan Policy EM2, are now being advanced.

#### **Option 2 – Amend the approach to the protection of office, industrial and storage space (B uses only) as established by adopted Local Plan Policy EM2.**

- 3.18.4 As outlined above, a review of existing policy is both timely and necessary; therefore, this document introduces two policies for the way in which employment land should be managed depending on where in the Borough each site or property is located. In each case, the principal structure of the original Policy EM2 is maintained but the wording is amended with a particular emphasis being introduced according to the sites and locations concerned.
- 3.18.5 Key employment assets have been identified and a tighter policy has been introduced to provide greater safeguards to traditional B1, B2 and B8 land, reducing the number of circumstances that may allow a change of use to occur. Aside from the key sites, employment land is still considered important and will continue to be safeguarded for employment uses in future. However there is a greater degree of flexibility on these sites and changes away from traditional employment uses will be allowed in certain circumstances.

3.18.6 In essence, Option 2 has not been entirely discounted and the policies that have evolved in this Preferred Options document owe much to the principles embodied in the policy approach of the 2006 Plan. Nevertheless, a more radical approach has been necessary to help address some of the key employment-related trends that have been identified so that Cheltenham's planning policy approach remains fit for purpose in years to come.

**Option 5 – Do not use policy for the selective management of the economy.**

3.18.7 The Preferred Options for the Cheltenham Local Plan entails putting in place a land use strategy that helps facilitate the selective management of the economy in order to:

- address the incremental loss of employment land and premises to other uses; and
- promote land for the use of key sectors that already have a strong foothold in the area and which, with further encouragement, will likely deliver additional economic growth and wealth creation for the town and its inhabitants.

3.18.8 The policy approach is clearly designed to intervene in the market, and in terms of the promotion of land for key sectors, offers a departure from previous employment policies in Cheltenham in order to help achieve the Council's aspirations for GVA growth. Without such selective management of the economy, it is considered that the incremental loss of employment land to other uses may continue and the potential value / opportunities presented by key sectors will be forfeited to other geographical areas nearby.

3.18.9 Land supply in Cheltenham is limited and without a new policy approach to help steer economic growth, there is a risk that there would be insufficient land available for all employment types in the area in future. By retaining the existing framework, specialist companies might be priced out of the market by more generic and potentially higher value uses instead.

3.18.10 There was little support for this option during public consultation on the Issues and Options. The Council considers there is sufficient evidence to demonstrate a reasonable prospect of sites being used for their intended purpose and that the suite of proposed employment policies combined offers a good degree of flexibility as well as a more creative approach to the way in which employment land is managed.

**Option 7 - Do not promote a cyber-security cluster.**

3.18.11 The option not to promote a cyber-security cluster received little support during public consultation on the Issues and Options. This potentially reflects the fact that without this form of intervention, Cheltenham could miss out on the wealth and productivity that is often generated by such industries with these desirable characteristics passing to neighbouring areas, particularly Great Malvern and Worcestershire.

3.18.12 There is a risk that if the cluster area is inappropriately drawn or if the proposed policy is poorly applied it might hinder other industries from locating and expanding in Cheltenham. However, the Local Plan is making concerted efforts to ensure a ready and consistent supply of suitable employment land which caters for the needs of all business sectors over the plan period. The promotion of a cyber-security cluster is seen as an integral part of that overall approach and the policy and designation are intended as enabling tools that build on some of the town's most significant strengths and opportunities.

## 4 THE ECONOMIC STRATEGY OF THE PLAN

### Background

#### 4.1 A joint approach

- 4.1.1 It is vital to ensure that Cheltenham has sufficient capacity to support economic growth in future and to ensure that local residents have access to a good supply of jobs.
- 4.1.2 The overall Economic Strategy for the area depends on a variety of sub-strategies coming together and a number of parties working together to achieve common goals. The Local Plan, though at the centre of the drive to realise the wider economic aims for Cheltenham cannot achieve all those aims on its own. Success will very much depend on a consistent and coordinated approach to delivery from a range of organisations. To this end, the Council will actively engage with the private, public and community sectors including the Cheltenham Business Improvement District, Cheltenham Development Taskforce, Cheltenham Chamber of Commerce, Gloucestershire County Council and Gloucestershire Local Enterprise Partnership to promote and improve the economic well-being of the town and Borough. This will be supported by the emerging place strategy, currently being prepared by the Council in partnership with stakeholders and the wider communities of the Borough.

#### 4.2 The need to secure employment land

- 4.2.1 Employment is now considered in a wider sense than traditional office (B1), industrial (B2) and warehousing (B8) use classes. Uses such as retail, hotels, tourism, leisure facilities, education, health services and residential care can also be large employment providers.
- 4.2.2 Indeed, the Cheltenham Economic Strategy (2015) suggests that approximately two thirds of new jobs in the JCS area will be created in sectors not normally associated with traditional employment land use. The economy will therefore need a flexible supply of land that is responsive to the changing needs of the market.
- 4.2.3 Nevertheless, whilst 'non-B employment uses' are now an important contributor to the economy, it should be made clear that they do not fall to be considered in Part 1 of the Cheltenham Plan but will be addressed in Part 2 of the Plan instead. Additionally, an immediate review of retail policies across the JCS authorities will be carried out once the JCS is formally adopted.
- 4.2.4 The consideration of employment land requirements undertaken as part of the Assessment of Updated Economic Forecasts for the Gloucester, Cheltenham and Tewkesbury JCS in 2014 concluded that between 34ha and 60ha of B class employment land would be required across the JCS-wide area between 2011 and 2031 to meet anticipated employment requirements.
- 4.2.5 Figures advanced by the Gloucestershire Local Enterprise Partnership through the Strategic Economic Plan in 2014 set an ambitious job growth target of 33,900 new jobs to be provided between 2015 and 2021 for Gloucestershire.
- 4.2.6 By way of Policy SP1, the JCS makes provision to support 39,500 new jobs between 2011 and 2031 across three neighbouring authorities. This level of provision is



beyond the most ambitious growth targets and whilst challenging will help to provide choice and a degree of flexibility to the market in future. JCS strategic allocations through urban extensions at West Cheltenham and North West Cheltenham make significant contributions to overall provision both in terms of housing and employment land.

4.2.7 In considering the need to secure new employment land, the Cheltenham Plan has had regard to the aforementioned progress made through the JCS process and the results of the latest Strategic Assessment of Land Availability which considered the capacity for new development within the Principal Urban Area (PUA) of Cheltenham.

4.2.8 As a result, it is proposed only to make a small number of allocations for employment in the Cheltenham Plan. The emphasis of the economic strategy of the Plan is to look at protecting existing sites and premises instead. Such sites will significantly assist in providing the land supply necessary to help support economic growth and secure the continuing presence of valuable employment assets. By protecting the existing employment land resource, the need to allocate additional employment land is reduced and the value of previous infrastructure investment is retained.

### **4.3 Strategy elements**

4.3.1 The Cheltenham Local Plan is putting forward a strategy which is intended to better manage the use of employment land in future whilst having regard to the aspirations for growth and the identified strengths that have been identified to exist within the Borough. In land use terms, two primary strands have emerged from the key issues identified as having implications for Cheltenham, these are:

- the need to appropriately manage the use of land and premises, and
- the need to maximise the opportunities presented by the Cyber Security industry.

4.3.2 Through a variety of consultation mechanisms these primary strands reflect the findings of various economic studies, the opinions of local business leaders, and the views of the general public. Each strategy element is considered further below:

### **4.4 Appropriately managing land and premises through safeguarding existing employment land and buildings**

4.4.1 The Employment Land review undertaken as part of the development of the Economic Strategy indicates that there continues to be a finite land resource available for the development of new employment sites in the Principal Urban Area. In order to help achieve the Strategic Economic Plan and Joint Core Strategy ambitions for job provision, the Cheltenham Plan must try to address this whilst also considering the needs of competing land uses, principally residential.

4.4.2 The historical incremental loss of business land and premises to other uses in the PUA though legitimate and allowed by previous adopted local plan policy has been accelerated by Permitted Development Rights which give the Council less control over the changes of use that can legally occur without the need to gain consent.

4.4.3 Estimates covering the last two decades consider that between 750,000 and 1,000,000 sq. ft. of office space have been lost from Cheltenham. Whilst this is not a problem unique to the town, and may owe much to globalisation and the downgrading of the regional HQ market, it remains a significant issue that the Borough needs to respond to.

- 4.4.4 A situation is now presented whereby a more radical policy approach is required if sufficient and appropriate land is to be available for employment purposes and Cheltenham's growth aspirations are to be realised in future.

### **Preferred Options**

## **4.5 Key Employment Land**

- 4.5.1 The Council will seek to ensure that the best, most versatile employment land, defined as Key Employment Land on the Local Plan Proposals Map, will remain available for B1, B2 and B8 employment uses and not eroded for other uses.

- 4.5.2 These sites are recognised as having the potential to make a significant contribution to the aim of delivering new jobs and increasing GVA / productivity in Cheltenham over the Plan Period and would assist in meeting the aspirations for growth set out in the Strategic Economic Plan. The list of sites is included in Policy EM1 and its supporting text, the latter also includes a summary analysis of each site's characteristics. The site assessments that led to key employment land being identified are included at Appendix 1.

- 4.5.3 A site's designation as a key site is based on one or more of a variety of factors and, to this end, identified sites can exhibit a range of differing characteristics. The following have considered first and foremost:

- Whether the character of the site is predominantly traditional employment-based (use classes B1/B2/B8);
- The location of the site in terms of its strategic and local accessibility;
- Access to the site by public transport;
- The proximity of community facilities to help support the workforce;
- The size of the site and its capacity for expansion in future;
- Whether there is currently a limited supply of such premises / accommodation across the Borough;
- Whether there is market demand / requirements for such locations;
- The lack of constraints (physical or otherwise) to unhindered continued use, or future expansion.

- 4.5.4 By identifying key sites in this way, it is intended that the Cheltenham Plan will provide a more refined and focussed approach to facilitating economic growth than before, and that by protecting such sites, the Plan will help ensure a more balanced economic strategy which simultaneously helps to capitalise on key areas such as the recent rapid growth in demand for serviced office accommodation.

- 4.5.5 To not follow such an approach would risk causing further loss of high quality business and enterprise parks and premium grade offices and would delay the Plan's ability to meet the needs of business. The resulting lack of employment space in sustainable locations could result in increased car use as businesses are forced to locate to offices outside the town, thus negatively impacting the local economy.

## **4.6 Spatial characteristics**

- 4.6.1 It will be noted that the distribution pattern of key employment sites possesses a strong spatial dimension whereby there is a greater concentration of sites towards the west of Cheltenham, particularly along the A4019 and the A40. The area benefits

from very good strategic access, being close to the M5 motorway and with good connections to Junctions 10 and 11. Whilst Junction 10 is still constrained through being two-way rather than four-way, sites in the west of Cheltenham would stand to benefit further should investment be forthcoming to facilitate junction improvement works in future. The Council is committed to keep the pressure of lobbying to influence an all movement M5 junction 10. The economic strategy as set out in this plan will support that activity.

- 4.6.2 The strategic position of these sites, their good accessibility, and their attractiveness to the market have all been influential in determining their identification as containing key employment land. The resulting spatial dimension dovetails with the vision and associated land-use strategy of the JCS whereby there is a clear preference for capitalising on development opportunities in the west through strategic land allocations in proximity to appropriate infrastructure and employers offering high value jobs and services.
- 4.6.3 On Key Employment Land, a change of use will be permitted for sui generis uses exhibiting characteristics of traditional employment uses (B1, B2, B8) or for uses that provide new, highly skilled jobs or high value added activities such as research and education.
- 4.6.4 The following policy reflects the approach to safeguarding key existing employment land in Cheltenham. In addition to the existing employment sites identified, it is intended that key employment land includes a small number of new employment allocations being made under Policy EM3 of the Cheltenham Plan together with those strategic employment allocations at West Cheltenham and North West Cheltenham being made as part of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy when development at each of those locations is completed.



**Proposed Policy EM1  
SAFEGUARDING KEY EXISTING EMPLOYMENT LAND AND BUILDINGS**

The following sites which are delineated on the Local Plan Proposals Map have been identified as containing key employment land to be safeguarded for employment purposes:

1. Runnings Road (Kingsditch Trading Estate, Block 1 & Blocks 5-7)
2. Gloucester Road, Benhall (GCHQ)
3. Jessop Avenue / St. James Square
4. New Barn Lane (UCAS)
5. Tewkesbury Road (Block 1)
6. Cheltenham Trade Park
7. Hatherley Lane (The Reddings)

Development proposals for a change of use of land and buildings currently or last in employment use (note 1) on key existing employment sites will not be permitted except where:

- a) The proposed use is Sui Generis but exhibits characteristics of traditional B1, B2 or B8 employment uses (note 2); or
- b) The proposed use provides new high-skilled jobs such as those associated with knowledge-based service and technology industries.

New employment allocations made under Policy EM3 of the Cheltenham Local Plan and new strategic employment allocations made as part of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, namely, land at West Cheltenham and land at North West Cheltenham will also be safeguarded by Policy EM1 on completion of development.

Note 1: Employment use means B class employment uses together with those Sui Generis uses that exhibit characteristics of traditional B1, B2, B8 uses such as car sales, a builder’s yard, or a vehicle or tool hire business. The list is not exhaustive.

Note 2: Sui generis uses which may require an employment location are the same as those listed at note 1, although the list is not exhaustive.

**TABLE 1: SITES DESIGNATED AS KEY EMPLOYMENT SITES**

Site ref.	Site name / address	Key characteristics	Predominant character	Size (ha)
ES1 (Survey refs. 8, 12-14)	Runnings Road - Kingsditch Trading Estate Block 1 & Blocks 5-7	<ul style="list-style-type: none"> <li>• Principal industrial area to north-west of Cheltenham</li> <li>• Good access onto A4019 &amp; M5 J10.</li> <li>• Wholesale; light industrial; engineering; manufacturing.</li> <li>• Mixed quality buildings with investment reqd. in certain buildings to ensure continued fitness for purpose.</li> <li>• Some poor public realm.</li> <li>• Some sites at low density with opportunities for redevelopment / investment.</li> </ul>	Industrial Estate	28.4

**TABLE 1: SITES DESIGNATED AS KEY EMPLOYMENT SITES**

Site ref.	Site name / address	Key characteristics	Predominant character	Size (ha)
		<ul style="list-style-type: none"> <li>High profile development where any vacancies on key gateway plots would cause the profile of the estate to deteriorate.</li> </ul>		
ES2 (Survey ref. 75)	Gloucester Road, Benhall – GCHQ	<ul style="list-style-type: none"> <li>Located to the west of town</li> <li>Excellent strategic location off A40 / close to M5 J11</li> <li>Good local access off Gloucester Rd. / Hatherley Lane</li> <li>Good level of parking</li> <li>Very high quality office accommodation with excellent surroundings</li> <li>Bespoke buildings occupied by a specific user since 2004.</li> <li>Large employer and important contributor to local economy</li> <li>Considered a key business in Borough which needs to be retained to avoid vacating the whole site.</li> </ul>	Large Site / Single Occupier	19.5
ES3 (Survey refs. 44 & 67)	Jessop Avenue / St James Square	<ul style="list-style-type: none"> <li>Substantial prime office space in Cheltenham Town Centre.</li> <li>Refurbished buildings suitable for blue chip companies.</li> <li>Expansion opportunities to implement extant planning consent on adjacent car park at Honeybourne Place.</li> <li>Good access by public transport</li> <li>Close to many local facilities for workforce.</li> </ul>	High Quality Office (Town Centre)	2.6
ES4 (Survey ref. 65)	UCAS – New Barn Lane	<ul style="list-style-type: none"> <li>Located in northern Cheltenham</li> <li>Good strategic access off A435</li> <li>Good local access to / from Evesham Road</li> <li>Buildings of excellent quality</li> <li>Situated in a high quality landscaped environment.</li> <li>Some buildings given over to student accommodation in recent times.</li> <li>Still considered an important business in Borough which needs to be retained to avoid vacating the whole site.</li> </ul>	Large Site / Single Occupier	2.7
ES5 (Survey ref. 29)	Tewkesbury Road (Block 1), Neptune Business Centre & Space Business Centre	<ul style="list-style-type: none"> <li>Located on north-western edge of Town Centre</li> <li>Good strategic access off A4019, 3 miles from M5</li> <li>Good local access, well served by public transport.</li> <li>Adequate parking</li> <li>Good, modern office space, warehouse and trade counter</li> <li>Offers a flexible range of unit sizes along with bespoke packages to support occupiers' requirements.</li> <li>Supports 26 businesses including start-ups and small businesses</li> <li>Facilities nearby for workforce</li> </ul>	Business Park / small businesses	2.6
ES6 (Survey ref. 4)	Cheltenham Trade Park	<ul style="list-style-type: none"> <li>Located on north-western edge of Town Centre</li> <li>Good strategic access off A4019, 3 miles from M5</li> <li>Acceptable local access via residential roads (e.g. Arle Avenue)</li> <li>Well served by public transport</li> </ul>	Business Park	4.4

**TABLE 1: SITES DESIGNATED AS KEY EMPLOYMENT SITES**

Site ref.	Site name / address	Key characteristics	Predominant character	Size (ha)
		<ul style="list-style-type: none"> <li>• Adequate parking</li> <li>• Office and light industrial location providing a range of units and two office buildings.</li> <li>• Some vacant units available.</li> </ul>		
ES7 (Survey ref. 22)	Hatherley Lane - The Reddings	<ul style="list-style-type: none"> <li>• 2 sites located to the west of the town</li> <li>• Excellent strategic location off A40 / close to M5 J11</li> <li>• Good local access off Gloucester Rd. / Hatherley Lane</li> <li>• Good level of parking</li> <li>• Good quality / modern properties</li> <li>• Adequate public transport</li> <li>• Some nearby facilities for workforce</li> <li>• Expansion opportunities available south and west of Pure office building</li> <li>• Limited public transport</li> </ul>	Business Estate	2.8

- *The policy contributes to Vision Theme B – objectives a, b and e.*
- *Relevant JCS policies: SD1; SD2*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: EM2*

Links to key local evidence:

- Cheltenham Economic Strategy (2015)
- Strategic Assessment of Land Availability (2015)
- Annual Employment Land Monitoring Report (2015)
- Gloucestershire Growth Deal (2014)
- Gfirst Strategic Economic Plan (2013)
- NLP Assessment of updated economic forecasts (2014)
- JCS Review of Business Parks (2011)
- Employment Land Review (2007 and 2011)

#### 4.7 Employment outside of key existing employment sites

- 4.7.1 Land and purpose-built premises currently or last in employment use but not identified as Key Existing Employment Sites will also be safeguarded for a range of employment and job-generating uses such as offices, industrial, warehousing, leisure, education, research, health services, and tourism facilities. The list is not exhaustive and where an applicant can demonstrate another use is job generating this will be assessed on its own individual merits.
- 4.7.2 Where the use falls outside B1/B2/B8, the proposed job generating use should be the primary activity and proposals will need to demonstrate how the redevelopment contributes to net increase in jobs available or adds value to the local economy. Proposals for retail will need to comply with relevant retail policies.
- 4.7.3 A sequential approach is taken to the redevelopment of non-designated employment sites. Re-development of the site for non-employment development will only be

allowed if it can be demonstrated that, firstly, employment or job generating based redevelopment, and secondly, mixed-use development generating some employment is not viable.

- 4.7.4 Exceptions to the policy may be permitted where continuation of the existing use is undesirable on traffic, amenity or environmental grounds, or there is a demonstrable lack of demand for employment use, currently or in future.
- 4.7.5 The following policy reflects the approach to safeguarding non-designated employment sites in Cheltenham.

### **Proposed Policy EM2**

#### ***SAFEGUARDING NON-DESIGNATED EXISTING EMPLOYMENT LAND AND BUILDINGS***

Development proposals for a change of use of land and buildings currently or last in employment use (note 1) will only be permitted where the loss of part of the site to other uses does not have a detrimental impact on the continuing operation of existing businesses and;

- a) The proposed use is job generating (note 2) with any loss of existing provision being offset by a net gain in the quality (note 3) and / or the number of jobs provided on the site; or
- b) Development of the site will ensure the relocation of an existing firm to a more suitable location within the Borough (note 4); or
- c) There has been a sustained and long-term absence of economic activity on the land with no reasonable prospect of the land being used for employment (note 5);

or

- d) The applicant for planning permission can demonstrate that employment use creates unacceptable environmental or traffic problems which cannot be satisfactorily resolved.

Proposals for the redevelopment of non-designated employment sites will need to consider matters of viability in demonstrating adherence to the following sequential approach in order of preference:

- 1) Traditional B class employment-based redevelopment
- 2) Job generating redevelopment (note 2)
- 3) Mixed use redevelopment including traditional B class employment uses
- 4) Mixed use redevelopment including job generating uses (note 2)
- 5) Non-employment redevelopment

Note 1: Employment use means B class employment uses together with those Sui Generis uses that exhibit characteristics of traditional B1, B2, B8 uses such as car sales, a builder's yard, or a vehicle or tool hire business. The list is not exhaustive.

Note 2: Job generating uses include retail, leisure facilities, education, health services, residential care and tourism. This list is not exhaustive and other uses may

also be relevant. Proposals for retail uses will also need to comply with the sequential test and the Plan's retail policies. Short term jobs generated through the construction or maintenance of buildings as part of a planning permission do not constitute job generating uses for the purposes of this policy.

Note 3: Quality jobs may include knowledge-based service and technology jobs such as cyber-security and ICT / digital industries; manufacturing and engineering; jobs in professional services such as insurance; and visitor economy jobs that help increase spend in Cheltenham. This list is not exhaustive and other uses may also be relevant.

Note 4: Evidence will be required to demonstrate why the existing site is unsuitable for the current use, why the alternative site is more suitable and why other uses are considered necessary in order to facilitate the relocation of the current user elsewhere within the Borough.

Note 5: Evidence will be required to demonstrate the lack of demand and consider the need for employment land currently or in future. At the heart of the criterion is the need to undertake an active advertising and marketing campaign that has been sustained over an appropriate period of time and has had regard to market characteristics. The campaign should cover both sale and rent/lease of the site and should be targeted at the resumption of the previous employment use or another B class or job generating use. The amount of time that a campaign should be carried out is likely to vary depending on the scale of the redevelopment proposed and the amount of employment land that will potentially be lost. A period of not less than 1 year provides a reasonable benchmark.

- *The policy contributes to objectives Vision Theme B – objectives a, b, and e.*
- *Relevant JCS policies: SD1; SD2*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: EM2*

Links to key local evidence:

- Cheltenham Economic Strategy (2015)
- Strategic Assessment of Land Availability (2015)
- Annual Employment Land Monitoring Report (2015)
- Gloucestershire Growth Deal (2014)
- Gfirst Strategic Economic Plan (2013)
- NLP Assessment of updated economic forecasts (2014)
- JCS Review of Business Parks (2011)
- Employment Land Review (2007 and 2011)

## 4.8 New employment development

4.8.1 Though the emphasis of the Cheltenham Plan's employment strategy is to safeguard relevant sites and premises from inappropriate changes of use, the Plan is also making a small number of employment allocations within the Principal Urban Area. In this way, it is intended to provide further certainty on where traditional B class employment activities will be concentrated whilst also providing a greater degree of choice and flexibility to the market.

- 4.8.2 Each of these employment allocations is considered to be a key employment site and upon completion of built development will be safeguarded from inappropriate changes of use by Policy EM1. It is also intended that land within Cheltenham Borough that is subject to the strategic employment allocations made through the emerging Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, namely, land at West Cheltenham and land at North West Cheltenham will be safeguarded by Policy EM1 on completion of development.

#### **Jessop Avenue (E1)**

- 4.8.3 The site comprises a flat parcel of land located to the south of Jessop Avenue on the western edge of Cheltenham Town Centre. The allocation occupies a cleared area of approximately 0.34 ha which is currently used as a temporary private car park to adjacent offices; it can therefore be considered as brownfield land. The site benefited from the granting of planning consent for office and ancillary uses in 2012 but the development stalled. A further application for a bespoke office development is currently under consideration by the Council at the time of writing.

#### **Hatherley Lane (E2)**

- 4.8.4 The site is a flat parcel of land located to the south of Hatherley Lane, The Reddings on the western periphery of Cheltenham. It lies to the west of the existing Pure Offices serviced business accommodation and is extremely well connected to the strategic highway network via the A40 and J11 of the M5. Measuring approximately 0.4 ha, the allocation offers an ideal opportunity for the expansion of contemporary business activities. An adjoining site has recently been granted planning permission at appeal for 27 dwellings (APP/B1605/W/16/3152390). The allocation site can be categorised as brownfield land, has previously been used for employment purposes and gained planning permission for office use as part of a larger site in 2010.

#### **Grovefield Way (E3)**

- 4.8.5 The site occupies a flat parcel of land to the north-west of Grovefield Way, The Reddings on the western periphery of Cheltenham. It lies immediately west of the Gloucestershire County Council Park & Ride facility at Arle Court and is extremely well connected to the strategic highway network along the A40 and to J11 of the M5. Measuring approximately 6.4ha, the allocation provides an opportunity for the establishment of a modern business environment at an important gateway location. The site can be categorised as greenfield land and currently lies within the green belt. However, it also currently benefits from an extant planning consent for B1 employment uses and part of the site is already under construction to provide a flagship facility for a high profile car dealership. It is anticipated that the existing green belt designation will be removed by the ongoing JCS process.
- 4.8.6 The development or change of use of land for new employment uses at locations not specifically covered by the Cheltenham Plan will be permitted where the proposals



accord with Policies SD1 and SD2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2016).

**Proposed Policy EM3**  
**NEW EMPLOYMENT ALLOCATIONS**

The following sites which are delineated on the Local Plan Proposals Map have been identified as locations for new employment development:

- a) Land south of Jessop Avenue, Town Centre (E1)
- b) Land south of Hatherley Lane, The Reddings (E2)
- c) Land north-west of Grovefield Way, The Reddings (E3)

Proposals for traditional B class employment uses or Sui Generis uses that exhibit the characteristics of traditional B class employment will be supported at these locations subject to being in accord with other relevant policies within this Plan.

**TABLE 2: SITES ALLOCATED FOR EMPLOYMENT**

Site ref.	Site name / address	Description	Size (ha)
E1	Jessop Avenue	<ul style="list-style-type: none"> <li>• Flat parcel of land located on the western edge of Cheltenham Town Centre.</li> <li>• Currently used as private car park.</li> <li>• Planning consent granted for office and ancillary uses in 2012.</li> <li>• A further application for office development is currently under consideration by the Council at the time of writing.</li> </ul>	0.34
E2	Hatherley Lane	<ul style="list-style-type: none"> <li>• Flat parcel of land located on the western periphery of Cheltenham.</li> <li>• Adjacent to existing offices.</li> <li>• Well connected to the strategic highway network via the A40 and J11 of the M5.</li> <li>• The site is brownfield land has previously been used for employment purposes.</li> <li>• Planning permission was granted for office use as part of a larger site.</li> </ul>	0.4
E3	Grovefield Way	<ul style="list-style-type: none"> <li>• Flat parcel of land on the western periphery of Cheltenham.</li> <li>• Well connected to the strategic highway network along the A40 and to J11 of the M5.</li> <li>• The site provides an opportunity for the establishment of a modern business environment at an important gateway location.</li> <li>• The site has an extant planning consent for B1 employment uses and part of the site is already under construction.</li> <li>• It is anticipated that the existing Green Belt designation will be removed by the ongoing JCS process.</li> </ul>	6.40

- *The policy contributes to objectives Vision Theme B – objectives a, b, and e.*
- *Relevant JCS policies: SD1; SD2*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: EM2*

Links to key local evidence:

- Cheltenham Economic Strategy (2015)
- Strategic Assessment of Land Availability (2015)
- Annual Employment Land Monitoring Report (2015)
- Gloucestershire Growth Deal (2014)
- Gfirst Strategic Economic Plan (2013)
- NLP Assessment of updated economic forecasts (2014)
- JCS Review of Business Parks (2011)
- Employment Land Review (2007 and 2011)

#### **4.9 Maximising opportunities presented by the cyber security industry**

- 4.9.1 Public and private sector cyber security activities are significant for Cheltenham and present unique opportunities in terms of high value jobs and activities.
- 4.9.2 The area is recognised as a growing centre in the UK for research, development and commercialisation of cyber security products and services. The Council recognises there are real opportunities from expanding the cyber security sector, but also in any spin-off or associated ICT, digital and technology activities that may have a complementary use for the skills, specialisms and market contacts of the sector.
- 4.9.3 The planning system has a role to play in helping to nurture and support this potential and the Cheltenham Plan includes a policy that is designed to look favourably on businesses wishing to locate or develop within the Borough. The policy represents a form of intervention in the market to encourage those uses that have an essential need to locate close to establishments such as GCHQ and represents a step forward from previous employment policy in that it should help focus Cheltenham's economy towards a specialist sector and therefore help achieve aspirations for GVA growth.
- 4.9.4 The policy is broad in its approach and does not set out to specifically allocate individual sites and premises; to do so may inadvertently prejudice other employment uses and may prevent existing, ageing, and sub-standard premises from being redeveloped. Rather, the approach is to support a growing high-technology global industry to locate to the town and to help brand Cheltenham as a premier location for cyber security innovation and business in the UK and to help provide a physical identity.
- 4.9.5 The success of any cyber-security initiative will require coordinated action between the Council, property developers and other sectors of the business community. However, through the following policy, the Cheltenham Plan aims to move the initiative forward being one of the primary facilitators of change.



**Proposed Policy EM4****PROMOTING THE CYBER-SECURITY SECTOR**

In order to further develop and enhance Cheltenham's position as a premier location for cyber security, innovation and business in the UK, development proposals for businesses that support cyber security activities will be favoured subject to the proposal being appropriate to the location concerned and being in-accord with other relevant policies within this Plan.

- *The policy contributes to achieving objectives Vision Theme B – objectives a, b and e.*
- *Relevant JCS policies: SD1; SD2*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: EM2*

## Links to key local evidence:

- Cheltenham Economic Strategy (2015)
- Strategic Assessment of Land Availability (2015)
- Annual Employment Land Monitoring Report (2015)
- Gloucestershire Growth Deal (2014)
- Gfirst Strategic Economic Plan (2013)
- NLP Assessment of updated economic forecasts (2014)
- JCS Review of Business Parks (2011)
- Employment Land Review (2007 and 2011)

#### **4.10 Safeguarding other land for the future: Route of the former Honeybourne Rail Line**

4.10.1 In addition to safeguarding the Borough's employment sites, the Cheltenham Plan has also considered the need to protect certain infrastructure where it has the potential to help deliver economic and other benefits in future. In this respect, the Plan will protect the route of the former Honeybourne rail line where it falls within the Borough boundary.

4.10.2 It has long been recognised that the route has potential for future use as a continuous sustainable transport corridor linking the population centres of Bishop's Cleeve, Cheltenham, Gloucester, and Quedgley. The aim of the following policy will therefore be to safeguard that part of the route that lies within the Cheltenham Borough boundary from development which might prejudice this potential.

4.10.3 Sections of the redundant railway have already been brought back into beneficial use as a footpath and cycleway, and some of the route is operated as a heritage attraction by the Gloucestershire & Warwickshire Railway. The safeguarding

designation as shown on the Proposals Map includes these sections as well as those sections where proposals have yet to be implemented.

4.10.4 It is anticipated that in the interests of long-term, coherent planning, neighbouring Councils will include similar safeguarding proposals for the route in their local plans. The result will be to provide a fully co-ordinated approach to strategic land management in order to secure economic and other benefits through improved access to key settlements.

**Proposed Policy EM5**

***PROTECTING THE ROUTE OF THE FORMER HONEYBOURNE RAIL LINE***

The route of the former Honeybourne Rail Line is delineated on the Local Plan Proposals Map. Development proposals which would prejudice the future use of the route as continuous sustainable transport corridor will not be permitted.

- *The policy contributes to achieving objectives Vision Theme A - objective f; Vision Theme B – objective d; Vision Theme C – objectives a and e.*
- *Relevant JCS policies: SD1; SD2*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: PR3 and RC9*

Links to key local evidence:

- Cheltenham Economic Strategy (2015)
- Strategic Assessment of Land Availability (2015)
- Annual Employment Land Monitoring Report (2015)
- Gloucestershire Growth Deal (2014)
- Gfirst Strategic Economic Plan (2013)
- NLP Assessment of updated economic forecasts (2014)
- JCS Review of Business Parks (2011)
- Employment Land Review (2007 and 2011)

## 5 LOCAL GREEN SPACE

### 5.1 Background

- 5.1.1 The NPPF (para 76-78) makes provision for local communities to identify green areas of particular importance to those communities, where development will not be permitted except in very special circumstances. These Local Green Spaces (LGS) can be designated through a local plan or through neighbourhood plans. The LGS designation will be an addition to the current protections for green spaces set out in the 2006 Local Plan and Development on Garden Land & Infill Sites Supplementary Planning Document (SPD). Existing policies which protect public and private green spaces will remain in place and will continue to be taken very seriously.
- 5.1.2 In response to the introduction of the new Local Green Space designation outlined in the NPPF, Cheltenham Borough Council commissioned Gloucestershire Rural Community Council (GRCC) to work with parishes and neighbourhood forums within the Borough on a Local Green Spaces Study. The aim of the work was to support communities to identify and analyse potential Local Green Spaces to be considered for designation through the emerging Cheltenham Plan.
- 5.1.3 GRCC visited Parish Councils and Neighbourhood and Community groups to get their feedback on green areas in their locality that are of particular importance to local communities. To facilitate this, the Council provided a toolkit that supported communities to evaluate the merits of proposing green areas for Local Green Space, and gave them a guide to relevant evidence they could submit.
- 5.1.4 Over 110 open spaces/sites were considered by the communities at initial assessment stage and 29 of these were taken forward to full toolkit application. Communities considered factors such as threat of development, current level of protection, usage and whether, in the time available, it would be possible to demonstrate that a site was special to the local community.
- 5.1.5 The 29 sites were included in the 2015 Issues and Options consultation and feedback from that consultation have been taken into account. Following the consultation the evidence provided by communities has been assessed further by officers. This included also assessing at the current development status of the sites (for example if the site was already allocated for development or had been included in the Strategic Assessment of Land Availability (SALA)) and their accordancy with the criteria laid out in the NPPF. It was considered that 12 sites met the criteria for Local Green Space designation. These are listed in the policy below and are illustrated on the following maps. The potential Local Green Space sites at Swindon Village and Leckhampton have been considered through the JCS but also appear below because they will be part of the Cheltenham Plan.
- 5.1.6 It is important to note that sites which do not gain Local Green Space designation will continue to benefit from existing policies on the protection of open space. For

example, policy GE1 Public Green Space and GE2 Private Green Space in the 2006 Local Plan will remain in force. GE1 protects any area identified as Public Green Space from development. GE2 prevents development on all other green spaces that make a significant contribution towards townscape or the environment. There will be a review of Cheltenham's green spaces policies in Part 2 of the Cheltenham Plan (work on this is due to commence in summer 2017). At that point there will be a number of opportunities to comment on how green spaces in the town should be best protected and enhanced.

The NPPF provides the following criteria for Local Green Space designation. More details of how the criteria were applied can be found in Appendix B.

- The green space should be in reasonably close proximity to the community it serves.
- The green space should be demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.
- The green space should be local in character and is not an extensive tract of land.
- The green space does not have planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.
- Designation of the Local Green Space is consistent with local planning for sustainable development in the area.
- If land is already protected by Green Belt policy or any other designation then the green space designation provides local benefit additional to that already provided by the existing designation (for example where the Green Belt in a certain location has been identified in the JCS as having potential for review in the future).

## 5.2 You said

5.2.1 The consultation on the 2015 Issues & Options Consultation proposed three potential policy approaches for Local Green Space:

- OPTION 8: Allocate all designated 'Public Green Spaces' as 'Local Green Spaces';
- OPTION 9: Maintain existing local 'Public Green Spaces' and only allocate 'Local Green Spaces' that meet the framework's criteria;
- OPTION 10: Maintain existing approach of designating 'Public Green Spaces';
- Other option;

5.2.2 Option nine was the clear favourite with 292 out of a total of 322 responses in favour. The majority of respondents commented on local green spaces issues. The Leckhampton Fields sites accounted for 43% of all LGS comments. Redthorn Way, Swindon Village, and the A40 corridor were all referenced over 100 times. The vast majority of comments relating to the 29 LGS sites (as identified in the consultation

document) were in support; although levels of support for individual sites varied. Those not in favour of a LGS designation only registered opposition to Leckhampton Fields, and Swindon Village. Several new LGS sites were also promoted.

### 5.3 We've done

- 5.3.1 Evidence provided by the community has been assessed by a panel of officers. This included investigating the current development status of the sites (for example if the site was already allocated for development or had been included in the SALA) and their accordance with the criteria laid out in the NPPF. More information about the criteria used can be found in Appendix C.
- 5.3.2 It was considered that eleven sites were demonstrably very special to the local community and suitable for Local Green Space designation. These sites are listed in the draft policy GE8A below and are illustrated on the Proposals Maps. A table showing reasoning for the decisions taken on each potential LGS site can be found in Appendix D.
- 5.3.3 Land currently designated as Public Green Space will continue to benefit from strong policy protection. Six sites included in the preferred option currently benefit from planning protection as Public Green Space. These sites would not usually gain any additional planning protections from LGS designation so an alternative option (GE8B) has been included which omits those six sites. One of these six sites, Pilgrove Way, was found by the panel to not meet all of the LGS criteria. It has been included in the consultation, however, as it is a special site to the local community and will form part of a larger open space as part of the JCS Strategic Allocation.
- 5.3.4 The North West Cheltenham Strategic Allocation adjacent to Swindon Village is also part of the JCS. The JCS has provided an indicative plan where LGS should be designated in this area as part of a green buffer around Swindon Village.
- 5.3.5 Local Green Space designation at Leckhampton has not been considered by the Cheltenham Plan LGS officer panel at this stage. This is because this area has been part of the JCS process. The Leckhampton site is now no longer a Strategic Allocation and any development at that site will be part of the Cheltenham Plan rather than the JCS. As a result the development and Local Green Space proposals at Leckhampton are not as far advanced as at Swindon Village.
- 5.3.6 It would be premature at this stage for the Cheltenham Plan to have a preferred option about LGS at Leckhampton. Due to the site recently being taken out of the JCS process the development and green space plans for the area are not as defined as those adjacent to Swindon Village. This is why it appears as an indicative area only on the policy maps. The indicative area shown on the map is based on the JCS Inspector's comments in her Note of Recommendations from 21 July 2016<sup>1</sup>. LGS in this area, and any others submitted during this consultation, will be assessed over

<sup>1</sup> <http://www.gct-jcs.org/PublicConsultation/Examination-Documents-234-onwards.aspx>

the coming months and be included in the next stage of public consultation on the Cheltenham Plan in Spring 2017.

- 5.3.7 Cheltenham Borough Council have agreed to conduct a review of the Local Green Space in relation to the West Cheltenham emerging Strategic Allocation. GRCC have been commissioned to work with the local community to produce a toolkit supporting their ideas for LGS in the Strategic Allocation. This will be included in the next stage of the JCS, which will provide an indicative area for LGS which the Cheltenham Plan will then to designate. The proposed area will be consulted on in the next Cheltenham Plan consultation in spring 2017.

#### 5.4 Preferred Option

##### **Proposed Policy GE8A LOCAL GREEN SPACE**

Development will not be permitted within a Local Green Space, designated either within the Cheltenham Plan, or an approved Neighbourhood Plan unless there are very special circumstances which outweigh the harm to the Local Green Space. Particular attention will be paid to the views of the local community in assessing any development proposals that affect a designated Local Green Space.

The following sites (as identified on the Proposals Maps) are proposed for designation as Local Green Spaces within the Cheltenham Plan:

- a) land at Hesters Way Community Centre;
- b) land at Lynworth Green;
- c) land at Albermarle Orchard;
- d) land at Colesbourne Road and Redgrove Park;
- e) land at Victoria Cricket Ground;
- f) land at Fairview Green;
- g) land at Newcourt Green;
- h) land at Henley Road and Triscombe Way;
- i) land at Chargrove Open Space;
- j) land at Redthorne Way;
- k) land at Caernarvon Park;
- l) land at Pilgrove;
- m) land at Swindon Village;
- n) land at Leckhampton (indicative area only).

- *The policy contributes to objectives Vision Theme C – objectives a, b and e.*
- *Relevant JCS policies: INF4; SA1*



Links to key local evidence:

- Local Green Space study report (2015)
- Local Green Space criteria document (Appendix B)
- Local Green Space site assessment table (Appendix C)

## 5.5 Alternative options

- 5.5.1 A number of sites submitted for consideration that were found to be very special to the local community are already Public Green Space sites and will continue to benefit from that protection. As designating these sites will provide little additional planning protection the below alternative option describes a policy which only includes special sites which are not already Public Green Space.

### **Proposed Policy GE8B LOCAL GREEN SPACE**

Development will not be permitted within a Local Green Space, designated either within the Cheltenham Plan, or an approved Neighbourhood Plan unless there are very special circumstances which outweigh the harm to the Local Green Space. Particular attention will be paid to the views of the local community in assessing any development proposals that affect a designated Local Green Space.

The following sites (as identified on the Proposals Maps) are proposed for designation as Local Green Spaces within the Cheltenham Plan:

- land at Hesters Way Community Centre;
- land at Lynworth Green;
- land at Albermarle Orchard;
- land at Colesbourne Road and Redgrove Park;
- land at Victoria Cricket Ground;
- land at Swindon Village;
- land at Leckhampton (indicative area only).

- *The policy contributes to objectives Vision Theme C – objectives a, b and e.*
- *Relevant JCS policies: INF4; SA1*

Links to key local evidence:

- Local Green Space study report (2015)
- Local Green Space criteria document (Appendix C)
- Local Green Space site assessment table (Appendix D)

## 5.6 Discounted Option

- 5.6.1 There are no other reasonable alternatives. The alternative to not take the LGS process forward would go against a clear community desire to protect important open spaces.

5.6.2 The process used to determine which sites should be designated as LGS complies with the NPPF and nPPG. Therefore the conclusions which came from this process are in conformity with national policy.

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## 6 DEVELOPMENT PROPOSALS

### 6.1 The need for housing development

6.1.1 In seeking to achieve more sustainable forms of development, the Government has provided clear policy on the provision of new housing. Local authorities should:

- plan to meet the housing needs of the whole community
- provide wider housing opportunity and choice and a better mix in the size, type and location of housing
- place housing in locations which are accessible by public transport to jobs, shopping, leisure, education and health facilities
- give priority to using previously-developed land within urban areas
- make more efficient use of land
- promote good design in new housing development, placing the needs of people before the ease of traffic movement.

6.1.2 One of the aims of the Cheltenham Plan is to ensure that the Council maintains a healthy supply of land for housing. National planning policy also requires that Local Plans meet their objectively assessed need (OAN) for development.

6.1.3 In Cheltenham the demand for housing is high, but the scope for further residential development is constrained by the historic urban environment, the Green Belt, the Area of Outstanding Natural Beauty, and green spaces protected for the recreational and leisure needs of residents and visitors to the town and biodiversity.

6.1.4 The OAN for Cheltenham has been assessed as part of the JCS process. The overall housing requirement for the whole area between 2011 and 2031 is 35,175 dwellings with the Cheltenham specific figure of **10,915**. More information about how these figures have been derived can be found on the JCS website (<http://www.gct-jcs.org/>).

6.1.5 In order to help meet the housing requirements the JCS looks to focus development into the existing urban areas. However, the housing need exceeds what can be accommodated within the main urban boundaries. In order to address this the JCS proposes large, strategic sites for development on the edge of Cheltenham.

6.1.6 Table 3 demonstrates the latest housing evidence figures for Cheltenham. It shows the supply of housing to be delivered between 2011-2031 and the total need for the same period.

**TABLE 3: HOUSING NUMBERS FOR CHELTENHAM**

Housing completions since 2011	1426
Dwellings with planning permission	1890
Cheltenham Strategic Allocations	5385
Urban Capacity Potential	557
Urban Capacity Permissions	89
Land at Farm Lane	377
Arle Nurseries/Old Gloucester Road	200
Leckhampton	200
Windfall	865

<b>Total Supply 2011-2031</b>	<b>10989</b>
<b>Cheltenham Housing Need 2011-2031</b>	<b>10915</b>

6.1.7 National policy requires Local Plans to identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirement. The housing trajectory will be updated annually through the Annual Monitoring Report. More information about monitoring and review can be found in Part 7 of the JCS.

6.1.8 The current Local Plan and the JCS include policies outlining a requirement for developments to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. These policies will remain part of the development plan and will continue to be applied. The Cheltenham Plan: Part 1 will, when adopted, bring up-to-date a small number of crucial policies which require an update.

## **6.2 You said**

6.2.1 The 2015 Issues and Options consultation document presented 103 potential site allocations. The majority of comments made in relation to sites expressed the need to maintain the existing urban boundaries. There was also some concern about potential development on Green Belt, AONB and other greenfield sites. However, a number of respondents focused on the need to boost the supply of housing in line with the NPPF and many also referenced the JCS examination and challenged Cheltenham's housing numbers (objectively assessed housing need).

## **6.3 We've done**

6.3.1 Following the Issues and Options consultation officers continued to update information about potential development sites. All sites were then subjected to basic, high level criteria to filter out those which would either not be suitable for residential development or would not benefit from having a policy allocation.

6.3.2 The filtered sites were then discussed at an officer panel. The input of the Conservation, Development Management, Trees, Streetscape, Landscape and Highways teams was collected in order to gain a better understanding of constraints and opportunities.

6.3.3 The site information was then merged with the Borough's information on Urban Capacity. The Urban Capacity sites were originally put together in 2013 as part of the JCS process. They represent a high level appraisal of all the sites which are likely to come forward for residential or mixed use development within the urban area over the course of the plan.

6.3.4 The process of integrating new site information into the Urban Capacity led to a revised figure. This is the result of some sites being built out and others having their capacity reduced or increased as a result of new evidence. Six new sites were also identified within the Borough which increases the Urban Capacity to 557 dwellings.

6.3.5 An assessment of whether each site would benefit from an allocation for either housing development or mixed use. The justification for what type of allocation is appropriate is included in the Urban Capacity Update table in Appendix D.

## Housing Allocations

### 6.4 Preferred Option

6.4.1 The existing built up area of Cheltenham is tightly constrained by Green Belt and AONB with very little undesignated land in which to expand. It is therefore logical to make the most of previously developed and underused land within the existing urban area. This approach is also in line with JCS policy SP1 which aims to see development delivered within existing urban areas and Strategic Allocations.

6.4.2 The Preferred sites set out below have been carefully assessed. The reasons for each site's inclusion/exclusion from the Preferred Options are set out in Appendix E. Site specific policies have not been proposed at this stage but an indication of housing capacity has been provided. More detailed site policies will develop following this consultation.

### 6.5 Urban sites

#### Reeves Field

6.5.1 This is a flat, greenfield site within the urban area. The area is predominantly residential, with public green space to the north and East Gloucestershire sports club to the south.

6.5.2 The site is used by Cheltenham College as private sports pitches and is now being promoted for development. Development of the site would require a detailed masterplan which takes into account the site's location within the Central Conservation Area and the identified key views to the scarp across the site, which limit the potentially developable area. The potential loss of sport pitches would also need to be justified.

6.5.3 It is estimated that the site has capacity for around 80 dwellings, assuming that around half of the site is retained as green space.

#### Monkscroft Primary School

6.5.4 The site comprises the playing fields of the former Monkscroft Primary school, between Shakespeare Road to the north and Shelly Road to the south. The main school buildings have been demolished and replaced with a residential care home. It is estimated that the site has capacity for around 60 dwellings.

#### Springbank Shopping Centre

6.5.5 This is a brownfield site within the urban area, surrounded by existing residential development. It was previously in use as a Neighbourhood Shopping centre, however it has been vacant for a number of years. It is estimated that the site has capacity for around 36 dwellings.

#### Christ College Site B

6.5.6 This is a greenfield site within the urban area, previously used as school playing pitches. It is now disused. It is estimated that the site has capacity for around 70 dwellings.

#### Rivershill House

- 6.5.7 This is a flat site of vacant office buildings in a central urban location, predominantly surrounded by residential uses. A Prior Approval application for change of use from office to residential in 2013 was successful. A planning application for the demolition of the current building and erection of 45 apartments has been submitted and is pending a decision.

#### **Premiere Products**

- 6.5.8 This represents a vacant single occupier employment site in the east of the town. The site is set within a residential area and borders Cheltenham Cemetery to the east. A number of attributes contribute towards allowing it to change from employment to residential use. For example, it is a large, single occupier site, distant from the strategic highway network and has been vacant for some time. It is estimated that the site has capacity for around 70 dwellings.

#### **Lansdown Road**

- 6.5.9 This is a brownfield site within a predominately residential area adjacent to Gloucestershire Constabulary headquarters. It is a flat site containing vacant office buildings. A concept statement produced in 2008 outlined potential for residential use on the site, including the adjacent area which is has subsequently been renovated as office use. The remaining area will be residential with approximately 45 units.

### **6.6 Sites outside of urban area**

- 6.6.1 Although the Cheltenham Plan concentrates on focusing development within existing urban areas, the JCS process has indicated two areas outside of the existing urban area of Cheltenham which should be allocated for development in order to meet JCS housing requirements. The precise numbers and layout of both sites will need further work before plans can progress for their allocation:

#### **Leckhampton**

- 6.6.2 The JCS Submission document proposed a Strategic Allocation at Leckhampton. This would have amounted to approximately 650 dwellings within the Cheltenham boundary in that location. The JCS Inspector has indicated that this scale of development would not be sound and recommended that a smaller development of around 200 units would be more appropriate. This means that the site would fall below the size necessary for it to be allocated for development in the JCS. Therefore the Cheltenham Plan will allocate the land at Leckhampton instead. Despite this, the Leckhampton site remains part of the discussions within the JCS and it would be inappropriate at this stage for consultation on the Cheltenham Plan to make any firm proposals for this particular area.
- 6.6.3 An indicative figure of 200 dwellings has been used for potential development; however, this is based on basic density assumptions so it is likely to change as masterplanning progresses. Any development in this location will have to take into account landscape impacts, highways issues and green space. A clearer picture of what the Council's preferred option for this site will be provided in the next stage of consultation. Indicative boundaries are included on the relevant maps. These are

based on the JCS Inspector's comments in her Note of Recommendations from 21 July 2016<sup>2</sup>.

### Arle Nurseries / Old Gloucester Road

6.6.4 The site at Arle Nurseries / Old Gloucester Road has also arisen from the JCS. At present the site is within the Green Belt but the JCS Inspector has recommended that it be removed. She said that because areas to the north and south of the site will be developed it will no longer make a significant contribution to the Green Belt. The site will require masterplanning, flood assessments and a resolution on the future of the nurseries so the site boundaries and capacity are indicative only at this stage. It is estimated that the site has capacity for around 200 dwellings and will include elements of green space.

#### **POLICY PR1**

#### **LAND ALLOCATED FOR HOUSING DEVELOPMENT**

The following sites are allocated for residential development:

- a) land at Reeves Field;
- b) land at former Monkscroft Primary School;
- c) land at Springbank Shopping Centre;
- d) land at Christ College Site B;
- e) land at Rivershill House;
- f) land at Premiere Products;
- g) land at Lansdown Road;
- h) land at Leckhampton (indicative plan only);
- i) land at Arle Nurseries / Old Gloucester Road (indicative plan only).

Note: The sites are specified in table 4 and shown on the Proposals Map

**TABLE 4: SITES ALLOCATED FOR HOUSING DEVELOPMENT**

Site	Area (ha)	Current land use	Proposed land use	Anticipated Timescale
Land at Reeves Field	4.52	Sports Ground	Market housing (approximately 80 units including affordable housing).	6 – 10 years
Land at former Monkscroft Primary School	1.80	Vacant former school site	Market housing (approximately 60 units including affordable housing).	0 – 10 years
Land at Springbank Shopping Centre	0.51	Vacant Shopping Centre	Market housing (approximately 30 units including affordable housing).	6 – 10 years
Land at Christ College Site B	2.11	Unused Playing field	Market housing (approximately 70 units including affordable housing).	0 – 10 years
Land at Rivershill House	0.42	Vacant Office Building	Market housing (approximately 44 units including affordable housing).	0 – 10 years

<sup>2</sup> <http://www.gct-jcs.org/Documents/Examination-Documents-Library-7/EXAM-259---Inspectors-Note-of-Recommendations-from-21-July-2016.pdf>



**TABLE 4: SITES ALLOCATED FOR HOUSING DEVELOPMENT**

Site	Area (ha)	Current land use	Proposed land use	Anticipated Timescale
Land at Premiere Products	2.17	Vacant Employment Buildings	Market housing (approximately 70 units including affordable housing).	0 – 10 years
Land at Lansdown Road	1.06	Vacant Office Buildings	An existing concept statement outlines potential for residential uses on the entire site. Part of the site has subsequently been renovated as office use and should be retained as such. The remaining area will be residential with approximately 45 units.	6 – 10 years
Land at Arle Nurseries / Old Gloucester Road	14.5	Nursery / Fields	This site will be taken out of the Green Belt by the JCS. Flood risk on the site as well future of the Nursery will need to be planned. An indicative figure of 200 dwellings is suggested.	11 – 15 years
Land at Leckhampton	15	Fields	Any development in this location will have to take into account landscape impacts, highways issues and green space. A clearer picture of what the Council's preferred option is for this site will be provided in the next stage of consultation in Spring 2017. An indicative figure of 200 dwellings is suggested.	6 – 10 years

- *The policy contributes to objectives Vision Theme A – objective b; Theme C – objectives a and b.*
- *Relevant JCS policies: SP2, SD11; SD12*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: PR1*

Links to key local evidence:

- Strategic Assessment of Land Availability (2015)
- Housing Needs Assessment (2009)
- Strategic Housing Market Assessment (2009)
- Strategic Housing Market Assessment for Gloucestershire (2014)

## 6.7 Alternative Options

6.7.1 All sites have been assessed and compared against the same criteria and the most sustainable have been selected. A lower limit of 40 dwellings was chosen as smaller sites would not benefit from allocation. Details on sites included within the urban area can be found in Appendix D and details on all sites can be found in Appendix E.

## Mixed Use Allocations

### 6.8 Preferred Option

- 6.8.1 In order to improve facilities and employment opportunities in the Borough and to make best use of land in sustainable locations the Council has recognised the scope for mixed use development on five sites which have a clear prospect of development within the plan period. These are listed in draft policy PR2 below.

#### Priors Farm Fields

- 6.8.2 This is a greenfield site which sits adjacent to a residential area but outside of the existing Principal Urban Area. The western part of the site is a designated Public Green Space including playing pitches and a play area and the eastern part of the site is open fields. The site borders the cemetery to the north, the AONB to the east and new residential development to the south and west. Any housing development would be focused on the east of the site, however, masterplanning is required to reconcile several competing demands on this land and to minimise impact on the AONB (proposals should be in conformity with 2015 AONB study and 2016 update). Based on developing only a limited part of the site, it is estimated there is capacity for around 25 dwellings.

#### Coronation Square

- 6.8.3 This is a flat site within the urban area. Existing retail facilities are designated as a District Centre but are largely underused according to the Cheltenham Retail and Leisure Study (2006). There is an opportunity for comprehensive redevelopment by including an area of green space and improving transport circulation. The Retail and Leisure Study recommends encouraging mixed-use redevelopment to include residential uses. Coronation Square is a complex site with competing demands and could potentially be subject to wider regeneration projects. Therefore the site will require mixed-use masterplanning. It is estimated that redevelopment of the site could provide a net increase of around 17 dwellings.

#### Royal Well and Municipal Offices

- 6.8.4 This is a flat, developed site within the town centre, currently in use as council offices, bus station, car park and area of open space. It is within the Core Commercial Area and Central Conservation Area and partially within Flood Zones 2 & 3. The site is identified within the Civic Pride SPD and has been subject to a development brief which identifies potential for existing uses to be relocated / redesigned. It is estimated that redevelopment of the site could provide around 36 dwellings.

#### 196 – 102 Prestbury Road

- 6.8.5 This is a flat, brownfield site within a predominantly residential area, currently in use for industrial / employment uses. It is a large site which already benefits from an informal concept statement for mixed use development. It is estimated that redevelopment of the site could provide around 40 dwellings and retain 0.5ha of employment land.

**North Place and Portland Street**

- 6.8.6 The North Place and Portland Street area was formerly used as the main Coach and Bus station in Cheltenham. The site currently provides 813 parking spaces. It will be important to ensure the site is not seen in isolation of other town centre schemes such as Boots Corner, the Brewery link and obtaining rights over the parking area of St Margaret's Terrace which could all provide cumulative benefits.
- 6.8.7 The site is located within the central conservation area of Cheltenham and is approximately 2 hectares in size (3.2 hectares including the highway). The site sits within the Central Conservation Area, and is immediately adjacent to the grade II\* Trinity Church; the grade II\* Saint Margaret's Terrace; and the grade II Dowty House, and consequently the form, massing and design of the any development has potential to impact upon the adjacent historic environment, either positively or negatively.
- 6.8.8 Planning permission was granted on the site in 2013 for a large supermarket, car park and 143 dwellings. However, that permission has not yet been implemented and a new scheme may be required in order for development to take place. It is estimated that a new scheme would provide a similar number of dwellings to the existing planning permission. Please note that this site is not included in the Urban Capacity table because it has an extant permission and is included in our records as a 'commitment'.
- 6.8.9 In addition to the five sites listed above, land at St. George's Place / St. James' Square has also been identified by the Joint Core Strategy. The site was originally allocated for mixed use development as part of the Cheltenham Borough Local Plan but redevelopment relied upon on changes to town centre car parking arrangements. These changes have not taken place to date and the site remains in use as a public car park. Nevertheless, it is considered that the site may still have potential to make a contribution towards residential provision towards the end of the plan period. At this stage the potential for housing units is uncertain so whilst no allocation has been made, the principle of redevelopment is accepted.

**POLICY PR2*****LAND ALLOCATED FOR MIXED USE DEVELOPMENT***

The following sites are allocated for mixed use development:

- (a) land at Priors Farm Fields;
- (b) land at Coronation Square;
- (c) land at Royal Well and Municipal Offices;
- (d) land at 196 – 102 Prestbury Road;
- (e) North Place and Portland Place.

Note: The sites are specified in table 5 and shown on the Proposals Map



**TABLE 5: SITES ALLOCATED FOR MIXED USE DEVELOPMENT**

Site	Area (ha)	Current land use	Proposed land use	Anticipated Timescale
Land at Priors Farm Fields	12.01	Fields / playing fields	Several competing demands on the site including Local Green Space, allotments, flood alleviation scheme, access to Crematorium and housing (approximately 25 units). Site will require mixed-use masterplan.	11 – 15 years
Land at Coronation Square	1.48	Car park / Shopping area	Complex site with competing demands and potentially subject to wider regeneration projects. Site will require mixed-use masterplan.	11 – 20 years
Land at Royal Well and Municipal Offices	0.86	Employment / Bus Station	An existing development brief outlines potential uses of the site.	11 – 20 years
Land at 196 – 102 Prestbury Road	1.30	Commercial / Industrial	Large site which already benefits from an informal concept statement for mixed use development (including approximately 40 dwellings).	11 – 16 years
North Place and Portland Place	2.0	Former Coach Station / residential	Planning permission was granted on the site in 2013 for a large supermarket, car park and 143 dwellings but this has not been implemented.	6 – 16 years

- *The policy contributes to objectives Theme A – b. Theme B – a and b. Theme C – a and b*
- *Relevant JCS policies: SP2, SD11 and SD12*
- *The policy is designed to replace the following saved policy from the Cheltenham Borough Local Plan Second Review 2006: PR1*

Links to key local evidence:

- Strategic Assessment of Land Availability (2015)
- Housing Needs Assessment (2009)
- Strategic Housing Market Assessment (2009)
- Strategic Housing Market Assessment for Gloucestershire (2014)
- Cheltenham Retail and Leisure Study (2006)

## 6.9 Alternative Options

- 6.9.1 All sites have been assessed and compared against the same criteria and the most sustainable have been selected. A lower limit of 0.5ha was chosen as smaller sites would not benefit from allocation. Details on sites included within the urban area can be found in Appendix D and details on all sites can be found in Appendix E.

## 7 AMENDMENTS TO THE PRINCIPAL URBAN AREA

### 7.1 Background

7.1.1 The Principal Urban Area (PUA) marks the limits of Cheltenham town, being the dividing line between built-up/urban areas (the settlement) and non-urban or rural areas (the countryside), to define where planning policies apply.

7.1.2 A settlement boundary can serve a number of related, but separate, purposes such as:

- creating an edge to existing development thereby encouraging consolidation;
- helping to separate communities and therefore retain their individual identities; and
- defining the logical boundary between areas with different features and purposes, e.g. between areas with environmental or landscape designations and those suitable for development.

7.1.3 There are a number of advantages of settlement boundaries:

- They provide an easy to understand tool that gives certainty for landowners, developers and community over where development is likely to be acceptable and where is it not.
- They can direct development to the urban area and this can help increase the viability of local services, as well as encourage new ones to establish.
- They ensure a plan-led and more controlled approach to future development, providing a firm basis for protecting the countryside from unnecessary encroachment.
- They can allow a presumption in favour of development of sites that are too small to be identified as formal allocations in a local plan.

7.1.4 Disadvantages of settlement boundaries:

- By restricting development, settlement boundaries can artificially increase land values within the settlement compared with land outside, as the likelihood of successfully gaining planning permission differs.
- Where land directly adjoins a settlement boundary, landowners often give it 'hope value' because they are waiting for the possibility of the boundary being realigned at some point in the future to accommodate future growth of the settlement.
- The general presumption that development within settlement boundaries is acceptable can result in pressure for the development of valued open spaces within settlement boundaries.
- The use of settlement boundaries can lead to the perception that they result in cramming development into already well-developed settlements, e.g. within the gardens of houses.

### 7.2 Why review the PUA?

7.2.1 JCS Policy SP1 directs new development to existing urban areas and Strategic Allocations. In order to apply this policy in the best possible way it is necessary to have an up-to-date, accurate boundary for Cheltenham's urban area.

7.2.2 The Principal Urban Area (PUA) is an important designation which should be as up to date as possible if it is to remain as useful as possible. It is good practice to use the Cheltenham Plan process to undertake a review of anomalies. There are also some instances of recent edge of settlement developments which fit with the urban character of the town that should be included.

7.2.3 Boundaries have been redrawn to include sites where land has been developed or planning permission has been granted for development over the past few years. The circumstances of each development have been investigated to consider whether or not it is appropriate to include within a revised boundary.

### **7.3 We've done**

7.3.1 Officers undertook a desktop survey using GIS mapping and aerial photography together with information from the monitoring of planning applications, permissions and developments to locate any anomalies and areas where new development has taken place beyond the existing PUA. The circumstances of the each development have been investigated to consider whether or not it is appropriate to include within a revised boundary.

### **7.4 Preferred Option**

7.4.1 Each alteration is listed in Appendix F with a map and a brief justification. They are also included on the Proposals Map.

### **7.5 Alternative Options**

7.5.1 The PUA is an important policy designation because of the reasons described above. It is therefore prudent to update the boundary periodically and the alternative to not undertake a review is not considered reasonable.

## 8 PERMITTED DEVELOPMENT RIGHTS AND THE USE OF ARTICLE 4 DIRECTIONS

### 8.1 Background

- 8.1.1 This section of the consultation is slightly different to the previous sections because the Council do not yet have a Preferred Option for Article 4 directions. Instead this consultation provides an opportunity to gather feedback on whether any Article 4s would be supported and, if they are, which ones would be most beneficial.
- 8.1.2 Also, the legal mechanism for creating them is separate from the Cheltenham Plan. However, the Cheltenham Plan will contain references to any proposed Article 4s and would need to implement complementary policies.
- 8.1.3 The Council is aware that the density of Houses in Multiple Occupation (HMO) in the certain areas, primarily St Paul's and All Saints, has caused issues for residents. A separate project is underway to accurately survey HMOs to gather evidence regarding a potential licensing scheme and/or an Article 4 direction.

### 8.2 Article 4 directions

- 8.2.1 Certain works that would normally require planning permission are permitted by the General Permitted Development Order (GPDO) because the works are considered to be of a scale or type that is generally not likely to have an unacceptable impact. The GDPO sets out classes of development for which a grant of planning permission is automatically given. At present conversion of a residential dwelling to an HMO of between three and six residents is classed as permitted development.
- 8.2.2 An Article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area. Where an Article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.
- 8.2.3 Government guidance on making Article 4 directions stipulates they should be used only in those exceptional circumstances where the exercise of permitted development rights would:
- harm local amenity,
  - harm the historic environment, or
  - prevent the proper planning of the area.
- 8.2.4 In Cheltenham, the Council considers that there are several cases for making Article 4 directions as, over a period of time, circumstances have cumulatively caused each of the above criteria to be fulfilled. The policy areas concerned relate to:

- Housing, specifically the number of houses that have been converted into multiple occupation;
- Conservation Areas, specifically the erosion of the special character in some of the Borough's conservation areas through householder development;
- Employment, specifically the loss of office accommodation to residential uses – a process which is likely to be exacerbated by further legislative changes involving light industrial uses in 2017.

8.2.5 A number of factors will need to be considered when exploring the suitability of introducing Article 4 directions, not least the advantages:

- It means changes that can currently be made without planning permission will be brought under a greater degree of control and protection.
- There is likely to be better public awareness and increased understanding of the reasons why development needs to be managed in a different way.
- Ultimately, the character, appearance and amenity of identified areas should be improved.

8.2.6 The disadvantages:

- An Article 4 direction only means that planning permission needs to be sought; it does not mean it will always be refused. So planning policy would need to be updated to reflect the new requirements and to explain when planning permission would be needed.
- The harm the direction is intended to address will need to be clearly identified so any changes that are proposed will need to be underpinned by sufficiently robust evidence. This will be especially important if the permitted development rights are intended to apply to a wide area such as the whole Borough.
- Once the intention to introduce an Article 4 direction is made, legislation requires that it should take a year for it to come into effect or the Council could be liable to pay compensation claims from those affected by the direction.
- The above timescale could perhaps provide a catalyst for immediate changes to start occurring; for example, there could be a drive to undertake permitted works once notification of the proposed changes is made, but before it comes into effect.
- An Article 4 direction which only covers part of an area may mean that the original problem is effectively pushed towards other areas nearby.
- There will be an increasing administrative burden on the Council to process applications for development which will not attract a revenue stream – there is no fee associated with these applications.

8.2.7 By considering the introduction of controls on certain types of development in the three key areas mentioned above, the Council does not necessarily wish to prohibit changes from taking place. Rather, it wishes to bring certain development under greater control so that Cheltenham is allowed to grow, change and adapt in a balanced and managed way.

### 8.3 Houses in Multiple Occupation

8.3.1 A house in multiple occupation (HMO) can be defined in simple terms as a shared residential property where a certain number of occupants are not related to each other and they share basic amenities such as kitchen areas and bathroom facilities.

8.3.2 For planning purposes, small HMOs fall within use class C4, which are defined as:

“small shared houses or flats occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.”

8.3.3 Larger HMOs, occupied by more than six unrelated individuals, fall within the sui generis use class (meaning of their own kind). Planning permission has always been required for proposals for large HMOs (sui generis use), whether this be purpose built accommodation or the change of use of an existing property.

8.3.4 Whilst HMOs are an important type of housing, high concentrations can have a negative impact on the town's communities. These negative impacts can include increased noise nuisance, anti-social behaviour or unkempt gardens. Some parts of the city, especially those close to the University, are becoming home to a high number of HMOs which are causing problems for other residents.

8.3.5 Article 4 directions and the resulting removal of permitted development rights is a separate process to the production of a development plan, but it can run alongside, and much of the evidence that is gathered as part of one process will be valuable in helping to inform the other. For example, should an Article 4 direction on HMOs in part of St Pauls be issued then a policy in the Cheltenham Plan will be required to deal with the planning applications that would have otherwise been permitted development. This policy could aim to ensure that the proportion of HMO dwellings does not exceed a certain percentage of all residential properties within a given metre radius of the application site. The evidence required to support such a policy would be similar to that needed to issue the Article 4 direction in the first place.



## 9 CONSERVATION AREA REVIEW 2016-2018

- 9.1 The Council embarked on project to review conservation areas within the Borough in April 2016. It is a statutory duty for local authorities to keep conservation areas up to date. Cheltenham's rich architectural heritage is an integral part of the character and appeal of the Borough so it is vital that policies which protect and enhance it are regularly reviewed.
- 9.2 The two year review aims to examine the current boundaries to ensure that the areas continue to be of a character and appearance which is desirable to preserve and enhance. Furthermore, where appropriate it will examine where any potential new designations could be made to ensure the protection of Cheltenham's heritage.
- 9.3 Conservation Areas are areas where the local planning authority identifies an area of special architectural or historic interest, which deserve careful management to protect that character. The contribution that historic areas make to our quality of life is widely recognised. They are a link to the past that can give us a sense of continuity and can provide a point of reference in a rapidly changing world.
- 9.4 The conservation area review will produce an up to date character appraisal which will identify the character of the area, including key buildings, spaces and positive and negative features. It will involve conducting detailed surveys of each of the current conservation areas ensuring an accurate record of properties, boundary treatments, street furniture and key views, all of which play an important role in creating the character of conservation areas. It will also enable any extensions of conservation areas to be explored, possibly where the boundary has been drawn too tightly in the past.
- 9.5 It is important that these documents are updated on a regular basis, as development within conservation areas is often judged against the character outlined in the appraisals. Updating of the documents will help highlight what is significant about each conservation area ranging from the original burgage plots of the Lower High Street to the Regency villas of Pittville, each important in their own right but very different and distinct in terms of their respective character.
- 9.6 The review will also produce management plans for each of the conservation areas which will explore potential enhancement schemes and how the character can best be preserved. Moreover, the potential introduction of additional enforcement powers through the introduction of Article 4 Directions may well be recommended for certain areas following public consultation.
- 9.7 New designations are likely to be explored over the coming 18 months, but the primary aim of the work is to ensure that the current appraisals and management plans are up to date and so this must take priority over new designations. The current timeframe for the projection estimates that all appraisals and management plans will be completed by April 2018.

- 9.8 Public consultation will form an important element in the creation of both the appraisals and management plans to ensure that residents' views are fairly represented and to explore any improvements or enhancement schemes for the area. Feedback on this project is not required at present. However, officers will be consulting separately with local communities over the course of the project through Parish Councils, Neighbourhood Community Groups, The Civic Society and other groups on the conservation areas relevant to them.

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## 10 APPENDIX A – ASSESSMENT OF EXISTING EMPLOYMENT SITES

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
75	Gloucester Road, Benhall - GCHQ	B1 Office	16.99	72	<ul style="list-style-type: none"> <li>• Located to the west of town</li> <li>• Excellent strategic location on A40 and close to M5 J11</li> <li>• Good local access off Gloucester Road</li> <li>• Very high quality office accommodation with excellent surroundings</li> <li>• Large employer and key contributor to local economy</li> </ul>	✓
47	The Promenade - Cheltenham Borough Council	B1 Office	0.55	71	<ul style="list-style-type: none"> <li>• Regency style building in TC</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Somewhat outdated office accommodation</li> <li>• Potential for mixed use redevelopment including adjacent area</li> </ul>	
43	Montpellier Drive, Bath Road (Eagle Star)	B1 Office	1.33	70	<ul style="list-style-type: none"> <li>• Good quality building on edge of Town Centre</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Some parking</li> <li>• Poor internal layout</li> </ul>	
44	Jessop Avenue	B1 Office	1.79	70	<ul style="list-style-type: none"> <li>• Substantial prime office space in Cheltenham Town Centre</li> <li>• Attractive, high quality environment.</li> <li>• Expansion opportunities to implement extant planning consent on adjacent car park at Honeybourne Place.</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce</li> </ul>	✓

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
74	121 - 133 Promenade	B1/A2/A1	0.33	70	<ul style="list-style-type: none"> <li>• Regency style building in Town Centre</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Good quality buildings but outdated internal layout</li> <li>• No room for expansion unless as part of wider redevelopment</li> </ul>	
48	Royal Crescent and St George's Place	B1 Office	1.35	70	<ul style="list-style-type: none"> <li>• Regency style buildings in Town Centre</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Good quality premises but outdated internal layout</li> <li>• No room for expansion unless as part of wider redevelopment</li> </ul>	
66	Bath Mews, Bath Parade	B1	0.09	69	<ul style="list-style-type: none"> <li>• Small building east of Town Centre</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Good quality property but outdated internal layout</li> <li>• Very confined site with no scope for expansion</li> </ul>	
56	Old Bath Road and Thirlestaine Road	B1 Office	2.93	69	<ul style="list-style-type: none"> <li>• Attractive, location on south-east edge of Town Centre</li> <li>• Good public transport access</li> <li>• Some facilities for the workforce nearby</li> <li>• High quality building but somewhat outdated</li> </ul>	
67	St James's Square, St James's House	B1	1.10	69	<ul style="list-style-type: none"> <li>• Substantial prime office space in Cheltenham Town Centre</li> <li>• Modern, open plan accommodation</li> <li>• Attractive, high quality environment.</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce</li> </ul>	✓

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
49	The Quadrangle, Promenade	B1/A2	0.17	68	<ul style="list-style-type: none"> <li>• Reasonable quality building in attractive Town Centre location</li> <li>• Good public transport access</li> <li>• Facilities for the workforce nearby</li> <li>• Slightly outdated (1970s) office accommodation</li> </ul>	
52	Vittoria House, Vittoria Walk	B1 Office	0.18	68	<ul style="list-style-type: none"> <li>• Regency style building in attractive location south of Town Centre</li> <li>• High quality and well maintained property</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce.</li> <li>• Constrained by building design/ layout</li> <li>• No opportunities for expansion</li> </ul>	
53	St Georges Road - Magistrates Court and Government Offices	B1 Office	0.75	67	<ul style="list-style-type: none"> <li>• Good location south of Town Centre</li> <li>• Adequate / reasonable quality buildings</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce.</li> <li>• Constrained by limited capacity for expansion</li> </ul>	
34	Cirencester Road - Spirax Sarco	B1 Office	0.50	67	<ul style="list-style-type: none"> <li>• Located on south-eastern edge of town</li> <li>• Period house with more modern buildings in high quality grounds</li> <li>• All buildings of good quality</li> <li>• Edge of town location means that accessibility by public transport is poor</li> <li>• No facilities for the workforce nearby</li> </ul>	
61	Parker Court and Brailsford House, Knapp Lane	B1	0.05	67	<ul style="list-style-type: none"> <li>• Located to the west of the Town Centre</li> <li>• Good quality buildings</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce.</li> <li>• Small site confined by surrounding urban area</li> <li>• Internal layout only suits small business</li> </ul>	
51	Bayshill Road – former Kraft HQ	B1 Office	0.49	67	Redeveloped for housing	n/a

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
70	Lypiatt Road	B1/A2	0.54	66	<ul style="list-style-type: none"> <li>• Good condition buildings located in south-western fringes of the Town Centre</li> <li>• Good access by public transport</li> <li>• Close to some local facilities for workforce.</li> <li>• Small site confined by neighbouring uses so little room to expand</li> </ul>	
55	Lansdown Road / Lypiatt Lane	B1 Office		66	<ul style="list-style-type: none"> <li>• Located in south-western fringes of the Town Centre</li> <li>• Good access by public transport</li> <li>• Close to some local facilities for workforce.</li> <li>• Site is densely developed but buildings are of good quality and well maintained</li> <li>• Surrounding uses confine the site and mean there is very little opportunity to expand</li> </ul>	
42	St Margaret's Road and North Place (Pate Court)	B1	0.30	65	<ul style="list-style-type: none"> <li>• Located on north-eastern edge of Town Centre next to A4019</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce.</li> <li>• Adjacent to other employment uses but little room to expand</li> </ul>	
65	New Barn Lane - UCAS	B1 Office	2.73	65	<ul style="list-style-type: none"> <li>• Located in northern Cheltenham</li> <li>• Good strategic access off A435</li> <li>• Good local access to / from Evesham Road</li> <li>• Sparse facilities nearby but frequent bus to TC</li> <li>• Buildings of excellent quality</li> <li>• Situated in a high quality landscaped environment.</li> <li>• Considered a key business in Borough which needs to be retained to avoid vacating the whole site</li> </ul>	✓

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
20	Princess Elizabeth Way	B8/SG	5.19	64	<ul style="list-style-type: none"> <li>• Located to the north-west of Cheltenham adjacent to the A4013</li> <li>• 2 units (storage unit car sales)</li> <li>• Good strategic access via A4013/A4019</li> <li>• Local access is reasonable</li> <li>• Few facilities nearby for workforce</li> </ul>	
22	Hatherley Lane, The Redding's	B1/B2		64	<ul style="list-style-type: none"> <li>• 2 sites located to the west of the town</li> <li>• Excellent strategic location off A40 / close to M5 J11</li> <li>• Good local access off Gloucester Rd. / Hatherley Lane</li> <li>• Good level of parking</li> <li>• Good quality / modern properties</li> <li>• Adequate public transport</li> <li>• Some nearby facilities for workforce</li> <li>• Expansion opportunities available south and west of Pure office building</li> </ul>	✓
60	Vittoria Walk / Oriol Road	B1/SG	0.84	64	<ul style="list-style-type: none"> <li>• Effectively 2 adjacent sites In Town Centre</li> <li>• Reasonable condition properties</li> <li>• Good access by public transport</li> <li>• Close to many local facilities for workforce</li> </ul>	
68	Parabola Road – Former Inland Revenue offices	B1	0.15	63	<ul style="list-style-type: none"> <li>• Located on western edge of Town Centre in a primarily residential area</li> <li>• Good access by public transport</li> <li>• Close to some local facilities for workforce.</li> <li>• Attractive location but dated accommodation</li> </ul>	
4	Cheltenham Trade Park, Arle Road	B1/SG	3.83	62	<ul style="list-style-type: none"> <li>• Located on north-western edge of Town Centre</li> <li>• Good strategic access off A4019 / M5</li> <li>• Acceptable local access via residential roads</li> <li>• Well served by public transport</li> <li>• Adequate parking</li> <li>• Office and light industrial location providing a range of units and two office buildings.</li> <li>• Some vacant units available</li> </ul>	✓

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
13	Kingsditch, Block 6	B2	5.71	62	<ul style="list-style-type: none"> <li>• Principal industrial area to north-west of Cheltenham</li> <li>• Good access onto A4019 &amp; M5 J10.</li> <li>• Generally occupied by engineering and car parts companies</li> <li>• Primarily good quality buildings of a better quality than much of the rest of Kingsditch</li> <li>• Vacancies on key gateway plots would cause the profile of the estate to deteriorate</li> </ul>	✓
14	Kingsditch, Block 7	B2/SG/D2	5.54	62	<ul style="list-style-type: none"> <li>• Principal industrial area to north-west of Cheltenham</li> <li>• Good access onto A4019 &amp; M5 J10.</li> <li>• Generally light industrial uses</li> <li>• Primarily good quality buildings of a better quality than much of the rest of Kingsditch</li> <li>• Vacancies on key gateway plots would cause the profile of the estate to deteriorate</li> </ul>	✓
73	Tebbit Mews, Winchombe Street	B1	0.12	62	<ul style="list-style-type: none"> <li>• Located in northern part of Town Centre</li> <li>• Good quality office space</li> <li>• Reasonable strategic access</li> <li>• Poor local access / servicing</li> <li>• Good accessibility by public transport</li> <li>• Close to many local facilities for workforce</li> <li>• Limited space for expansion</li> </ul>	
1	Gloucester Road-Travis Perkins	Sui Generis	3.39	62	<ul style="list-style-type: none"> <li>• Western edge of Town Centre</li> <li>• Sui Generis uses only (Builders Merchants &amp; Car Dealerships)</li> <li>• Good strategic location with nearby bus and rail links to surrounding areas</li> <li>• Some nearby facilities for workforce</li> <li>• Potential conflict with surrounding residential uses</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
8	Kingsditch Block 1 including Manor Park Business Centre	B1/B2/A1/SG	10.51	62	<ul style="list-style-type: none"> <li>Principal industrial area to north-west of Cheltenham</li> <li>Good access onto A4019 &amp; M5 J10.</li> <li>Wholesale; light industrial; engineering; manufacturing.</li> <li>Mixed quality buildings with investment required in certain properties to ensure continued fitness for purpose.</li> <li>Vacancies on key gateway plots would cause the profile of the estate to deteriorate</li> </ul>	•
9	Kingsditch, Block 2	B2/A1/SG	7.72	62	<ul style="list-style-type: none"> <li>Principal industrial area to north-west of Cheltenham</li> <li>Good access onto A4019 &amp; M5 J10.</li> <li>Retail; light industrial; manufacturing.</li> <li>Mixed quality buildings with investment required in certain buildings to ensure continued fitness for purpose.</li> <li>Retail units along Kingsditch Lane have begun to erode the traditional employment characteristics of the area</li> </ul>	
10	Kingsditch, Block 3	B2/B8/SG	6.66	62	<ul style="list-style-type: none"> <li>Principal industrial area to north-west of Cheltenham.</li> <li>Good access onto A4019 &amp; M5 J10.</li> <li>Wholesale; light industrial; manufacturing.</li> <li>Mixed quality buildings with investment required in certain buildings to ensure continued fitness for purpose.</li> <li>Some large vacant units apparent</li> </ul>	
11	Kingsditch, Block 4	A1/A3/SG	9.65	62	<ul style="list-style-type: none"> <li>Principal industrial area to north-west of Cheltenham</li> <li>Good access onto A4019 &amp; M5 J10.</li> <li>Recently redeveloped with large, purpose-built retail units</li> <li>Employment character now significantly eroded</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
12	Kingsditch, Block 5 (Spirax Sarco)	B2	6.62	62	<ul style="list-style-type: none"> <li>Principal industrial area to north-west of Cheltenham</li> <li>Good access onto A4019 &amp; M5 J10.</li> <li>Mixed quality buildings</li> <li>Single user manufacturing site with scope to expand in future</li> <li>Company needs to be retained to avoid vacating the whole site</li> </ul>	✓
57	Bath Road and Suffolk Road	B1/A2	0.93	62	<ul style="list-style-type: none"> <li>Located to the south of the Town Centre</li> <li>Good quality offices on 2 separate sites</li> <li>Good location with some on-site parking</li> <li>Good access by public transport</li> <li>Close to some local facilities for workforce.</li> <li>Little scope for expansion</li> </ul>	
40	Ambrose Street and Knapp Road	B1/B2	0.21	62	<ul style="list-style-type: none"> <li>Located in northern Town Centre</li> <li>Effectively 2 different sites with reasonable quality offices</li> <li>Limited space for expansion</li> <li>But good location with good transport links</li> </ul>	
69	Parabola Road/ Montpellier Street	B1	0.15	61	<ul style="list-style-type: none"> <li>Located on south edge of Town Centre</li> <li>Good access to facilities and services</li> <li>Good public transport linkages</li> <li>Attractive regency property</li> </ul>	
19	Charlton Kings Industrial Estate	B1/B2	1.43	61	<ul style="list-style-type: none"> <li>Located on south-eastern edge of Cheltenham</li> <li>Some public transport but no facilities nearby</li> <li>Contains traditional small-scale industrial units and Chelsea BS contact centre</li> </ul>	
37	Blaisdon Way	SG	3.13	61	<ul style="list-style-type: none"> <li>Located on north-western edge of Cheltenham</li> <li>Well located for A4019 and M5</li> <li>Removal / storage / car sales</li> <li>Not a B class site</li> </ul>	



Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
80	Kingsmead Industrial park	B2/SG	3.36	60	<ul style="list-style-type: none"> <li>• Located on north-western edge of Cheltenham</li> <li>• Good strategic access</li> <li>• Car dealership (Sui Generis) &amp; Assa Abloy door solutions</li> <li>• Poor access by public transport and no local facilities</li> </ul>	
58	Winchcombe Street - Sign Craft	B1	0.14	60	Redeveloped for housing	n/a
59	Wellington Street and Bath Road (Delta Place)	B1/A1/A2	0.36	60	<ul style="list-style-type: none"> <li>• Located in east of Town Centre</li> <li>• Good access to services and facilities</li> <li>• Good condition buildings</li> <li>• Little room for expansion</li> </ul>	
21A	Village Road (Douglas)	B2	1.37	60	<ul style="list-style-type: none"> <li>• Primarily a residential area in north-west Cheltenham</li> <li>• Buildings of reasonable condition</li> <li>• Good access to A4019 / M5</li> <li>• No services and facilities in immediate area</li> </ul>	
38	Tewkesbury Road, Block 3			59	<ul style="list-style-type: none"> <li>• Site is now retail only (Wickes/ Staples)</li> </ul>	n/a
54	The Barlands, London Road including Mono Telecom	B1 Office	2.53	59	<ul style="list-style-type: none"> <li>• 4 km south-east of Town Centre on A40</li> <li>• Any scope for expansion constrained by AONB</li> <li>• Modern buildings on a well maintained site</li> <li>• Vacant factory and office space present (Flexfurn)</li> <li>• Good access</li> <li>• Sparse public transport and no facilities nearby</li> </ul>	
2A	Workplace at the Bramery, Alstone Lane	B1 Office	0.28	59	<ul style="list-style-type: none"> <li>• Modern 2 storey office building in good condition</li> <li>• Part of wider 1950s industrial development where local road access is average / poor</li> <li>• Strategic road access is adequate</li> <li>• Good parking</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	
21B	Village Road, Tungum Ltd, Douglas Equipment Ltd	B2	0.70	59	Redeveloped for housing	n/a

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
29	Tewkesbury Road, Block 1 including Neptune Business Centre and Space Business Centre	A1/B1/B2/B8	2.75	58	<ul style="list-style-type: none"> <li>• Located on north-western edge of Town Centre</li> <li>• Good strategic access off A4019, 3 miles from M5</li> <li>• Good local access, well served by public transport</li> <li>• Modern office space, warehouse and trade counter</li> <li>• Flexible range of unit sizes and bespoke business packages</li> <li>• Good parking</li> <li>• Facilities nearby for workforce</li> </ul>	•
64	Colletts Drive and Lower Mill Street	A1/SG	0.68	57	<ul style="list-style-type: none"> <li>• On north-western edge of TC</li> <li>• Graham Plumbing &amp; Bathroom etc.</li> <li>• Reasonable strategic access (A4019 nearby)</li> <li>• Poor local access</li> <li>• Quality of buildings adequate</li> <li>• Poor parking</li> </ul>	
45	Swindon Road - Ebley Tyre and Exhaust Centre	B1/B2/SG	0.09	57	<ul style="list-style-type: none"> <li>• North of Town Centre</li> <li>• Average quality</li> <li>• Opportunities for expansion</li> <li>• Good local facilities and access to public transport</li> <li>• Reasonable strategic access</li> <li>• Single user site</li> </ul>	
2B	The Bramery, East of St Georges, Alstone Lane	B1/B2	1.39	57	<ul style="list-style-type: none"> <li>• Part of wider 1950s industrial development where local road access is average /poor</li> <li>• Strategic road access is adequate</li> <li>• Good parking</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	
3	St Georges Road, Spirax Sarco	B2	1.25	57	Redeveloped for assisted living complex	n/a
24	Bouncers Lane - Premiere Products	B2	2.58	56	<ul style="list-style-type: none"> <li>• Vacant site</li> <li>• Poor strategic access</li> <li>• Site likely to be advanced for housing</li> </ul>	
6	Tennyson Road - Spirax Sarco	B2	0.92	56	Redeveloped for housing	n/a

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
16A	Maida Vale Business Centre	B1/B2	0.34	56	<ul style="list-style-type: none"> <li>• Located to south of town</li> <li>• Modern development with 10 businesses</li> <li>• Buildings of average quality</li> <li>• Easy parking</li> <li>• Few facilities nearby</li> <li>• Strategic access poor</li> <li>• Poor public transport</li> </ul>	
15A	Churchill Trading Estate / Mead Road	B1/B2/SG	2.46	55	<ul style="list-style-type: none"> <li>• Located south of town</li> <li>• Around 50 buildings from last 50 years</li> <li>• Mainly light industry and wholesale</li> <li>• Average quality</li> <li>• Poor local and strategic access</li> </ul>	
30	Tewkesbury Road, Block 2	B2/SG	5.25	55	<ul style="list-style-type: none"> <li>• Located on north-western edge of Town Centre</li> <li>• Good strategic access off A4019, 3 miles from M5</li> <li>• Good local access, well served by public transport.</li> <li>• 10 businesses in a mix of modern and older good quality buildings.</li> <li>• Adequate parking but access to Arle Avenue is narrow</li> <li>• Facilities nearby for workforce</li> <li>• Several vacant units present</li> </ul>	
36	Chapel Lane and Commercial Street	B1	0.01	55	<ul style="list-style-type: none"> <li>• South-west of Town Centre</li> <li>• 100 year old 2-storey buildings in good condition (residential appearance)</li> <li>• Facilities nearby</li> <li>• Public transport good</li> <li>• Parking poor</li> <li>• Local and strategic access poor</li> <li>• No room to expand</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
7	Battledown Industrial Estate, Hales Road	B2/SG	4.19	55	<ul style="list-style-type: none"> <li>• A general industrial estate to the east of the town supporting a mixture of uses</li> <li>• Some properties old and dilapidated</li> <li>• Around 6 vacant premises</li> <li>• Poor strategic access</li> <li>• Locally, site is accessed through residential area</li> <li>• Expansion constrained by nearby housing</li> <li>• Parking is a problem along King Alfred Way</li> <li>• Few facilities nearby</li> </ul>	
2C	St Georges Business Park, Alstone Lane	B1/B2	0.53	55	<ul style="list-style-type: none"> <li>• Part of wider 1950s industrial development where local road access is average /poor</li> <li>• Strategic road access is adequate</li> <li>• Good parking</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	
28	Lypiatt Street and Tivoli Walk (Groves Batteries and Printbox Works)	B1/B2	0.13	55	<ul style="list-style-type: none"> <li>• 2 adjacent sites south-west of Town Centre</li> <li>• Good quality buildings housing office and light industrial uses</li> <li>• Good access to public transport and local facilities</li> <li>• Parking / servicing very poor</li> <li>• No space for expansion</li> </ul>	
2E	The Vineyards, Access off Gloucester Road	B1/B2	4.43	55	<ul style="list-style-type: none"> <li>• Part of wider 1950s industrial development</li> <li>• Local road access is better than much of the development (i.e. 2a/2b/2c/2d)</li> <li>• Good parking</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	
2D	Alstone Lane Trading Estate, Alstone Lane	B1/B2	0.87	54	<ul style="list-style-type: none"> <li>• Part of wider 1950s industrial development where local road access is average /poor</li> <li>• Strategic road access is adequate</li> <li>• Good parking</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
25	Cromwell Road - Kohler Mira Ltd	B2	2.87	54	<ul style="list-style-type: none"> <li>• Located to the north-east of the town in a primarily residential area</li> <li>• Industrial and office accommodation of average quality and less than 50 years old</li> <li>• Good servicing and parking</li> <li>• Strategic and local road access is poor</li> <li>• Few facilities nearby</li> <li>• Little room for expansion</li> </ul>	
31	Swindon Road-Lyndon Design & Car dealers	SG	0.80	54	<ul style="list-style-type: none"> <li>• Two sites in the north-west of Cheltenham comprising Lyndon Design, Imperial Cars and Ebdons Car Sales</li> <li>• Average quality buildings / environment</li> <li>• Good local and strategic highway links</li> </ul>	
27	Lansdown Crescent Lane	B1/B2	0.55	54	<ul style="list-style-type: none"> <li>• Site south-west of the Town Centre</li> <li>• 2 storey small businesses</li> <li>• Average quality buildings</li> <li>• No opportunity for expansion</li> <li>• Poor parking</li> <li>• Good public transport and workforce facilities nearby</li> </ul>	
62	Ambrose Place and Clarence Street - JMS Motors	SG	0.04	52	<ul style="list-style-type: none"> <li>• Garage in north-west of Town Centre</li> <li>• Good access to public transport and facilities for the workforce</li> <li>• Very constrained site so parking provision and servicing are very poor</li> </ul>	
72	Bloomsbury Street/Market Street	B1	0.04	51	Redeveloped for housing	n/a
18	Leckhampton Industrial Estate.	B2	0.89	51	Redeveloped for housing	n/a
33	Carlton Street and Hewlett Road	B1/B8	0.08	51	<ul style="list-style-type: none"> <li>• Two separate sites (one vacant) of average quality in a primarily residential area east of Town Centre</li> <li>• Parking and circulation are poor</li> <li>• Strategic access is poor</li> <li>• Local access is very poor</li> <li>• No expansion space</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
32	Brunswick Street - RW Burt & Co Autobody Repairs, G & L Motors	B2/SG	0.13	51	<ul style="list-style-type: none"> <li>• Two separate sites of average quality in a primarily residential area north of Town Centre</li> <li>• Parking and circulation are acceptable</li> <li>• Strategic access is good / adequate</li> <li>• Local access is fair</li> <li>• No expansion space</li> </ul>	
39	Grove Street and Burton Street	B2/SG	0.43	50	<ul style="list-style-type: none"> <li>• Collection of back-street garages and small businesses to north-west of Town Centre including builders and light industrial users</li> <li>• Buildings of average quality</li> <li>• Parking and circulation poor</li> <li>• Local access very poor</li> <li>• Strategic access good / adequate</li> <li>• Public transport accessibility and local service provision good</li> </ul>	
71	Lower High Street - J R Laboratories	B2	0.07	50	<ul style="list-style-type: none"> <li>• Located to the north-west of the Town Centre</li> <li>• Light industrial (optical manufacturing)</li> <li>• Low quality building with little space for expansion</li> <li>• Parking and circulation poor</li> <li>• Local access poor</li> <li>• Strategic access adequate</li> <li>• Public transport and local service provision good</li> </ul>	
15B	Naunton Park Industrial Estate	B1/B2/SG	0.30	48	<ul style="list-style-type: none"> <li>• Located to the south of town</li> <li>• Average quality</li> <li>• Parking and service provision poor</li> <li>• Constrained by residential development nearby</li> <li>• Poor strategic access</li> <li>• Adequate local access</li> <li>• Public transport and local facilities poor</li> </ul>	
63	Stoneville Street and Gloucester Road	B1/B2	0.40	48	Redeveloped for housing	n/a

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
16B	Liddington Park & Trading Estate	B1/B2	2.59	48	<ul style="list-style-type: none"> <li>• Located to the south of town</li> <li>• Combination of modern office development and more traditional light industrial units</li> <li>• Properties of good /average quality</li> <li>• Poor parking and servicing</li> <li>• Few facilities nearby</li> <li>• Strategic access poor, local access average</li> <li>• Poor public transport</li> </ul>	
50	Arle Court, Gloucester Road - Keltruck, Easy Mix	B2/SG	0.91	47	<ul style="list-style-type: none"> <li>• Located in the west close to J11 of the M5</li> <li>• Excellent strategic access but poor local access</li> <li>• Poor quality buildings</li> <li>• Average parking provision</li> <li>• No local facilities</li> <li>• Average public transport</li> </ul>	
46	Milsom Street, Swindon Road and King Street	B1/B2/SG	0.31	46	<ul style="list-style-type: none"> <li>• Conglomeration of office and industrial business premises to the north-west of the Town Centre</li> <li>• Strategic access is fair</li> <li>• Local access is poor</li> <li>• Public transport reasonable</li> <li>• Adequate parking</li> <li>• Poor quality accommodation</li> <li>• Workforce facilities nearby</li> <li>• No scope for expansion</li> </ul>	
23	Prestbury Road and Cleevemont Close	B2/SG	2.48	46	<ul style="list-style-type: none"> <li>• Part vacant site</li> <li>• Poor strategic access</li> <li>• Likely to be advanced for mixed use development including employment</li> </ul>	
5	Lansdown Industrial Estate, Gloucester Road	B1/B2/B8	5.87	46	<ul style="list-style-type: none"> <li>• Located towards the west of the town adjacent to the main railway line</li> <li>• Over 35 businesses housed in average quality buildings</li> <li>• Strategic access is good</li> <li>• Local access is moderate</li> <li>• Public transport good</li> <li>• Parking provision is adequate</li> <li>• No scope for expansion</li> </ul>	

Survey ref	Address	Use Classification	Area (ha.)	2007 Qualitative Scoring	Summary Assessment	Eligible for Key Site Status?
17	Crooks Industrial Estate	B1/B2	0.38	<b>44</b>	<ul style="list-style-type: none"> <li>• Located towards the south of the town</li> <li>• Houses a number of industrial uses in buildings of an average quality</li> <li>• Parking and servicing are poor</li> <li>• Strategic access is poor</li> <li>• Local road access is very poor</li> <li>• Expansion heavily constrained by surrounding residential area</li> </ul>	
2F	Advanced Coated Products, Access via Gloucester Rd	B2	1.14	<b>44</b>	<ul style="list-style-type: none"> <li>• Part of wider 1950s industrial development</li> <li>• Shares access with the Vineyards (2E)</li> <li>• Local road access is better than much of the development (i.e. 2a/2b/2c/2d)</li> <li>• Poor parking</li> <li>• Low quality building</li> <li>• Close to rail and bus routes</li> <li>• Little room for expansion</li> </ul>	
41	Blacksmiths Lane, Prestbury	B2	0.04	<b>42</b>	Redeveloped for housing	<b>n/a</b>
35	Francis Street and Exmouth Street	B1/B2/SG	0.07	<b>39</b>	Redeveloped for housing	<b>n/a</b>



## 10 APPENDIX B – CHELTENHAM PLAN LOCAL GREEN SPACE SELECTION CRITERIA

The following guidance reflects the local interpretation of national guidance and national planning policy. It was created following the Issues and Options consultation and a review of best practice.

### **Educational Sites**

National guidance states that the space must be capable of enduring beyond the plan period. In order to address future needs for school places there may be a need to reconfigure the arrangement of school buildings and playing fields. The National Planning Policy Framework states that local planning authorities should give great weight to the need to create, expand or alter schools. Therefore, educational sites (grounds and playing fields) would not normally be suitable for designation.

### **Highway Land/Roadside Verges**

National guidance states that the space must be capable of enduring beyond the plan period. Land adjoining an existing highway is the subject of 'Permitted Development' rights, which could be used to bring forward development that may be contrary to a Local Green Space designation, but would not require planning permission to be granted. Highway land may also be utilised in bringing forward future highway/transport schemes. Therefore, highway land/roadside verges would not normally be suitable for designation.

Additional local issues also include the following.

### **Public Green Space**

The existing Cheltenham Borough Local Plan contains areas identified as Public Green Space (PGS). PGSs are owned and maintained by Cheltenham Borough Council. The Local Plan states that "It is important that proposed public green space is protected as well as appropriately funded and maintained, if it is to fulfil the function the Council intends." Therefore these sites would not usually gain any additional protections from LGS designation but all potential sites should be looked at based on their own merits.

### **Parish Council land**

As representatives of local communities Parish Councils will protect the open spaces within their ownership from development. Therefore designating such sites as Local Green Space will not provide any additional benefit. It is also important that Parish Council land remains adaptable so that it can best meet the changing requirements of the community that it serves.

### **Sites suitable for housing**

The nPPG states that "plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making." The Cheltenham Place must draw a balance between competing demands on land. Therefore sites identified as suitable options for housing development in the Issues and Options consultation (2015) would not normally be suitable for designation as LGS.

**Criteria for Local Green Space sites and prompts for how they could be met**

Every proposed space must meet all the criteria 1-5.

Criteria	Explanation of criteria / evidence prompts
1.	<p>It will rarely be appropriate to designate spaces that are the subject of a planning permission for development.</p> <p>Is the space the subject of a planning permission for development?</p> <p>Information on planning permissions is available from: <a href="https://www.cheltenham.gov.uk/info/42/planning/740/planningbuilding_control_applications">https://www.cheltenham.gov.uk/info/42/planning/740/planningbuilding_control_applications</a></p> <p>Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the planning permission or where planning permission is no longer capable of being implemented.</p>
2.	<p>It will not be appropriate to designate spaces that are allocated or proposed for development in the Local or Neighbourhood Plan, unless it can be shown that the Local Green Space could be incorporated within the site as part of the allocated development.</p> <p>Is the space allocated or does it have potential to be allocated in a Local or Neighbourhood Plan?</p> <p>Further information on the Cheltenham Plan is available from: <a href="https://www.cheltenham.gov.uk/info/46/planning_policy/1034/the_cheltenham_plan">https://www.cheltenham.gov.uk/info/46/planning_policy/1034/the_cheltenham_plan</a></p> <p>The designation of Local Green Spaces should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p> <p>The NPPG states that: Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.</p> <p>The space should be capable of enduring beyond the plan period.</p>
3.	<p>The space must not be an extensive tract of land and must be local in character.</p> <p>Designated spaces would normally be fairly contained with clearly defined edges.</p> <p>Why does the space or combination of adjoining spaces “feel” local in character and scale, in respect of the local community that the space serves?</p> <p>Is the proposed space larger than other areas of land in the vicinity? Is it contained with clearly defined edges?</p> <p>How does the space connect physically, visually and socially to the local area?</p>

		Blanket designation of open countryside adjacent to settlements is not appropriate.
4.	The space must be within close proximity to the community it serves.	The space would normally be within easy walking distance of the community it serves.  How close is the space to the community it serves?
5.	The space must be demonstrably special to the local community.	Blanket designation of all/most green areas or open space within an area is not appropriate. The space must be demonstrably special by meeting at least one of criterion 6-11.  Other relevant evidence:  Does the space have a friends group?  Is the proposal to designate supported by any of the following: <ul style="list-style-type: none"> <li>- A friends group</li> <li>- Local community groups</li> <li>- A parish plan etc.</li> <li>- The Town/Parish Council</li> <li>- The Ward member(s)</li> <li>- The MP</li> </ul>

All spaces must meet at least one of the following criteria:

Criteria		Explanation of criteria / evidence prompts
6.	The proposed space is of particular local significance because of its beauty.	This relates to the visual attractiveness of the space, and its contribution to townscape, landscape, character and/or setting of the settlement, which would normally be expected to be significant.  How is the proposed space of particular local significance, in respect of its beauty?  Is the space covered by other landscape or townscape designations? (e.g. Area of Outstanding Natural Beauty or Conservation Area)  Does the space have a literature or art connection?
7.	The proposed space is of particular local significance because of its historic significance.	How is the proposed space of particular local significance, in respect of its historic significance?  Does the proposed space or elements of the space have local historical significance?  Are there any historic buildings or structures in the space? (e.g. listed building or scheduled monument)  Are there any important historic landscape features on the space? (e.g. veteran trees or old hedgerows)  Does the space have a historic literature or art

		connection?
8.	The proposed space is of particular local significance because of its recreational value.	<p>How is the proposed space of particular local significance, in respect of its recreational value?</p> <p>What variety of recreational activities does the space support? (e.g. the space is used for playing sport and for informal recreation)</p> <p>National guidance states that there is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.</p>
9.	The proposed space is of particular local significance because of its tranquillity.	<p>How is the proposed space of particular local significance, in respect of its tranquillity?</p> <p>Green spaces may provide value to the local community in terms of providing an oasis of calm, perhaps in a busy town, or a space for quiet reflection. Why is the space considered to be tranquil?</p>
10.	The proposed space is of particular local significance because of its richness of wildlife.	<p>How is the proposed space of particular local significance, in respect of its richness of wildlife?</p> <p>Is the proposed space formally designated for its wildlife value? (e.g. is it a SSSI, SNCI or Local Nature Reserve).</p> <p>Are any important habitats or species found in the space?</p> <p>Does the proposed space support species of fauna or flora protected under the Wildlife &amp; Countryside Act 1981 (as amended); Countryside and Rights of Way Act 2000 or Habitat Regulations 2010; or species and habitats listed by the Government as being of Principle Importance for Biological Diversity in Britain under Section 41 of the Natural Environment &amp; Rural Communities Act 2006 (Priority Species and Habitats)?</p> <p>Does the proposed space support irreplaceable habitats such as ancient semi-natural woodland and veteran trees?</p> <p>Does the proposed space function as part of a wildlife corridor or green infrastructure enabling the dispersal and favourable status of species of flora and fauna?</p>
11.	The proposed space is of particular local significance because of another reason not covered by criteria 6-10.	<p>Are there any other reasons why the proposed space has a particular local significance for the local community?</p>

## 10 APPENDIX C – LOCAL GREEN SPACE SITE ASSESSMENT TABLE

Map ref	Site	Submitted by	Area (ha)	Panel recommendation	Rationale
1	Leckhampton Fields	Leckhampton with Warden Hill Parish Council	46.11	N/A	Site is being discussed by JCS. LGS designation in Cheltenham Plan will be considered prior to next consultation.
2	Westdown Gardens	Fairview Community Association	0.06	Should not be designated	The site has value as a green space and open area but does not meet the test of being demonstrably special to the community.
3	Witcombe Place	Fairview Community Association	0.08	Should not be designated	The site has value as a green space and open area but does not meet the test of being demonstrably special to the community.
4	Fairview Green	Fairview Community Association	0.16	Site meets criteria but has strong existing protection	Highly valued site owned and managed by CBC. It is similar to several other Public Green Space sites but not designated. Currently has strong protection due to use and ownership but is also very special.
5	Newcourt Green	Charlton Kings Parish Council	1.39	Site meets criteria but has strong existing planning protection	The site is currently Public Green Space. It will remain so and would not gain much additional protection from Local Green Space designation but the site is highly valued.
6	Hardwick Campus	Elmsfield & Town Centre Neighbourhood Coordination Group	0.78	Should not be designated	The site is locally valued but should not be Local Green Space because it is part of an educational site.

Map ref	Site	Submitted by	Area (ha)	Panel recommendation	Rationale
7	Pilgrove Way	Hesters Way Partnership	1.33	Site does not meet criteria. It has strong existing planning protection – The site has subsequently been included in Preferred Options because it is likely to form part of a larger open space as part of JCS site and its significance will increase.	The site is currently Public Green Space and will remain so. The site is highly valued but the level of support in the submission mean that it falls slightly short of meeting the LGS criteria.
8	George Readings Park	Hesters Way Partnership	1.75	Should not be designated	The site is currently Public Green Space. The submission for this site requests that extra bits of land should be added to the existing Local Green Space. This will be reviewed in Part 2 of the Cheltenham Plan.
9	Henley Road and Triscombe Way	Hesters Way Partnership	1.28	Site meets criteria but has strong existing planning protection	The site is currently Public Green Space. It will remain so and would not gain much additional protection from Local Green Space designation but the site is highly valued.
10	Christ College	Hesters Way Partnership	2.23	Should not be designated	The site does not meet the test of being demonstrably special to the community. It was also identified in the Issues and Options consultation as being a suitable for housing development.
11	Monkscroft School Field	Hesters Way Partnership	1.39	Should not be designated	The site does not meet the test of being demonstrably special to the community. It was also identified in the Issues and Options consultation as being a suitable for housing development.
12	St Marks and Hesters Way Community Centre grounds	Hesters Way Partnership	0.51	Should be designated	Local significance due to recreational value.



Map ref	Site	Submitted by	Area (ha)	Panel recommendation	Rationale
13	Lynworth Green	Oakley Regeneration Partnership	0.42	Should be designated	Local significance due to recreational value and as a centre point for the area.
14	Prior's Fields	Oakley	7.44	Should not be designated	The site was identified in the Issues and Options consultation as being a suitable for housing development. The reasons provided for the specialness of the site will be taken into account in any future masterplan.
15	Albemarle Orchard gardens	Albemarle Orchard Garden Group	0.1	Should be designated	Local significance due to recreational value and as a community space.
16	Circa Green Link	St Paul's Neighbourhood Coordination Group	0.74	Should not be designated	Legal agreement connected to the adjacent development provides adequate protection.
17	St Paul's Walk	St Paul's Neighbourhood Coordination Group	0.05	Should not be designated	Site was provided as part of the recent development. Planning constraints provide adequate protection.
18	Prestbury Parish Council Playing Fields	Prestbury Parish Council	2.88	Should not be designated	The site is owned by a Parish Council.
19	Blacksmith's Lane Allotment Gardens	Prestbury Parish Council	3.87	Should not be designated	The site is owned by a Parish Council.
20	Robson Memorial Field	Prestbury Parish Council	0.58	Should not be designated	The site is owned by a Parish Council.
21	Chargrove Open Space	Up Hatherley Parish Council	1.93	Site meets criteria but has strong existing planning protection	The site is currently Public Green Space. It will remain so and would not gain much additional protection from Local Green Space designation but the site is highly valued.
22	Redthorne Way	Up Hatherley Parish Council	1.42	Site meets criteria but has strong existing planning protection	The site is currently Public Green Space. It will remain so and would not gain much additional protection from Local Green Space designation but the site is highly valued.
23	A40 corridor	Benhall Residents Association / Cllr Nigel Britter	1.25	Should not be designated	The land is adjacent to Highway and may be required for network improvements in the future.

Map ref	Site	Submitted by	Area (ha)	Panel recommendation	Rationale
24	Colesbourne Road and Redgrove Park	Cllr Nigel Britter	0.81	Should be designated	Local significance due to recreational value.
25	Swindon Village Fields	Swindon Parish Council	48.47	N/A	Site is being discussed by JCS. LGS designation in Cheltenham Plan will be considered prior to next consultation.
26	Victoria Cricket Ground	Fairview Community Association	2.76	Should be designated	Local significance due to recreational value.
27	All Saints Allotments and Church	Fairview Community Association	0.13	Should not be designated	The site has some value as a green space and open area but does not meet the test of being demonstrably special to the community.
28	Holy Apostles Primary School Fields	Fairview Community Association	2.5	Should not be designated	The site should not be Local Green Space because it is part of an educational site.
29	Holy Trinity School Fields	Fairview Community Association	0.19	Should not be designated	The site should not be Local Green Space because it is part of an educational site.
30	Ashley Close adjacent to number 16	Individual Issues & Options responses	0.05	Should not be designated	The site has value as a green space and open area but does not meet the test of being demonstrably special to the community.
31	Honeybourne Line	Leckhampton with Warden Hill Parish Council Issues and Options consultation response	4.2	Should not be designated	The site is currently Public Green Space. It should remain so and would not benefit from Local Green Space designation.
32	Caernarvon Park	Up Hatherley Parish Council	1.2	Site meets criteria but has strong existing planning protection	The site is currently Public Green Space. It will remain so and would not gain much additional protection from Local Green Space designation but the site is highly valued.
33	Glenfall Way School site	Individual Issues & Options responses	0.8	Should not be designated	The site should not be Local Green Space because it is part of an educational site.



Map ref	Site	Submitted by	Area (ha)	Panel recommendation	Rationale
34	Reeves Field	Charlton Park Residents Association	4.5	Should not be designated	The site was identified in the Issues and Options consultation as being a suitable for housing development. The reasons provided for the specialness of the site will be taken into account in any potential housing allocation and planning application decision.

DRAFT

## 10 APPENDIX D – URBAN CAPACITY 2016 UPDATE

### Urban Capacity sites known in 2013 with updates from 2016

Site Ref	Site Name	Ward	Site area (hectares)	Housing capacity estimate 2013	Housing capacity estimate 2016	Reason for change
S080	Axiom, Winchcombe Street	All Saints	0.07	14	0	Planning permission has been granted for 11 flats plus retail.
S095	Pittville School, New Barn Lane	Prestbury	1.68	56	0	Planning permission has been granted.
S094	Land at Stone Crescent	St Marks	0.50	15	0	The site has planning permission but is awaiting a S106. It is likely that a new application will be submitted.
S014	Cheltenham Racecourse (south)	Prestbury	6.13	116	0	The site is currently within the Green Belt. The draft JCS had considered removing it from the Green Belt but is no longer doing so. The JCS Inspector did not mention site as having potential exceptional circumstances for its removal from the Green Belt in her Interim Report.
S084	Land at St Georges Place / St James Square	Lansdown	0.66	10	0	The site is likely to come forward as office use. Residential not considered appropriate because of high flood risk.
S086	Elim Pentecostal Church, St Georges Road	Lansdown	0.20	9	0	The site is no longer being promoted for housing.
S023	Priors Farm Fields (Land at Oakley)	Oakley	12.01	126	25	The 2015 AONB landscape sensitivity report assessed this site (although it is adjacent, and not in, the AONB). The report found that the majority of the site would be unsuitable for development on landscape grounds. A flood alleviation scheme is proposed for the site and allotments are also a possibility. Therefore the competing demands for the site and landscape issues mean 20-30 dwellings max could be delivered.
S068	Land at Lansdown Road (Gloucestershire Constabulary Headquarters)	Park	1.28	90	45	The site does not have planning permission but an application is expected to come forward. Estimated capacity has decreased as part of the site has been renovated for office use.
S061	Land and buildings at Coronation Square	St Marks	1.48	17	17	Development on this site is still possible but not clear what form this would take.
S070	Reeves Field, Old Bath Road	Charlton Park	4.52	80	80	Potential housing site promoted by landowner in SALA. A 'green' site in the Issues and Options consultation. No evidence has been produced since to discount site.
S082	Royal Well & Municipal Offices	Lansdown	0.86	36	36	Council are unlikely to move out in the next few years but possible for the end of plan period.
S088	Land at Chester Walk Car Park	Lansdown	0.15	14	14	Potential for some units towards the end of the plan but competing demands on the site may rule out housing.
S093	Former Monkscroft Primary School	St Marks	1.80	30	60	This site does not have planning permission but is likely to come forward. Capacity increased based on SALA methodology.
S059	Springbank Shopping Centre	Springbank	0.51	28	36	The site does not have planning permission. Estimated capacity has increased following discussion with agent.
			<b>Total</b>	<b>641</b>	<b>313</b>	

Urban Capacity sites known in 2016

Site Ref	Site Name	Ward	Site area (hectares)	Housing capacity estimate 2013	Housing capacity estimate 2016	Site information	Preferred Option allocation	Reason
S023	Priors Farm Fields (Land at Oakley)	Oakley	12.01	126	25	Greenfield site adjacent to a residential area but outside of the existing Principal Urban Area. The western part of the site is a designated Public Green Space including playing pitches and a play area and the eastern part of the site is open fields. The site borders the cemetery to the north, the AONB to the east and new residential development to the south and west. Any housing development would be focused on the east of the site, however masterplanning is required to reconcile several competing demands on this land and to minimise impact on the AONB. Based on a limited part of the site it is estimated that it has capacity for around 25 dwellings.	Mixed use - requires masterplan	Several competing demands on site requires mixed-use masterplan.
S068	Land at Lansdown Road (Gloucestershire Constabulary Headquarters)	Park	1.06	90	45	Brownfield site within a predominately residential area which incorporates Gloucestershire Constabulary headquarters. It is a flat site containing existing buildings. An existing concept statement outlined potential for residential uses on the entire site. Part of the site has subsequently been renovated as office use and should be retained as such. The remaining area will be residential with approximately 45 units.	Housing - Update existing allocation	Existing housing allocation
S061	Land and buildings at Coronation Square	St Marks	1.48	17	17	Within the urban area. Existing retail facilities are designated as a District Centre but are largely underused according to the Retail and Leisure Study. There is an opportunity for comprehensive redevelopment by including area of green space and improve transport circulation. Retail and Leisure Study recommends encouraging mixed use redevelopment of wider area to include residential and address potential loss of existing uses. It is a complex site with competing demands and could potentially be subject to wider regeneration projects. Therefore the site will require mixed-use masterplanning. It is estimated that redevelopment of the site could provide a net increase of around 17 dwellings.	Mixed use - requires masterplan	Complex site with competing demands requires mixed-use masterplan.
S070	Reeves Field, Old Bath Road	Charlton Park	4.52	80	80	Greenfield site within the urban area. The area is predominantly residential, with public green space to the north and East Gloucestershire sports club to the south. The site is used by Cheltenham College as private sports pitches and is now being promoted for development. Development of the site would require a detailed masterplan which takes into account the site's location within the Central Conservation Area and the identified key views to the scarp across the site, which limit the potentially developable area. The potential loss of sport pitches would also need to be justified. It is estimated that the site has capacity for around 80 dwellings, assuming that around half of the site is retained as green space.	Housing	Suitable for housing but will require careful design to protect heritage and, landscape impacts.
S082	Royal Well & Municipal Offices	Lansdown	0.86	36	36	Developed site within the town centre, currently in use as council offices, bus station, car park and area of open space. It is within the Core Commercial Area and Central Conservation Area and partially within Flood Zones 2 & 3. The site is identified within the Civic Pride SPD and has a development brief which identifies potential for existing uses to be relocated / redesigned. It is estimated that redevelopment of the site could provide around 36 dwellings.	Mixed use - Existing development brief (2013)	Existing development brief outlines potential uses of the site.
S088	Land at Chester Walk Car Park	Lansdown	0.15	14	14	Potential for some units towards the end of the plan but competing demands on the site may rule out housing.	No	Site is too small to allocate.
S093	Former Monkscroft Primary School	St Marks	1.80	30	60	The site comprises the playing fields of the former Monkscroft Primary school, between the Shakespeare Road to the north and Shelly Road to the South. The main school buildings have been demolished and replaced with a residential care home. It is estimated that the site has capacity for around 60 dwellings	Housing	Suitable for housing.
S059	Springbank Shopping Centre	Springbank	0.51	28	36	The site does not have planning permission. Estimated capacity has increased following discussion with agent.	Housing	Suitable for housing.
S000 3a	Land off Brockhampton Lane	Swindon Village	0.7		20	2011 Green Belt review found that this area makes a significant contribution to purposes. However, will be removed from GB as part of NW Cheltenham JCS allocation.	No	Site is too small to allocate.
S064	Christ College Site B	St Peters	2.11		70	The site has previous contained playing pitches but not clear if this is publically accessible. Not in the playing pitch study.	Housing	Suitable for housing.
S074 & S123	196 - 102 Prestbury Road	Pitville	1.3		40	S123 is being promoted for housing but has poor access and is limited by its shape and surrounding uses. Therefore a larger mixed use development is required to rationalise the site, make best use of space and provide a high quality design. An existing concept statement provides a useful starting point.	Mixed use - Existing informal concept statement	Large site which already benefits from an informal concept statement for mixed use development.
S085	Rivershill House, St Georges Road	Lansdown	0.42		44	Planning permission expected shortly. Waiting on legal agreement but there is a resolution to grant.	Housing	Suitable for housing.
S113	Premiere Products, Bouncers Lane	Oakley	2.17		70	Vacant single occupier site in the east of the town. Landowners are keen to develop a residential scheme.	Housing	Suitable for housing on balance.
				Total	557			

10 APPENDIX E – ALL HOUSING SITES

Note: Issues & Options status colours represent the site’s status during last year’s consultation: Green (G) = Has the greatest potential to be allocated for development. Amber (A) = Has potential but there may be issues which need to be resolved, or the site may not be in such a favoured location as those highlighted in green. Red (R) = Is not considered suitable for allocation for development. Grey = Not part of Issues & Options.

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S001	JCS Site allocation	SUE01 SUE01a SUE01b SUE01c SUE01d SUE01e SUE01f SUE01g SELAA37	Land to the north west of Cheltenham within Cheltenham	Main land use: Fields / agriculture Planning Status: Request for Scoping Opinion 13/00185/SCOPE. Submission JCS 2014. Site Character: Rural / open Flood Zone 2 Flood Zone 2 AONB study (April 2015) Overall Landscape Constraint Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Flood Risk (part), suggested local green space Overcome constraints: Green Belt review, masterplanning/ landscaping	JCS allocation	109	2,225	Green Belt, Flood Risk (part), suggested local green space	This site is a strategic allocation within the draft Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS).	G
No	S002	CP001	SELAA20	Land at Hyde Lane, Hyde Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt; possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	2.66	50	Green Belt; possible land contamination;	This is a greenfield site outside of the urban area to the north of Cheltenham and within the Green Belt. The site scored medium - low in the JCS Landscape Sensitivity study. The site is in a partially accessible location with good access (within 5 mins) to the post office, supermarket, primary school, GP, Pharmacy and Fitness facilities, however the site only has fair access (5 to 15 mins) to the library, secondary school, children's centre and by car and Accident and Emergency or a minor injuries unit. Access by bus or walking takes between 10 and 45 to access services, where access to Accident and Emergency or a minor injuries unit take 45 mins. The SALA assesses the site as available for housing.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S003	CP002	OUA14 OUA17 SELAA20	Land at Hyde Farm (west section)	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt; possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	64.11	1,212	Green Belt; possible land contamination	This is a greenfield site, not adjacent to the existing residential area, outside of urban area to the north of Cheltenham and within Green Belt. The site makes a significant contribution towards Green Belt purposes (JCS Green Belt Review). The northern boundary of the site is covered by a small part of Flood Zones 2 & 3 and a Cordon Sanitaire. . The site scores medium - low and high - medium in the JCS Landscape Sensitivity study. The site is in a partially accessible location with good access (within 5 mins) to the post office, supermarket, primary school, GP, Pharmacy and Fitness facilities, however the site only has fair access (5 to 15 mins) to the library, secondary school, children's centre and by car and Accident and Emergency or a minor injuries unit. Access by bus or walking takes between 10 and 45 to access services, where access to Accident and Emergency or a minor injuries unit take 45 mins. The SALA assesses the site as available for housing and economic uses.	R
No	S003a	CP003	SUE01d	Land off Brockhampton Lane	Main land use: Agriculture Planning Status: N/A Site Character: Urban edge / part developed Greenfield/brownfield: Greenfield/brownfield Critical constraints: Green Belt Overcome constraints: To be removed from Green Belt in JCS	The site is too small to allocate	0.7	25	Green Belt	A predominantly greenfield agricultural site, adjacent to Swindon Village and outside of the existing Principal Urban Area. The site borders residential development to the south and fields to the north which form one of the strategic allocations within the JCS.	G
No	S004	CP004	OUA15 OUA15d OUA15e	Land at Hunting Butts (west)	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	12.09	229	Green Belt	This is a sloping greenfield site, adjacent to residential, however outside of the urban area and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity study. The site has good access by car to the majority of services with the exception of a secondary school and A&E which takes between 5 - 15 minutes. Access by bus or walking to services varies with access to primary and secondary schools, children's centre and a fitness centre taking longer (15 - 30 minutes) and access to A&E is poor at over 30 minutes. The SALA assesses the site as available for housing.	R



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S005	CP005	OUA15 OUA15d SELAA19	Land at Hunting Butts (south), Swindon Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Topography Overcome constraints:	SALA found site to not be deliverable or developable	8.30	157	Green Belt, Topography	This is a part greenfield part brownfield site, adjacent to residential, however outside of the urban area to the north of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low sensitivity in the JCS Landscape Sensitivity Study. The ridgeline on the site is of significant importance. The site has good access by car to the majority of services with the exception of a secondary school and A&E which takes between 5 and 15 minutes. Access by bus or walking to services varies with access to primary and secondary schools, children's centre and a fitness centre taking longer ( 15 - 30 minutes) and access to A&E is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses	R
No	S006	CP006	OUA15e OUA15 SELAA19	Land at Hunting Butts (central) west of railway cutting	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Topography, Access Overcome constraints:	SALA found site to not be deliverable or developable	33.48	633	Green Belt, Topography, Access	This is a greenfield site, adjacent to residential, however outside of the urban area to the north of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site slopes up to an important ridgeline and the Honeybourne Line runs through the site. The site has good access by car to the majority of services with the exception of a secondary school and A&E which takes between 5 and 15 minutes. Access by bus or walking to services varies with access to primary and secondary schools, children's centre and a fitness centre taking longer ( 15 - 30 minutes) and access to A&E is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S007	CP007	OUA14 SELAA21	Land at Hyde Farm (east section)	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Flood Risk Overcome constraints:	SALA found site to not be deliverable or developable	49.11	928	Green Belt, Flood Risk	This is a greenfield site, not adjacent to residential area, outside of urban area. and within the Green Belt. The northern boundary of the site is covered by a small part of Flood Zones 2 & 3 and a Cordon Sanitaire. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity Study. The site is in a partially accessible location with good access (within 5 mins) to the post office, supermarket, primary school, GP, Pharmacy and Fitness facilities, however the site only has fair access (5 to 15 mins) to the library, secondary school, children's centre and by car and Accident and Emergency or a minor injuries unit. Access by bus or walking takes between 10 and 45 to access services, where access to Accident and Emergency or a minor injuries unit take 45 mins. The SALA assesses the site as available for housing and economic uses.	R
No	S008	CP008	N/A	Blooms Garden Centre, Evesham Road	Main land use: Garden centre Planning Status: N/A Site Character: Rural / developed (cross boundary site) Greenfield/brownfield: Brownfield Critical constraints: Green Belt, Flood Risk Overcome constraints:	SALA found site to not be deliverable or developable	1.24	31	Green Belt, Flood Risk	This is a brownfield site outside of the urban area, between Cheltenham and Bishop's Cleeve. It is within the green belt and makes a significant contribution to the green belt (JCS Green Belt Review) Part of the site falls within Flood Zone 2&3. The site is currently in use as a Garden Centre. This is a cross boundary site with Tewkesbury Borough Council. Consideration of the site and any future redevelopment would need to take into account Tewkesbury Borough Council's SALA and the Tewkesbury Local Plan. The site has good access to the majority of facilities by car, foot and bus, with the exception of access to car by A&E taking over 5 minutes and over 30 minutes by bus or foot. Access to a primary school or children's centre by bus or walking is fair ( 15 - 30 minutes) however access to A&E/MIU by bus or foot is poor at over 30 mins. The SALA assesses the site as suitable, available and achievable for economic use.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S009	CP009	OUA15 OUA15e SELAA18	Hunting Butts Farm, east of railway cutting	Main land use: Fields / agriculture Planning Status: 14/01968/P3MPA - request as to whether Prior approval is required for - Change of use from agricultural to Hotel. Application on a small portion of the site - Prior Approval required. Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	5.01	95	Green Belt	This is a greenfield / brownfield site, adjacent to residential, however outside of the urban area to the north of Cheltenham and within Green Belt. Ridgeline on site is of significant importance, The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity study. The site has good access to the majority of service by car being under 5 minutes with the exception of access to a children's centre and A&E/MIU which takes longer at 5 - 15 minutes. Access from the site to facilities by bus/walking is fair, tking between 15 - 30 minutes with the exception of A&E which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S010	CP010	OUA15 OUA15a OUA15e SELAA19	Land south of Hunting Butts Farm, Swindon Lane	Main land use: Fields / agriculture Planning Status: 11/00257/OUT refused and appeal dismissed (2012) Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	9.35	177	Green Belt	This is a greenfield adjacent to residential, however outside of the urban area to the north of Cheltenham and within Green Belt. Ridgeline on site is of significant importance, The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores Medium - low in the JCS Lanscape Sensitivity Study. A previous application (11/00257/OUT) and subsequent appeal on the site for 135 dwellings have both been refused (2011/2012). The site has good access to the majority of service by car being under 5 minutes with the exception of access to a children's centre and A&E/MIU which takes longer at 5 - 15 minutes. Access from the site to facilities by bus/walking is fair, tking between 15 - 30 minutes with the exception of A&E which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses	R



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S011	CP011	OUA15 OUA15c SELAA49	The Paddocks, Swindon Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.79	34	Green Belt	This is a brownfield site that includes a residential unit and garden, however it is outside of the urban area to the north of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). Site slopes up to an important ridgeline. The site scores medium - low in the JCS Landscape Sensitivity Study. The site has good access to the majority of service by car being under 5 minutes with the exception of access to a children's centre and A&E/MIU which takes longer at 5 - 15 minutes. Access from the site to facilities by bus/walking is fair, taking between 15 - 30 minutes with the exception of A&E which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S012	CP012	OUA15 SELAA18	Land at Hunting Butts (east), Evesham Road	Main land use: Race course overflow parking Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	11.64	220	Green Belt	This is a greenfield / brownfield site, currently in use as an overflow car park for the Racecourse. It is adjacent to residential area, however outside of the urban area to the north of Cheltenham and within Green Belt. Ridgeline on site is of significant importance, The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity Study. The site has good access to the majority of services by car, bus and walking with access taking longer (15 - 30 minutes) to a childrens centre and A&E/MIU by bus and walking and by car to A&E/MIU ( 5 - 15 minutes) The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S013	CP013	SELAA08	Cheltenham Racecourse (north)	<p>Main land use: Race course ancillary and parking</p> <p>Planning Status: Various recent approvals including new Grandstand</p> <p>Site Character: Urban edge / developed</p> <p>Greenfield/brownfield: Brownfield</p> <p>Critical constraints: Green Belt, Flood Risk</p> <p>Overcome constraints: JCS Policy Racecourse area allows for development principally related to the business of the racecourse</p>	SALA found site to not be deliverable or developable	22.90	433	Green Belt, Flood Risk	<p>The site forms part of the built up area of Cheltenham racecourse, the principal venue in the country for National Hunt Racing. It is situated to the north of Cheltenham, outside of the existing Principal Urban Area. To the north of the site is the Gloucestershire &amp; Warwickshire Railway station, to the south is a park and ride and residential properties border the southern and south eastern boundary of the Racecourse. There are a variety of buildings ranging from the Grandstands, Centaur, livery stables and accommodation. Part of the site is currently used as formal and informal car parking.</p> <p>The Racecourse sits within the Greenbelt and the JCS Green Belt Review identified the area as making a significant contribution towards Green Belt purposes and scored Low sensitivity in the draft JCS Landscape Appraisal.</p> <p>The site remains within the Green Belt, however in recognition of the importance of the Racecourse, part of the site falls within the JCS proposed Racecourse Policy Area which allows for new development where well related to the racecourse or for other activities appropriate within the green belt. The north eastern part of the site is within Flood Zones 2 and 3.</p> <p>There have been various recent proposals, including for a new Grandstand.</p> <p>The potential uses and developable area are restricted however, there remains opportunity for the Racecourse to develop in accordance with the JCS policy. therefore for employment/leisure purposes.</p> <p>There is no MAIDen data for 2014 available at present for this site, however previous accessibility studies have identified it as having good access.</p> <p>The SALA assesses the site as suitable, available and achievable for economic use.</p>	G

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S014	CP014	SELAA08	Cheltenham Racecourse (south)	Main land use: Race course main car park and overflow Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	6.13	116	Green Belt	The site forms part of the racecourse and is predominantly used for car parking for racecourse/Centaur related activities and as a park and ride. The site is assessed as making a significant contribution towards Green Belt purposes (JCS Green Belt Review), albeit this is a brownfield site between an existing residential area to the south and east and the racecourse to the north. The site has good access by all means to the majority of facilities with the exception of access to a children's centre and A&E/MIU by bus or foot which takes longer at between 15 - 30 minutes. The SALA assesses the site as available, in part, for housing and economic uses.	R
No	S015	CP015	OUA06 SELAA34	Land off New Barn Lane 1 (south of Racecourse)	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Access Overcome constraints:	SALA found site to not be deliverable or developable	1.42	35	Green Belt, Access	This is a greenfield site to the north of Cheltenham and is in between residential properties to the south and the racecourse to the north. The site is within the Green Belt and is assessed as making a significant contribution towards Green Belt purposes (JCS Green Belt Review). Access to the site may be difficult to obtain. The site has good access to the majority of facilities by car, bus or walking with the exception of car access to A&E/MIU which takes between 5 - 15 minutes with access to a supermarket, children's centre and A&E/MIU by bus or foot taking between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S016	CP016	OUA6 OUA6a SELAA31 SELAA34	Land off New Barn Lane 2 (south of Racecourse)	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Access Overcome constraints:	SALA found site to not be deliverable or developable	0.51	13	Green Belt, Access	This is a greenfield site to the north of Cheltenham and is in between residential properties to the south and the racecourse to the north. The site is within the Green Belt and is assessed as making a significant contribution towards Green Belt purposes (JCS Green Belt Review). Access to the site may be difficult to obtain. The site has good access to the majority of facilities by car, bus or walking with the exception of car access to A&E/MIU which takes between 5 - 15 minutes with access to a supermarket, children's centre and A&E/MIU by bus or foot taking between 15 - 30 minutes. The SALA assesses the site as available for housing.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S017	CP017	OUA06 OUA06b SELAA30 SELAA34	Land off New Barn Lane 3 (south of Racecourse)	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	2.08	52	Green Belt	This is a greenfield site to the north of Cheltenham and is in between residential properties to the south and the racecourse to the north. The site is within the Green Belt and is assessed as making a significant contribution towards Green Belt purposes (JCS Green Belt Review). Access to the site may be difficult to obtain.  The site has good access to the majority of facilities by car, bus or walking with the exception of car access to A&E/MIU which takes between 5 - 15 minutes with access to a supermarket, children's centre and A&E/MIU by bus or foot taking between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S018	CP018	OUA13 SELAA35	Land east of Cheltenham Racecourse 1, Lake Street	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt; Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	5.45	136	Green Belt; Conservation area	This is a greenfield site, the southern part of which is used informally as an area of open space. The site is within the Green Belt and makes a significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scored high-medium sensitivity in the draft JCS Landscape Appraisal. The site is adjacent to residential development to the east and south and the racecourse to the west, however it is outside of the urban area. Access to the site may be difficult to obtain.  The site has good access to the majority of facilities by car, bus and foot with the exception of access to A&E/MIU by car which takes between 5 - 15 minutes and access to a supermarket, children's centre, A&E/MIU and a fitness centre by bus or walking all take between 15 - 30 minutes.  The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S019	CP019	OUA13 OUA13a SELAA35	Land east of Cheltenham Racecourse 2, Park Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.24	15	Green Belt	This is a greenfield site within the Green Belt. The site is adjacent to residential development to the north and east and the racecourse to the west, however it is outside of the urban area. The site makes a significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scored high-medium sensitivity in the draft JCS Landscape Appraisal. Access to site may be difficult to obtain. The site has good car access to all facilities with the exception of A&E/MIU which takes between 5 -15 minutes. Access by bus or walking is fair, taking between 15 - 30 minutes to access a supermarket, primary and secondary schools, a children's centre and a fitness centre. Access by bus or foot to A&E/MIU is poor, taking over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S020	CP020	SELAA36	Land north of Cheltenham Racecourse	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Access Overcome constraints:	SALA found site to not be deliverable or developable	19.15	362	Green Belt, Access	This is a greenfield site within Green Belt. The site is outside of urban area and lies immediately to the north of the racecourse. The site scored High - Medium/Medium sensitivity in the draft JCS Landscape Appraisal. The site has good access by car to the majority of services except A&E/MIU which takes over 5 minutes. Access to facilities by bus or walking is fair, with access to the majority of facilities taking between 15 - 30 minutes. Access to A&E/MIU by bus or foot is poor taking over 30 minutes. The SALA assesses the site as not being suitable, available or achievable for housing or economic uses.	R
No	S021	CP021	SELAA42	Land between Cheltenham Racecourse and B4632	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield / Brownfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	27.70	523	Green Belt	This is a greenfield / brownfield site which is outside of the urban area to the north of Prestbury and within the Green Belt. The site is primarily used as agricultural land however there are also residential units towards the eastern part of the site. The site has good access by car to the majority of services except A&E/MIU which takes over 5 minutes. Access to facilities by bus or walking is fair, with access to the majority of facilities taking between 15 - 30 minutes. Access to A&E/MIU by bus or foot is poor taking over 30 minutes. The SALA assesses the site as not being suitable, available or achievable for housing or economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S022	CP022	OUA05 SELAA41	Land at Prestbury	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Heritage; possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	12.58	200	Green Belt, Heritage; possible land contamination;	This is a greenfield site which slopes north to south across the centre of the site. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). Adjacent to, but outside of the urban area. The site is bordered to the north, south and west by residential development of Prestbury. Part of site is prominent from escarpment. Site is an important setting to the AONB. Potential access issues.  The site has good accessibility to the majority of facilities with the exception of A&E/MIU by car which takes over 5 minutes and access to a supermarket, children's centre, A&E/MIU and a fitness facility by bus or walking is fair taking between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
Mixed use	S023	CP023	OUA11 SELAA38	Priors Farm Fields (Land at Oakley)	Main land use: Fields / playing fields Planning Status: Note projects on the go in the Priors Farm/Cem&Crem area. Flood catchment scheme and crem extention being investigated Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Public Green Space; suggested Local Green Space; Heritage; Access; competing uses; landscape; flooding Overcome constraints: Whaddon Brook Scheme and supporting flood alleviation measures, establish council's corporate needs and requirements	Significant sustainability issues (landscape)	5.00	25	Public Green Space; suggested Local Green Space; Heritage; Access; competing uses; landscape; flooding	This is a greenfield site which sits adjacent to a residential area but outside of the existing Principal Urban Area. The western part of the site is a designated Public Green Space including playing pitches and a play area and the eastern part of the site is open fields. The site borders the cemetery to the north, the AONB to the east and new residential development to the south and west. The eastern part of the site has an important role in the setting of the AONB.  The site is in an accessible location with the majority of local services being within a 5 minute drive and 15 minute walk or bus journey, with the exception of access to a Secondary school and A&E which is a 15 - 30 minute walk or bus ride. The playing pitches have been identified as having poor drainage which has prohibited use, redevelopment of the site could allow for more appropriate reprovion elsewhere. The SALA assesses the site as suitable, available and achievable for housing within 6 - 15 years.	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S024	CP024	N/A	Castle Dream Stud, Mill Lane	Main land use: Temporary gypsy site Planning Status: Various relating to previous use of land, including 13/01459/COU temporary consent for gypsy site (2014) Application expected by mid 2016 Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	0.43	1	AONB, topography	This is a greenfield site to the east of Cheltenham in a rural setting to the north east side of Mill Lane, Ham Hill. The site lies outside of the urban area and is wholly within the Cotswold Area of Outstanding Natural Beauty (AONB). The site slopes steeply. The site has been used for the keeping of horses and more recently has temporary planning consent (13/01459/COU) for use as a Gypsy site for one family. The site has fair access by car to the majority of facilities with good access by car to a primary school and a fitness facility. Access by bus or walking is poor for the majority of facilities taking over 30 minutes with the exception of access to a primary school, GP and a fitness facility which takes between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S025	CP025	N/A	Land at Mill Lane	Main land use: Fields / agriculture Planning Status: Various relating to existing agricultural/equestrian use of land. Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	0.31	8	AONB, topography	This is a greenfield site to the east of Cheltenham in a rural setting to the north east side of Mill Lane, Ham Hill. The site lies outside of the urban area and is wholly within the Cotswold Area of Outstanding Natural Beauty (AONB). The site slopes steeply. The site has been used for equestrian purposes and is being promoted as a Transit site for Gypsy and Travellers. The site has fair access by car to the majority of facilities with good access by car to a primary school and a fitness facility. Access by bus or walking is poor for the majority of facilities taking over 30 minutes with the exception of access to a primary school, GP and a fitness facility which takes between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S026	CP026	OUA16	Land north of Greenway Lane	Main land use: Paddock Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	1.5	40	AONB, topography	This is a greenfield site outside of the urban area and within the AONB. The site is currently used as a paddock and is bordered by fields and neighbouring, low density, residential properties. The site has good access by car to the majority of facilities with the exception of access to a secondary school which takes between 5 - 15 minutes. Access to facilities by bus or walking is fair, taking between 15 - 30 minutes. The SALA assesses the site as available for housing	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S027	CP027	OUA10	Land south of Greenway Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	1.20	30	AONB, topography	This is a steep, greenfield site outside of the urban area and within the AONB. It is bordered by fields to the north and west, residential to the east and allotments to the south. The southern part of the site is heavily wooded with mature trees and hedgerows. The site has good access by car to the majority of facilities with the exception of access to a secondary school which takes between 5 - 15 minutes. Access to facilities by bus or walking is fair, taking between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S028	CP028	N/A	Land adjacent to Orchard Cottages	Main land use: Fields / residential Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	0.33	10	AONB, topography	This is a greenfield site outside of the urban area, within the AONB in the small community of Ham. It is in between two houses to the east and west and open fields to the north and south. The site has good access by car to the majority of facilities with the exception of access to A&E/MIU which takes between 5 - 15 minutes. The site has fair access by bus or walking to the majority of facilities, taking between 15 - 30 minutes, with good access to a primary school, GP and fitness facility taking under 15 minutes. The SALA assesses the site as available for housing.	R
No	S029	CP029	OUA08	Land south of Glenfall Way	Main land use: Fields / agriculture Planning Status: Previous application 07/01580/OUT refused and subsequent appeal dismissed. 15/00025/OUT for 15 dwellings - pending consideration. Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	1.00	15	AONB, topography	This is a greenfield site, adjacent to a residential area and a primary school to the west and south and open fields to the north and east. The site is outside of the urban area, within the AONB and plays an important site on the boundary. A previous planning application for housing 07/01580/OUT was refused and subsequent appeal dismissed. A new application, 15/00025/OUT for 15 dwellings has been submitted and is pending consideration. The site has good access to the majority of facilities, being under 5 minute journey by car and under 15 minutes by bus or walking with the exception of access by bus or walking to a secondary school and A&E/MIU which takes longer at between 15 - 30 minutes. The SALA assesses the site as available for housing.	R



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S030	CP030	OUA03	Land off Timbercombe Lane	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: AONB, topography Overcome constraints:	SALA found site to not be deliverable or developable	1.14	24	AONB, topography	This is a greenfield site, near to residential properties but outside of the urban area and within the AONB where it plays an important part in the setting of the escarpment. The site has good accessibility by car to all facilities and good access by bus and walking to all facilities except a primary and secondary school and A&E/MIU which take longer at between 15 - 30 minutes. The SALA assesses the site as available for housing.	R
No	S031	CP031	SPS08 SELAA23	Land off Leckhampton Road	Main land use: Fields / agriculture Planning Status: 15/00681/FUL granted permission for 10 dwellings Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Impacts on AONB landscape, Topography, loss of local facility; Establish access arrangements. Overcome constraints: Establish highways access arrangements (through adjacent site to the north); Assess impacts on the AONB and wider landscape. Where possible retain community facility	Site has planning permission: 15/00681/FUL	0.60	10	Impacts on AONB landscape, Topography, loss of local facility; Establish access arrangements.	This is a greenfield site on the southern edge of the borough and is bordered to the north by existing residential development and adjacent to a previous industrial site which has permission for residential development, to the east is a Scout Hut and to the south is open land. The site slopes and is adjacent to AONB. Access to the site would need to be obtained. More generally, the site is in an accessible location with the majority of local services being within a 5 minute drive and 15 minute walk or bus journey, with the exception of access to a post office, primary school, pharmacy and A&E which would all be between 15 and 30 minutes by foot or bus and poor access to a Secondary school which would be over 30 minutes by foot or bus. The SALA assesses the site as suitable, available and achievable for housing within 6 - 10 years and as being suitable and available for economic use.	G
No	S032		N/A	Hall Road Allotments	Main land use: Allotments Site character: Urban edge / undeveloped Land type: Greenfield Critical constraints: Overcome constraints: Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	2.30	58			
No	S033		SUE02 SUE02b SUE02c SUE02d SUE02e SELAA32	Land at Leckhampton, off Shurdington Road	Main land use: Fields / agriculture Site character: Urban edge / undeveloped Land type: Greenfield Critical constraints: High landscape sensitivity (part), Flood Risk Overcome constraints: Developable area restricted Planning status: Draft JCS Strategic Allocation (2013), 13/01605/OUT 650 homes and mixed use - Pending consideration	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	22	650	High landscape sensitivity (part), Flood Risk		

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S034		SUE02 SUE02a SUE02e SELAA32	Land at Leckhampton, off Kidnappers Lane	Main land use: Fields / agriculture Site character: Urban edge / undeveloped Land type: Greenfield Critical constraints: Flood Risk Overcome constraints: Developable area restricted Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	5.8	146	Flood Risk		
No	S035		SUE02 SUE02e SELAA32	Land at Leckhampton, Church Road & Farm Lane	Main land use: Fields / residential Site character: Urban edge / part developed Land type: Greenfield (small residential part) Critical constraints: high landscape sensitivity (part) Overcome constraints: Draft JCS proposes landscape buffer Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	1.30	43	high landscape sensitivity (part)		
No	S036		SUE02 SUE02a SUE02e SELAA32	Land at Leckhampton, off Farm Lane	Main land use: Fields / agriculture Site character: Rural / open Land type: Greenfield Critical constraints: High landscape sensitivity Overcome constraints: Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	2.60	0	High landscape sensitivity		
No	S037		SUE02 SUE02e SELAA32	The Nurseries, Kidnappers Lane, Leckhampton	Main land use: Fields / agriculture Site character: Rural / open Land type: Greenfield Critical constraints: Overcome constraints: Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	2.50	47			
No	S038		SUE02 SUE02e SELAA32	Church Farm, Church Road, Leckhampton	Main land use: Fields / agriculture Site character: Rural / open Land type: Greenfield Critical constraints: High landscape sensitivity, Heritage Overcome constraints: Planning status: N/A	Former JCS allocation. Part of Leckhampton area included as indicative plan only.	6.78	128	Green Belt	Flat, parcels of greenfield land divided by a park home site. Site is adjacent to existing residential and park homes, however is outside of the urban area. Site has narrow access along Sunnyfield Lane. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site has a mix of good and fair access to the majority of facilities by car, bus and walking with facilities being accessed under 15 minutes by car and under 30 minutes by bus or walking with the exception of access to A&E/MIU which is poor taking over 30 minutes. The SALA assesses the site as available for housing.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S040	CP033	OUA01 SELAA27	Land at Sunnyfield Lane (north), Up Hatherley Way	Main land use: Fields / agriculture Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.14	22	Green Belt	Flat, parcels of greenfield land divided by a park home site. Site is adjacent to existing residential and park homes, however is outside of the urban area. Site has narrow access along Sunnyfield Lane. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site has a mix of good and fair access to the majority of facilities by car, bus and walking with facilities being accessed under 15 minutes by car and under 30 minutes by bus or walking with the exception of access to A&E/MIU which is poor taking over 30 minutes. The SALA assesses the site as available for housing.	R
Housing	S041	CP034	OUA12 SELAA39	Arle Nursery and allotments, Old Gloucester Road	Main land use: Nursery / allotments Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Flood Risk Overcome constraints:	Part of larger site ( Land at Arle Nurseries / Old Gloucester Road) with S042. This site will be taken out of the Green Belt by the JCS because the development of the Strategic Allocations to the north and south will reduce the site's contribution to the Green Belt.  Flood risk on the site as well future of the Nursery will need to be planned.	8.2	207	Green Belt, Flood Risk	The site is currently in use as open/agricultural land, allotments/nursery. Near to residential development to the south however largely surrounded by fields. It is outside of the urban area, within Green Belt and partially within Flood Zones 2 and 3. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site has good car access to the majority of facilities except to the library, GP and A&E/MIU which takes between 5 - 15 minutes. Access by bus or walking is fair to the majority of facilities taking between 15 and 30 minutes with the exception of access to a children's centre and A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Housing	S042	CP035	OUA12 OUA12b SELAA39 SELAA25	Land at Old Gloucester Road	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	Part of larger site ( Land at Arle Nurseries / Old Gloucester Road) with S041. This site will be taken out of the Green Belt by the JCS because the development of the Strategic Allocations to the north and south will reduce the site's contribution to the Green Belt.  Flood risk on the site as well future of the Nursery will need to be planned.	3.12	59	Green Belt	This is a flat, greenfield site, outside of the urban area and within the Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site is bordered to the north and west by fields, the east by Arle Nursery and Allotments and housing to the south.  The site has good car access to the majority of facilities except to the library, GP and A&E/MIU which takes between 5 - 15 minutes. Access by bus or walking is fair to the majority of facilities taking between 15 and 30 minutes with the exception of access to a children's centre and A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S043	CP036	OUA07 OUA07a SELAA12 SELAA13	Land at Fiddler's Green, Fiddler's Green Lane	Main land use: Fields / agriculture Planning Status: N/A Site Character: Urban edge / part developed Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Cordon Sanitaire / Development Exclusion Zone; Key Wildlife site Overcome constraints: Site is in Submission JCS Safeguarded Area. Odour studies ongoing	SALA found site to not be deliverable or developable	35.00	662	Green Belt, Cordon Sanitaire / Development Exclusion Zone; Key Wildlife site	This is a flat, greenfield site to the west of Cheltenham, outside of the urban area. This site is adjacent to residential development to the east and open fields to all other boundaries. The majority of the site is covered by cordon sanitaire (Development Exclusion Zone) which may impact on the use of the land. The southern boundary of the site runs along Flood Zones 2&3. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). However, the site has been removed from the Green Belt and falls within proposed JCS safeguarded area at Hayden Reclamation Works, therefore the land would not be developable until a JCS review deemed it necessary to release the land. Further evidence on Development Exclusion Zone is expected. Site contains a Key Wildlife site. The site scores medium - low/medium in the JCS Landscape sensitivity study.  The site has good car access to the majority of facilities being under 5 minutes with car access to A&E/MIU being fair, at between 5 - 15 minutes. The majority of facilities can be accessed by bus or foot in between 5 - 15 minutes with access to a post office, supermarket or children's centre taking between 15 - 30 minutes and access to A&E/MIU being poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S044	CP037	OUA07 SELAA12	Land at Fiddler's Green, adjacent to Hayden	Main land use: Fields / agriculture Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Cordon Sanitaire / Development Exclusion Zone Overcome constraints: Site is in Submission JCS Safeguarded Area. Odour studies ongoing	SALA found site to not be deliverable or developable	18.34	347	Green Belt, Cordon Sanitaire / Development Exclusion Zone	This is a flat, greenfield site outside of urban area to the west of Cheltenham. It is bordered by fields on all sides except the west where it is adjacent to Hayden Sewage works. All of the site is covered by a cordon sanitaire (Development Exclusion Zone) which may impact on the use of the land. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). However, the site has been removed from the Green Belt and falls within proposed JCS safeguarded area at Hayden Reclamation Works, therefore the land would not be developable until a JCS review deemed it necessary to release the land. Further evidence on Development Exclusion Zone is expected. The site scores as medium - low in the JCS Landscape Sensitivity study. The site has good car access to the majority of facilities being under 5 minutes with car access to A&E/MIU being fair, at between 5 - 15 minutes. The majority of facilities can be accessed by bus or foot in between 5 - 15 minutes with access to a post office, supermarket or children's centre taking between 15 - 30 minutes and access to A&E/MIU being poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses	R
No	S045	CP038	OUA09 SELAA15	Land at Golden Valley, Pheasant Lane	Main land use: Fields / agriculture / residential Planning Status: N/A Site Character: Rural / open Greenfield/brownfield: Greenfield Critical constraints: Green Belt, Flood Risk; possible land contamination; Overcome constraints: Part of site is in Submission JCS Safeguarded Area	SALA found site to not be deliverable or developable	11.23	212	Green Belt, Flood Risk; possible land contamination;	This is a greenfield site, outside of the urban area to the west of Cheltenham. The northern part of the site is included within the JCS safeguarded land and is to be removed from the Green Belt via the JCS. Part of the site within Flood Zone 2 & 3. The site has good access to all services by car with the exception of access to A&E. The site has fair access to the majority of services by bus or walking. The SALA assesses the site as suitable and available in part for housing and economic uses.	A



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S046	CP039	OUA04 SELAA03	Land north of Bamfurlong Lane	Main land use: Mostly Agriculture, with some industry and residential Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Green Belt, Heritage; possible land contamination; Overcome constraints: Green Belt Review	SALA found site to not be deliverable or developable	7.11	179	Green Belt, Heritage; possible land contamination;	This is a flat site, part greenfield and part developed, including a scrapyard and agriculture. It is located to the west of Cheltenham, with open land/agriculture and residential to the north and south and a camping and caravan park to the east. It is within the Green Belt and outside of urban area. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity Study. The site has good car access to the majority of facilities with the exception of A&E/MIU which takes longer at 5 - 15 minutes. Access to the majority of facilities by bus or walking is fair, taking between 15 - 30 minutes, with access to a supermarket, GP and fitness facility being good at under 15 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S047	CP040	OUA04 OUA04a SELAA03 SELAA05	Briarfields Motel and Touring Park, Bamfurlong Lane	Main land use: Caravan site Planning Status: N/A Site Character: Urban edge / developed Greenfield/brownfield: Brownfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.96	65	Green Belt	This is a flat site, developed as a Motel and Touring Park. It is located to the west of Cheltenham and is adjacent to a mix of uses, including residential, hotel and employment, however it is within Green Belt and outside of urban area. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). This site has good car access with the majority of facilities being within 5 minutes with the exception of access to A&E/MIU which takes between 5 - 15 minutes. Access from the site to the majority of facilities by bus or walking is fair taking between 15 - 30 minutes with the exception of access to a fitness facility which is under 15 minutes. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S048	CP041	OUA04 OUA04c SELAA03	Land between A40 and Bamfurlong Lane (east)	Main land use: Industry Planning Status: N/A Site Character: Urban edge / developed Greenfield/brownfield: Brownfield Critical constraints: Green Belt; possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.98	33	Green Belt; possible land contamination;	This is a flat, brownfield site in current industrial use. It is located to the west of Cheltenham, it is outside of the urban area and within the Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site is adjacent to a mix of uses, including residential, hotel and camping and caravan park and is bordered to the south by the A40. This site has good car access with the majority of facilities being within 5 minutes with the exception of access to A&E/MIU which takes between 5 - 15 minutes. Access from the site to the majority of facilities by bus or walking is fair taking between 15 - 30 minutes with the exception of access to a fitness facility which is under 15 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S049	CP042	OUA04 SELAA03	Land between A40 and Bamfurlong Lane (west)	Main land use: Fields / agriculture / nursery Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	4.92	124	Green Belt	This is a flat site, part greenfield and part developed, including a mix of fields, agriculture and nursery uses. The site is located to the west of Cheltenham, outside of the urban area and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site is adjacent to a mix of uses including, residential, scrapyard and camping and caravan park and is bordered to the south by the A40. This site has good car access with the majority of facilities being within 5 minutes with the exception of access to A&E/MIU which takes between 5 - 15 minutes. Access from the site to the majority of facilities by bus or walking is fair taking between 15 - 30 minutes with the exception of access to a fitness facility which is under 15 minutes. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S050	CP043	OUA02 OUA02f SELAA50	Land at The Reddings, north of Branch Road	Main land use: Fields / agriculture Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	8.00	202	Green Belt	This is a flat greenfield site adjacent to some limited residential development to the north east and south west of the site, however it is outside of the urban area. To the immediate north of the site a new commercial development is underway comprising of offices and a car showrooms. The site is within the green belt and makes a significant contribution towards Green Belt purposes (JCS Green Belt Review). The site has good access by car, bus and walking to the majority of facilities, with the exception of access by all modes to a secondary school, a children's centre and A&E/MIU and access to a GP which takes longer. The SALA assesses the site as available for housing and economic uses.	R
No	S051	CP044	OUA02 SELAA51	Land at The Reddings, south of Branch Road	Main land use: Fields / agriculture Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	6.66	168	Green Belt	This is a flat greenfield site, bordered by residential development to the south and fields to the north and west. The site is to the west of Cheltenham and is outside of the urban area. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site has good access by car, bus and walking to the majority of facilities being under 15 minutes, with the exception of access by all modes to a secondary school, a children's centre and A&E/MIU and access to a GP which takes longer. The SALA assesses the site as not suitable, available or achievable for housing or economic uses	R



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S052	CP045	OUA02 OUA02b SELAA51 SELAA48	Land at the Hayloft (west), The Reddings / Badgeworth Road	Main land use: Fields / agriculture Planning Status: 09/00656/COU & 12/00318/TIME Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.76	58	Green Belt	This is a flat part greenfield/part garden land outside of the urban area to the west of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The sites scores medium - low in the JCS Landscape sensitivity study. The site is bordered to the north by residential properties, to the west by a road and to the south by a railway line. Planning permission has been granted for Elderly Care provision, 09/00656/COU & 12/00318/TIME The site has fair access by car to the majority of facilities being under 15 minutes. Access to facilities by bus or walking from the site is mainly good being between 15 - 30 minutes with the exception of access to A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S053	CP046	OUA02 OUA02b SELAA51	Land at the Hayloft (east), south of The Reddings	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.66	55	Green Belt	This is a flat part greenfield/part garden land outside of the urban area to the west of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The sites scores medium - low in the JCS Landscape sensitivity study. The site is bordered to the north by residential properties, to the west by fields/garden land and to the south by a railway line. The site has fair access by car to the majority of facilities being under 15 minutes. Access to facilities by bus or walking from the site is mainly good being between 15 - 30 minutes with the exception of access to A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S054	CP047	OUA02 OUA02e SELAA51	Flowerdale Farm, The Reddings	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.47	49	Green Belt	This is a flat greenfield site, outside of urban area to the west of Cheltenham and within greenbelt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The sites scores medium - low on the JCS Landscape Sensitivity Study. The site is adjacent to fields/gardenland to the east and a caravan park to the west, residential to the north and the railway line to the south. The site has fair access by car to the majority of facilities being under 15 minutes. Access to facilities by bus or walking from the site is mainly good being between 15 - 30 minutes with the exception of access to A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S055	CP048	OUA02 OUA02d SELAA51 SELAA26	Land at Stansby Mobile Home and Touring Caravan Park, The Reddings	Main land use: Caravan park Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.78	59	Green Belt	This is a flat site outside of the urban area to the west of Cheltenham and within the Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). the site scores medium - low in the JCS Landscape Sensitivity Study. The site in use as a caravan park, is bordered to the north by residential development, the east by Grovefield Way, the south by the railway line and the west by open greenfield/garden/agricultural land. The site has fair access by car to the majority of facilities being under 15 minutes. Access to facilities by bus or walking from the site is mainly good being between 15 - 30 minutes with the exception of access to A&E/MIU which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses.	R
No	S056	CP049	OUA02 SELAA50	Land west of Grovefield Way, The Reddings	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	0.80	27	Green Belt	This is a flat greenfield site, adjacent to residential areas to the north, east and south and within the urban area to the west of Cheltenham. The site is within the Green Belt which makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium - low in the JCS Landscape Sensitivity study. The site has good access by car, bus and walking to the majority of facilities, with the exception of access by all modes to a secondary school, a children's centre and A&E/MIU and access to a GP which takes longer. The SALA assesses the site as available as for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S057	CP050	OUA02 OUA02c SELAA50 SELAA28	Land off Grovefield Way, The Reddings	Main land use: Open land Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	0.34	10	Green Belt	This is a flat, greenfield site, within the urban area and the Green Belt site to the west of the Cheltenham. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). Site is accessed off Grovefield way and is a linear and relatively narrow strip of land. There is residential development to the east, separated by Grovefield Way and low density development to the north and far south of the site. The site is bordered by greenfield/agricultural land and is predominantly rural in character. The site has good access by car, bus and walking to the majority of facilities, with the exception of access by all modes to a secondary school, a children's centre and A&E/MIU and access to a GP which takes longer. The SALA assesses the site as available as for housing and economic uses.	R
No	S058	CP051	OUA02 OUA02a SELAA50 SELAA29	Land r/o Shakespeare Cottages, The Reddings	Main land use: Open land / residential Planning Status: N/A Site Character: Urban edge / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	0.26	9	Green Belt	This is a flat, greenfield site, within the urban area and the Green Belt. The site is ancillary to residential use to the north, Site is separated from neighbouring residential estate by a main road, there are houses and a community centre to the north and west of the site and greenfield site to the south. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores medium -low in the JCS Landscape Sensitivity Study. The site has good access by car, bus and walking to the majority of facilities, with the exception of access by all modes to a secondary school, a children's centre and A&E/MIU and access to a GP which takes longer. The SALA assesses the site as available for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Housing	S059	CP052	NRU08 SELAA44	Springbank Shopping Centre	Main land use: Vacant Shopping Centre Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Site is a Neighbourhood Centre; land ownership Overcome constraints: Meaningful negotiation between the two land owners		0.51	36	Site is a Neighbourhood Centre; land ownership	This is a brownfield site within the urban area, surrounded by existing residential development. It was previously in use as a Neighbourhood Shopping centre, however all bar one unit has been vacant for a number of years. The site remains designated as a Neighbourhood centre within the existing Local Plan. The site is in an accessible location with good access to the majority of services within a 5 minute drive and 15 minute walk or bus journey, with the exception of a children's centre and A&E. The site has had previous and current pre-application discussions relating to the redevelopment of the site for residential purposes. The SALA assesses the site as suitable, available and achievable for housing or economic use within 11 - 15 years.	G
No	S060	CP053	VDL&B03 SELAA01	Land adjacent to former Goat and Bicycle Public House	Main land use: Vacant Land / Brownfield Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Establish owner Overcome constraints: site may be contaminated but is vacant. Future remediation could enable housing or employment.	SALA found site to not be deliverable or developable	0.43	18	Possible land contamination; Establish owner	This is a flat, vacant plot of land within predominantly residential area, within the urban area. It is adjacent to a plot of land that has received permission for residential. There is an electricity substation and public open space to the north of the site. The site has good access to all facilities except A&E/MIU by car, bus and walking, being within a 5 minute drive and under 15 minutes by bus or walking. The SALA assesses the site as suitable for housing or economic uses.	R
Mixed use	S061	CP054	NRU09	Land and buildings at Coronation Square	Main land use: Car park / Shopping area Planning Status: Various small scale Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Land ownership Overcome constraints: Developable area restricted	Site has mixed ownership but could come forward as a mixed regeneration scheme	0.40	17	Land ownership	This is a flat site within the urban area. Existing retail facilities are designated as a District Centre but are largely underused according to the Retail and Leisure Study. Opportunity for comprehensive redevelopment by including area of green space and improve transport circulation. Retail and Leisure Study recommends encouraging mixed use redevelopment of wider area to include residential and address potential loss of existing uses. The site is an accessible location with good access to all services except A&E which has poor access by bus and walking. The SALA assesses the site as suitable and available, in part, for both housing and economic use.	A

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S062	CP055	SPS04	Community Centre & Scout Hut, Brooklyn Road	Main land use: Scout Hut Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: suggested local green space Overcome constraints:	SALA found site to not be deliverable or developable	0.90	28	suggested local green space	This is a flat site, currently in use as a community centre and scout hut, within a predominantly residential area. The site has also been submitted for consideration as a Local Green Space site. The site has good access to all facilities, except A&E/MIU by car, bus and walking, being within a 5 minute drive and under 15 minutes by bus or walking. The SALA assesses the site as suitable for residential and economic uses.	R
No	S063	CP056	N/A	Rowanfield Exchange. Devon Avenue	Main land use: Employment / residential Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Site is a Neighbourhood Centre Overcome constraints: Redevelopment currently on garages not retail element	No net gain expected. Site is unlikely to come forward within the plan period.	0.37	17	Site is a Neighbourhood Centre	This is a brownfield site within the urban area. This site includes a neighbourhood centre, residential and associated garages. Cheltenham Borough Homes is expected to submit an application for the redevelopment of the garages on site. Any future redevelopment of the remainder of the site would not necessarily result in a net gain but could improve the existing stock. The site is in an accessible location with good access to all services except A&E which would take between 5 & 15 minutes by car and over 30 minutes on foot or by bus. The SALA assesses the site as suitable, available and achievable for housing within 5 years and suitable for economic use.	G
Housing	S064	CP057	NRU21b SELAA10	Christ College Site B	Main land use: unused Playing field Planning Status: 13/00911/OUT & 14/01317/REM. Development has yet to commence. Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Possible land contamination; suggested local green space Overcome constraints: Justify loss of playing field - likely remediation		2.11	70	Possible land contamination; suggested local green space	This is a greenfield site, previously used as school playing pitches within the urban area. The site has good access to all facilities except A&E/MIU by car, bus and walking, being within a 5 minute drive and under 15 minutes by bus or walking. The SALA assesses the site as suitable, available and achievable for housing within 5 years and suitable for economic uses.	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S065	CP058	DB01	Outer West, Land at Tewkesbury Road	Main land use: Industry Planning Status: Development brief adopted Sept 2000 Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Heritage, Flood Risk, Possible land contamination, HSE blast zone Overcome constraints:	SALA found site to not be deliverable or developable	11.35	358	Heritage, Flood Risk, Possible land contamination, HSE blast zone	This is a flat, mixed use developed site close to the town centre, within the urban area. There is a Development Brief, dating back to 2000, for the site which discusses the opportunity to comprehensively develop the large site. Site contains an operational gas works and mix of retail and employment. Redevelopment of site could bring forward the Outer West Road which is a safeguarded route within the existing Local Plan. However, there are no short to medium term plans by the operator to cease operations on site. The site has good access to all facilities, except A&E/MIU by bus and walking, being within a 5 minute drive and under 15 minutes by bus or walking. The SALA assesses the site as suitable for economic uses.	R
No	S066	CP059	SELAA47	The Folley, Gardner's Lane	Main land use: Sports Ground Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: N/A Overcome constraints: N/A	SALA found site to not be deliverable or developable	6.25	197	N/A	This is a flat greenfield site within urban area, currently in use as a private playing field. It is bounded by trees and surrounded by residential development. The site has good access to all facilities except A&E/MIU by car, bus and walking, being within a 5 minute drive and under 15 minutes by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S067	CP060	HA06 SELAA09	Cheltenham Spa Railway Station	<p>Main land use: Railway Station / Car Park                      Planning Status: Existing Local Plan allocation &amp; Dev Brief                      Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Possible land contamination; Access and loss of parking; site configuration; health and well being of future occupants (proximity to station).                      Overcome constraints: Parking assessment; detailed assessment of access arrangements.</p>	SALA found site to not be deliverable or developable	3.34	105	Possible land contamination; Access and loss of parking; site configuration; health and well being of future occupants (proximity to station).	<p>This site incorporates Cheltenham Railway Station, car parking area and existing commercial units. This is a brownfield site within the urban area and is currently allocated for mixed used development within the adopted Local Plan, a development brief and a concept statement also exist for the site. The site is in a predominantly residential area within the urban area. The site is constrained by the operational requirements of the station, the old railway embankment to the south and proximity both to the railway, and associated noise, and surrounding residential properties. Network Rail has advised the Council that the intention is to improve the offer of the railway station and therefore the opportunity to redevelop the remaining site is limited. The site is in an accessible location with good access to the majority of services with the exception of a Children's centre and A&amp;E which take longer to access by bus and walking. The SALA assesses the site as suitable for housing and suitable, available and achievable for economic uses.</p>	G
Housing	S068	CP061	HA01	Land at Lansdown Road (Gloucestershire Constabulary Headquarters)	<p>Main land use: Police Headquarters                      Planning Status: Existing Local Plan allocation, pre-app discussions taken place                      Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Heritage; viability                      Overcome constraints: Inclusive design and effective negotiation</p>		1.06	45	Heritage; viability	<p>This is a brownfield site within a predominately residential area which incorporates Gloucestershire Constabulary headquarters. It is a flat site containing existing buildings. The previously proposed scheme would involve conversion of the existing locally listed building on the Index of buildings of local interest. A number of technical surveys and reports have been carried out on site to support a proposed planning application, including a Concept statement. There remains uncertainty as to when the site may become available linked to the operational requirements of the Constabulary. Redevelopment of the site would need to consider the Locally listed building and setting within the Central Conservation Area. The site is in an accessible location with good access to the majority of services, with the exception of bus and walking access to a secondary school, children's centre and A&amp;E which would take between 15 and 30 minutes. The SALA assesses the site as suitable, available and achievable for housing within 6 - 10 years and for economic uses.</p>	G

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S069	CP062	NRU11	Commercial Street Car Park	Main land use: Car park Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: N/A Overcome constraints: N/A	SALA found site to not be deliverable or developable	0.08	8	N/A	This is a flat previously developed site, currently in use as a car park that supports the adjacent District Centre. The site is within a predominantly residential area within the urban area and is situated within the Central Conservation Area. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and by bus and walking (under 15 minutes) The SALA assesses the site as suitable for housing and economic uses.	R
Housing	S070	CP063	NRU23 SELAA24	Reeves Field, Old Bath Road	Main land use: Sports Ground Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Loss of playing pitches and key views to scarp Overcome constraints: Justify loss of pitches and assess landscape and heritage impacts.		4.52	40	Loss of playing pitches and key views to scarp	This is a flat, greenfield site within the urban area. The site is owned by Cheltenham College and has been used as private sports pitches by the College and is now being promoted for development. Development of the site would need to consider its location within the Central Conservation Area and the identified key views to the scarp across the site, which limit the potentially developable area. The potential loss of sport pitches would need to be justified. The area is predominantly residential, with public green space to the north and East Gloucestershire sports club to the south. The site is in an accessible location with good access to the majority of services with the exception of going by bus or walking to a primary school which takes between 15 and 30 minutes and and by all means to a secondary school. The SALA assesses the site as suitable, available and achievable for housing within 6 - 15 years and suitable for economic uses.	G
No	S071	CP064	NRU04	King Alfred Way 1 & 2	Main land use: Industry Planning Status: 14/01125/FUL for 86 dwellings - refused permission. Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination, Historic landfill; Viability; emerging Chelt Plan policy (safeguarding employment land) Overcome constraints: Suitable relocation of employment provision within the borough		1.71	86	Possible land contamination, Historic landfill; Viability; emerging Chelt Plan policy (safeguarding employment land)	Flat brownfield site containing a mix of occupied and vacant buildings, in an established industrial site in an otherwise residential area, within the urban area. The site has land contamination issues and given the current use is accepted, further enhancement of employment use is acceptable and it's loss would need to be justified. The site is in an accessible location with good all to all services being within 15 minutes with the exception of access to a secondary school via bus or walking which would take between 15 and 30 minutes. The SALA assesses the site as suitable, available and achievable for housing, within 6 - 10 years, and suitable, available and achievable for economic uses.	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S072	CP065	SELAA46	St Edwards Car Park, London Road	Main land use: Car Park Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: N/A Overcome constraints: N/A	SALA found site to not be deliverable or developable	0.14	6	N/A	This is a flat brownfield site within urban area, currently used as a public car park which supports the local neighbourhood centre. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and by bus and walking (under 15 minutes) The SALA assesses the site as suitable for housing and economic uses.	R
No	S073	CP066	SPS10	Ellerslie Care Home, Albert Road	Main land use: Residential Planning Status: 13/01861/FUL 14 homes - granted. Appeal dismissed December 2014 on revised scheme - 14/00629/FUL. Discharge of conditions 3, 4, 7, 8, 9 & 10 in June 2015 Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Heritage Overcome constraints:	Site has planning permission: 13/01861/FUL	0.6	14	Heritage	This is a flat, developed, site is within a predominantly residential area and adjacent to Pittville Park and within the Central Conservation area. The site was previously used as a Care Home and planning permission has been granted for the conversion of the existing building and associated stable block to provide 14 residential units. Should the planning permission not be implemented then this site could be reconsidered. See also site S098, Land adjacent to Ellerslie which has been submitted as a separate site. The site is in an accessible location with the majority of facilities being within 5 minutes by car, except for A&E/MIU which is between 5 - 15 minutes. Access to facilities from the site by bus or walking is good for the majority of facilities, being under 15 minutes, however access to a supermarket, children's centre and A&E/MIU is fair, being 15 - 30 minutes. The SALA assesses the site as suitable, available and achievable for housing, within 5 years, and suitable for economic uses.	G
Mixed use	S074	CP067	IC01	Prestbury Road / Windsor Street 1	Main land use: Commercial / industry Planning Status: Informal guidance note 2008 Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Flood Risk, Possible land contamination Overcome constraints:	Part of larger mixed use site with S123	0.70	29	Flood Risk, Possible land contamination	This is a flat brownfield site in a predominantly residential area within the urban area. There is existing employment/commercial use on site and an informal concept statement identifies the potential for mixed housing and employment use. There are neighbouring locally listed properties and listed buildings, a culvert runs through site and there is the potential for contaminated land. The site is partially within Flood Zones 2 and 3. The site has good accessibility to a range of facilities by car (under 5 minutes), bus or walking (under 15 minutes) with the exception of access to A&E/MIU by bus or walking which is between 15 - 30 minutes. The SALA assesses the site as suitable for housing and economic uses	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S075	CP068	IC01	Prestbury Road / Windsor Street 2	Main land use: Commercial / industry Planning Status: Informal guidance note 2008 Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Flood Risk; possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.16	7	Flood Risk; possible land contamination;	This is a flat brownfield site in predominantly residential area within the urban area. There is existing employment/commercial use on the site and an informal concept statement identifies the potential for mixed housing and employment use. There are neighbouring locally listed properties and listed buildings, there is potential for contaminated land. The site has good accessibility to a range of facilities by car (under 5 minutes), bus or walking (under 15 minutes) with the exception of access to A&E/MIU by bus or walking which is between 15 - 30 minutes. The SALA assesses the site as suitable for housing and economic uses.	R
No	S076	CP069	AHO07	Cakebridge Place	Main land use: Residential Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Flood Risk Overcome constraints:	SALA found site to not be deliverable or developable	0.55	16	Flood Risk	The site is a flat, developed, site within the urban area containing pre-fabricated bungalows. The surrounding area is predominantly residential with commercial/employment uses to the west and Cheltenham Town Football Club to the south east. The site falls within Flood Zones 2 & 3. The site is subject to a 'land swap' with the Football Club car park which will allow for the development of residential development outside of the flood risk area. The redevelopment on land at Whaddon Road would provide a total of 16 houses which would provide a net gain of 7. Redevelopment of this site would be as a car park use for the Football Club. See site <a href="#">CP105</a> The site has good accessibility to a range of facilities by car (under 5 minutes), bus or walking (under 15 minutes) with the exception of access to A&E/MIU by bus or walking which is between 15 - 30 minutes. <b>The SALA assesses the site as not suitable, available and achievable for housing or economic uses</b>	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S077	CP070	NRU16	Land at Prestbury Road	Main land use: Employment / industry Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Heritage, Possible land contamination Overcome constraints:	SALA found site to not be deliverable or developable	0.23	8	Heritage, Possible land contamination	This is a flat brownfields site within the urban area, currently in use for industrial/employment uses. Within a predominantly residential area, close to Cheltenham Town Football Club. The site is in an accessible location with good access by car to all facilities (within 5 minutes) and good access to all facilities by bus or walking (under 15 minutes) with the exception of access to A&E/MIU which takes between 15 - 10 minutes. The SALA assesses the site as available for housing and suitable for economic uses.	R
No	S078	CP071	DB02	Bences Timber Yard, St Johns Avenue	Main land use: Timber Yard Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination Overcome constraints:	SALA found site to not be deliverable or developable	0.47	20	Possible land contamination	This is a flat, brownfield site in a central, urban location, surrounded by a mix of residential and commercial uses, including a public car park to the south. There is a development brief for the site, which identifies 4 potential development sites within the area, the redevelopment of the sites could improve environment for adjacent listed buildings. The site is within the Core Commercial Area and Central Conservation Areas and there is the possibility of partial contamination of site. The site is in an accessible location with good access (within 5 mins) to all services by car and between 5 and 15 by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R
No	S079	CP072	DB03	Sherborne Place Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.25	11	Possible land contamination;	It is a flat previously developed site currently being used as a town centre car park that is surrounded by a mix of residential and commercial uses. There is an existing Development Brief for the site that identifies opportunities for wider redevelopment to improve environment. The site is situated within Core Commercial Area and Central Conservation Area as defined within the adopted Local Plan. Possibly contamination on part of the site. The site is in an accessible location with good access (within 5 mins) to all services by car and between 5 and 15 by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S080	CP073	VDL&B01 SELAA52	Axiom, 57 Winchcombe Street	<p>Main land use: Vacant Building (Community Arts and Music venue)                      Planning Status: 15/02268/FUL Partial demolition and mixed-use conversion to 11 apartment and commercial/ retail units of 57-59 Winchcombe Street- Pending consideration                      Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Heritage - Locally listed building; Access (visibility) is likely to restrict the number of dwellings on site; Renovation works required as roof and other parts of the building are in a bad state of repair, this might impact viability.                      Overcome constraints: Provide detailed design proposals for building and access arrangements; Investigate opportunities to improve viability of site.</p>	Site has planning permission: 15/02268/FUL	0.07	11	Heritage - Locally listed building; Access (visibility) is likely to restrict the number of dwellings on site; Renovation works required as roof and other parts of the building are in a bad state of repair, this might impact viability.	<p>The is a flat, vacant/derelict, town centre site, previously in use as a Community Arts and Music venue. The site is within the Central Conservation Area and Core Commercial Area and is surrounded by a mix of retail, restaurant, employment and residential uses. The site is adjacent to the former Baylis, Haines and Stragne redevelopment site and near to the Former Odeon redevelopment. So redevelopment of this site has the potential to form part of wider redevelopment of area. There have been numerous change of use applications relating to the site and a pre-planning application in 2007. The site has recently been purchased. The site is in an accessible location with good access to all services within a 5 minute drive or under 15 minute bus trip or walk. The SALA assesses the site as suitable, available and achievable for housing, within 5 years, and economic uses.</p>	G
No	S081	CP074	NLUD01	Rodney Road Car Park, Rodney Road	<p>Main land use: Car Park                      Planning Status: N/A                      Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Flood Risk                      Overcome constraints:</p>	SALA found site to not be deliverable or developable	0.25	22	Flood Risk	<p>It is a flat brownfield site currently being used as a town centre car park that is surrounding by a mix of uses. The site is situated within the Core Commercial Area, Central Conservation Area, as defined within the adopted Local Plan, and Flood Zones 2 and 3. The site is in an accessible location with good access (within 5 mins) to all services by car and between 5 and 20 by bus or walking. The SALA assesses the site as suitable for housing and economic uses.</p>	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Mixed use	S082	CP075	DB05	Royal Well & Municipal Offices	Main land use: Employment / Bus station/ residential Planning Status: Royal Well Development Brief Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Heritage, Flood Risk, Ensuring future occupiers are appropriate town centre uses Overcome constraints: Design and use needs to take account of flood risk (river chelt culverted under part of site).		0.86	12	Heritage, Flood Risk, Ensuring future occupiers are appropriate town centre uses	This is a flat, developed site within the town centre, currently in use as council offices, bus station, car park and area of open space. Site is identified within Civic Pride SPD and has a development brief which identifies potential for existing uses to be relocated/redesigned. The site is within the Core Commercial Area and Central Conservation Area and partially within Flood Zones 2 & 3. The municipal offices are listed. Redevelopment of the site is being progressed through Cheltenham Development Taskforce. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and good access to the majority of facilities by bus or walking (under 15 minutes) with the exception of a children's centre and A&E/MIU which takes between 15 - 30 minutes. The SALA assesses the site as suitable, available and achievable for housing, within 6 - 10 years, and economic uses	G
No	S083	CP076	SELAA45	St Georges House, Bayshill Road	Main land use: Vacant Office Building Planning Status: 15/00786/FUL 50 extra care apartments (C2)- Granted Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Heritage Overcome constraints:	Site has planning permission: 15/00786/FUL	0.38	50	Heritage	This is a flat, developed site within the town centre, currently vacant but previously in office use. The site is within the Core Commercial Area and Central Conservation area and contains listed buildings. The site is in an accessible location being under 15 minutes of all major services by foot and bus. The site has planning approval for 48 extra care apartments (C2) (13/01751/FUL) which provides an element of employment on site. Should the permission not be implemented then this site could be reconsidered. The SALA assesses the site as suitable, available and achievable for housing, within 5 years, and economic uses.	G
No	S084	CP077	HA04	Land at St Georges Place / St James Square	Main land use: Car Park / Vacant building Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Flood Risk, Possible land contamination Overcome constraints: Dev brief and flood risk, part of site confirmed suitable.	SALA found site to not be deliverable or developable	0.22	40	Flood Risk, Possible land contamination	This is a flat, previously developed site within the town centre, currently used as a temporary car park, with vacant and derelict buildings. It is allocated for mixed use development in the adopted Local Plan, within the Core Commercial Area and Central Conservation area; adjacent to listed buildings; Possible contaminated land on part of site; Within Flood Zones 2 & 3. The site is in an accessible location being under 15 minutes of all major services by foot and bus. The SALA assesses the site as being suitable, available and achievable for economic uses.	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Housing	S085	CP078	NRU01 SELAA43	Rivershill House, St Georges Road	<p>Main land use: Vacant Office Building                      Planning Status: 13/02192/P3JPA - Prior approval application. A planning application (15/00451/FUL) for the erection of apartment building to comprise 45 dwellings and associated semi-basement car parking, access and landscaping following demolition and clearance of the existing building 'Rivershill House' has been submitted and is pending consideration.</p> <p>Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Central conservation area                      Overcome constraints:</p>	Employment but planning permission for housing has been granted but it is pending a legal agreement	0.42	44	Central conservation area	<p>Flat site with vacant office building in a central urban location, predominantly surrounded by residential. The building had been unsuccessfully marketed for employment purposes and a Prior approval application has been submitted for residential use. A planning application (15/00451/FUL) for the erection of apartment building to comprise 45 dwellings and associated semi-basement car parking, access and landscaping following demolition and clearance of the existing building 'Rivershill House' has been submitted and is pending consideration.</p> <p>The site is within the Core Commercial Area and Central Conservation Area.</p> <p>The site is in an accessible location with good access to the majority of services, the exception being bus/walking access to A&amp;E which is between 15 and 30 minutes.</p> <p>Redevelopment for residential will result in the loss of an employment site.</p> <p>Should the Prior Approval not be implemented the site could be reconsidered.</p> <p>The SALA assesses the site as suitable, available and achievable for housing, within 5 years, and economic uses.</p>	G
No	S086	CP079	NRU02	Elim Pentecostal Church, St Georges Road	<p>Main land use: Church                      Planning Status: Part of the site has been granted permission (13/00112/FUL) for a proposed office block.                      Elim Church has been granted permission for an extension (14/00256/FUL)</p> <p>Site Character: Urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Loss of community use                      Overcome constraints:</p>	SALA found site to not be deliverable or developable	0.20	9	Loss of community use	<p>This site is no longer being promoted through the SALA.</p> <p>Part of the site is currently in use as a religious facility and associated office, with an element of derelict land which has the benefit of planning permission for an office block (13/00112/FUL) and is currently being marketed for sale. The existing Church has planning permission for an extension (14/00256/FUL).</p> <p>The site is within the Core Commercial area and Central Conservation Area. Site is adjacent to Public Green Space as defined in the adopted Local Plan.</p> <p>The site is in an accessible location with good access to all services except for A&amp;E which is over 5 minutes by car and between 15 and 30 by bus or walking.</p> <p>The SALA assesses the site as suitable for housing and economic uses.</p>	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S087	CP080	SPS06 SELAA16	Land adjoining Great Western Road	Main land use: Open land Planning Status: N/A Site Character: Urban / open Greenfield/brownfield: Brownfield Critical constraints: Flood Risk, Possible land contamination Overcome constraints:	SALA found site to not be deliverable or developable	0.12	6	Flood Risk, Possible land contamination	Site is flat and within Flood Zones 2 and 3. The land is potentially contaminated as a result of previous use as a petrol station, loss of open space. The site is in an accessible location with good access to all services by car and between 5 and 25 by bus or walking. The SALA assesses the site as not available, suitable or achievable.	R
No	S088	CP081	SPS09 SELAA07	Land at Chester Walk Car Park	Main land use: Car Park Planning Status: Various - combined with site S089 - 09/00044/FUL   (Land Behind 232-242 High Street and Adjacent To St Mary's Church) New build mixed use complex comprising 12 office units - total 1103m2, 10 residential apartments, 1 cafe and 40 parking spaces (Revised application following refusal of 07/01126/FUL) Also 05/01170/DEEM4, 07/01126/FUL, 08/00158/DEEM4 - residential scheme for between 13 and 24 dwellings - refused Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Overcome constraints:	Site is too small to allocate	0.15	14	Possible land contamination;	This is a flat site in town centre, currently used as a car park, the adjacent car park site has been incorporated within previous planning applications relating to redevelopment of the site. There have been a number of applications on this, and adjacent site, 09/00044/FUL, 05/01170/DEEM4, 07/01126/FUL, 08/00158/DEEM4. One reason for refusal has been the low density that have been proposed. The site is surrounded by a mix of uses including, residential, retail, church and library. the site is within Core Commercial Area and Central Conservation Area and adjacent to the listed St Mary's Church. The site is in an accessible location with good access to the majority of services with the exception of a children's centre and A&E which take between 15 and 30 minutes to walk or travel by bus to. The SALA assesses the site as suitable, available and achievable for housing within 11 - 15 years and suitable for economic uses.	G
No	S089	CP082	SELAA07	Rear of High Street Car Park	Main land use: Car Park Planning Status: Combined with site S088 - 09/00044/FUL   (Land Behind 232-242 High Street and Adjacent To St Mary's Church) New build mixed use complex comprising 12 office units - total 1103m2, 10 residential apartments, 1 cafe and 40 parking spaces (Revised application following refusal of 07/01126/FUL) - refused Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.19	17	Possible land contamination;	Flat site in town centre, currently used as a car park. Site is within Core Commercial Area, Central Conservation Area and partly within Central Shopping Area as defined within the adopted Local Plan. The site is in an accessible location with good access to all services by car and between 5 and 15 by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S090	CP083	DB04	Henrietta Street Car Park, St Margarets Road	Main land use: Car Park Planning Status: St. Margaret's Dev Brief (1998) site 6 Site Character: Urban / undeveloped Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.44	24	Possible land contamination;	The site is flat currently used as a car park. The site is within Core Commercial Area and Central Conservation Area as defined within the adopted Local Plan, and is also adjacent Central Shopping Area. Part of site has received permission for residential development. The site is in an accessible location with good access to all services by car and between 5 and 20 by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R
No	S091	CP084	SPS18	47 - 51 Swindon Road	Main land use: Car workshop Planning Status: 15/00354/FUL - demolition of existing buildings and replacement with 10 dwellings - pending consideration Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination Overcome constraints:	Site has planning permission: 15/00354/FUL	0.09	10	Possible land contamination	This is a flat, brownfield site within the urban and currently in use as a garage/car workshop. A planning application has been submitted (15/00354/FUL) for 10 dwellings and is currently pending consideration. The site is in an accessible location with good access to the majority of services with the exception of a children's centre and A&E which would take between 15 and 30 minutes by bus or walking. The SALA assesses the site as suitable and available for housing and suitable for economic uses.	A
No	S092	CP085	AHO01	Land adjoining Kynance, Church Road	Main land use: Garden Land Planning Status: 11/01868/FUL replacement dwelling on part of site (completed) Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: River corridor, some possible land contamination, garden land development Overcome constraints: Developable area restricted Consider SPD on Development of Garden Land and Infill sites in Cheltenham	Site capacity is below 10 units	0.27	9	River corridor, some possible land contamination, garden land development	This site comprises, residential property with garden and adjacent farmland site. It is a flat part greenfield, part brownfield site in a predominantly residential area, within the Swindon Village, to the north of the town. The site is in a conservation area. The site has good access to the majority of facilities by car (under 5 minutes) with it taking between 5 - 15 minutes to access a library, secondary school, children's centre or A&E/MIU by car. Access by bus or walking to facilities is varied, with access to a library, primary school, GP, Pharmacy and a Fitness centre being under 15 minutes, access to a post office, supermarket, secondary school and children's centre being 15 - 30 minutes and access to A&E/MIU being poor at over 30 minutes. The SALA assesses the site as suitable, available and achievable for housing (in part) within 6 - 10 years.	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Housing	S093	CP086	N/A	Former Monkscroft Primary School	Main land use: Vacant former school playing field, private Planning Status: N/A Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield / Brownfield Critical constraints: Loss of playing fields (unused); suggested local green space Overcome constraints: Justify loss of pitches		1.8	60	Loss of playing fields (unused); suggested local green space	The site comprises the playing fields of the former Monkscroft Primary school, between the Shakespeare Road to the north and Shelly Road to the South. The main school buildings have been demolished and replaced with a residential care home. The local community has expressed interest to safeguard the site as a local green space. The SALA assesses the site as suitable, available and achievable for housing, within 6 - 10 years, and economic uses.	G
No	S094	CP087	N/A	Land at Stone Crescent	Main land use: Vacant Land / open space Planning Status: 14/01276/OUT - granted subject to s106 Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: N/A Overcome constraints: N/A	Site has planning permission: 14/01276/OUT but no S106. Site is too small to allocate	0.5	20	N/A	The site comprises a roughly rectangular piece of land, 0.55 hectares, to the north of the King George V playing field in St. Marks. The site is fenced off from the playing field and does not form part of the designated Public Green Space. The surrounding area to the north is largely residential - the land to the north-east (through which the proposed development site would be accessed) having been developed for housing in the early 2000s. Rowanfield Primary and Junior Schools are located adjacent to the eastern site boundary. Outline planning permission has been granted for 20 new houses (including affordable) and access to the site would be provided from Stone Crescent. GCC intended to put the site up for sale week commencing 12th January with consent, including AH provision. The SALA assesses the site as suitable, available and achievable for housing within 6 -10 years.	G
No	S095	CP088	N/A	Pittville School, New Barn Lane	Main land use: School Playing Field Planning Status: (15/01163/OUT) seeks outline planning permission for residential development (up to 58 dwellings). This application is linked to (15/01162/FUL) the erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping immediately to the south Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Loss of playing pitches; Viability of proposed scheme Overcome constraints: Justify loss of pitches; seeking achievable and realistic planning obligations	Site has planning permission: 15/01163/OUT	1.68	56	Loss of playing pitches; Viability of proposed scheme	The site is urban greenfield site providing sports playing fields to Pittville school. Development of the site would need to justify the loss of pitches on the site. Access would most likely be gained via Cakebridge Road, a residential area, and is considered more suitable for residential and community uses. The site is being promoted and development could facilitate improvements to school facilities and possible community uses. The SALA assesses the site as suitable, available and achievable for housing within 11 - 15 years.	G

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No			NRU14	Pittville Campus	<p>Main land use: Education                      Planning Status: 14/01928/FUL - Student village, including 603 student bedrooms and refurbished media centre and associated uses (gross)                      Site Character: Urban /developed                      Greenfield/brownfield: Brownfield                      Critical constraints: N/A                      Overcome constraints: N/A</p>	Site has planning permission: 14/01928/FUL	2.8	71	N/A	<p>Pittville Campus is located approximately one mile to the north east of the town centre within a predominantly residential area. The site has been used for educational purposes since the 1960s and up until 2011, when all teaching ceased at the Pittville Campus. The site has two principal street frontages facing Albert Road and New Barn Lane with the playing fields and school grounds of Pittville School forming the south and east boundaries. The surrounding area is predominantly residential and domestic in nature and scale with the exception of several blocks of three and four storey apartments on Albert Road.</p> <p>The Central Conservation Area (Pittville Character Appraisal Area) runs along the southern boundary of the site and the grade 1 listed Pittville Pump Rooms is located within metres of the site. The neighbouring Pittville School is also included in the Index of Buildings of Local Importance.</p> <p>A recent application (14/01928/FUL) proposes the erection of a student village incorporating 603 new-build student bedrooms, the refurbishment of the existing media centre and the provision of a mixed use games area. In addition, the proposal involves the demolition of existing teaching facilities, 23 existing rooms and the retention and refurbishment of 191 existing student rooms. The Officer's report recommended refusal however the planning committee chose to defer their decision.</p> <p>The national planning practice guidance supports the Council to allow this type of development to contribute towards Cheltenham's housing supply, based on the amount of accommodation it releases in the housing market. Further information and justification is required to establish the number of houses this is likely to release back to the housing market.</p> <p>It could therefore be argued that the proposed development of 580 net student bedrooms could go towards meeting the Council's 5 year housing land supply (although not subject to an affordable housing requirement). However, students tend to live in shared accommodation and therefore the number of dwellings which could be offset would be significantly less than the 580 bedrooms proposed. Further, the proposed development does not specifically relate to the provision of market housing and the applicant has not provided any further information or justification with regards this issue.</p> <p>The SALA assesses the site as suitable, available and achievable for housing, within 5 years, and economic uses.</p>	G

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Part of site Housing	S097 (formerly S032, S033, S034, S035, S036, S037, S038)	JCS Site allocation	SUE02 SUE02a SUE02b SUE02c SUE02d SUE02e SELAA32	Land at Leckhampton, off Shurdington Road	Main land use: Fields / agriculture / allotments / residential Planning Status: Submission JCS Strategic Allocation (2014), 13/01605/OUT 650 homes and mixed use - Refused. Appeal September 2015- awaiting outcome. Site Character: Urban edge / undeveloped / rural / open / part developed Greenfield/brownfield: Greenfield (small part residential) Critical constraints: High landscape sensitivity (part), Flood Risk, Heritage, allotments; Possible land contamination; suggested local green space Overcome constraints: Developable area restricted. Submission JCS proposes landscape buffer	A section at the northern end of the site has been recommended for development in the Cheltenham Plan by the JCS Inspector. Any development in this location will have to take into account landscape impacts, highways issues and green space. A clearer picture of what the Council's preferred option is for this site will be provided in the next stage of consultation in Spring 2017.	12	Around 200	High landscape sensitivity (part), Flood Risk, Heritage, allotments; Possible land contamination; suggested local green space	This is a strategic allocation within the draft Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS)	G
No	S098	CP090	N/A	Land adjacent to Ellerslie, Albert Road	Main land use: Residential Garden Land Planning Status: Main building - Ellerslie house –Subject to Conversion of existing building to 14 residential units (ref. 13/01861/FUL) Permission approved and implemented in 2014. Remaining garden land forms this site. Site Character: Urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Garden land development; Conservation area; important trees Overcome constraints: Consider SPD on Development of Garden Land and Infill sites in Cheltenham	The site functions as an important space between existing buildings. There are strong concerns over the impact of any development of the site in terms of built form, impact on heritage assets and amenity.	0.6	11	Garden land development; Conservation area; important trees	An urban residential greenfield site within the central conservation area adjacent to Ellerslie House which this site used to form its grounds. Ellerslie House, gained permission (ref. 13/01861/FUL) for its conversion to 14 residential units and was completed in 2014. The remaining garden land forms this site and is now being promoted for residential development. Development would need to consider the <i>Development of Garden Land and Infill sites in Cheltenham</i> Supplementary Planning Document. This site would need to demonstrate how it would overcome the significant impacts to Ellerslie House and surrounding buildings within a conservation area. The site is in an accessible location with the majority of facilities being within 5 minutes by car, except for A&E/MIU which is between 5 - 15 minutes. Access to facilities from the site by bus or walking is good for the majority of facilities, being under 15 minutes, however access to a supermarket, children's centre and A&E/MIU is fair, being 15 - 30 minutes. The SALA assesses the site as suitable, available and achievable for housing within 10 years.	G

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S099	CP091	N/A	Hardwick Site, St. Pauls Road	Main land use: University/Education/Sports pitches - part built/part buildings Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: suggested local green space Overcome constraints:	SALA found site to not be deliverable or developable	1.92	64	suggested local green space	A flat brownfield site containing University buildings and sports pitches within the principal urban area. The site has also been submitted for consideration as a Local Green Space site.  The site is in an accessible location with the majority of facilities being within 5 minutes by car. Access to facilities from the site by bus or walking is good for the majority of facilities, being under 15 minutes, however access to Accident and Emergency and/or an Minor Injuries unit is fair; taking approximately 15 - 30 minutes to travel using public transport.  This site has not been assessed by the SALA.	R
No	S100	CP092	N/A	Park Campus	Main land use: University/Education/Sports pitches - part built/part buildings Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield / Greenfield Critical constraints: Conservation area; contamination Overcome constraints:	SALA found site to not be deliverable or developable	11.92	300	Conservation area; contamination	A flat greenfield and brownfield site containing University buildings and public green space with the principal urban area. The site is situated within the Central Conservation Area and there is a possibility of contamination on the site.  The site is in an accessible location with the majority of facilities being within 5 minutes by car. Access to facilities from the site by bus or walking is good for the majority of facilities, being under 15 minutes, however access to Accident and Emergency and/or an Minor Injuries unit is fair; taking approximately 15 - 30 minutes to travel using public transport.  This site has not been assessed by the SALA.	R
No	S101	CP093	N/A	Depot	Main land use: Waste site Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	3.77	95	Possible land contamination;	A flat brownfield site with the principal urban area. The existing use is a waste depot and as such the land is likely to be contaminated. The site is situated on the eastern edge of the Kingsditch trading estate and bordered to the east by the main railway line running through Cheltenham.  The site is in an accessible location with the majority of facilities being within 5 minutes by car. Access to facilities from the site by bus or walking is good for the majority of facilities, being under 15 minutes, however access to Accident and Emergency and/or an Minor Injuries unit is fair; taking approximately 15 - 30 minutes to travel using public transport.  This site has not been assessed by the SALA.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S102	CP094	N/A	Sandford Lido Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	0.27	10	Conservation area	This is a flat car park site within the Central Conservation area in urban area of Cheltenham. To the north is Sandford Lido, the east Sandford Park, the south the Fire Station and to the west Cheltenham Hospital. The car park is entirely within Flood Zones 2 & 3. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and by bus or walking (under 15 minutes) with the exception of access to a secondary school, which takes 15 - 30 minutes by bus or walking. The SALA assesses the site as not suitable, available or achievable for housing or economic uses.	R
No	S103	CP095	N/A	St James's Street Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	0.51	17	Conservation area	This is a flat, car park site within the core commercial area and central conservation area. It is surrounded by a mix of commercial and residential properties and a primary school. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and good access to all facilities by bus or walking (under 15 minutes) with the exception of access to a children's centre which takes longer at 15 - 30 minutes by bus or walking. The SALA assesses the site as suitable for housing and economic uses.	R
No	S104	N/A	N/A	Bath Road Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area; Possible land contamination; Overcome constraints:	SALA found site to not be deliverable or developable	0.193	7	Conservation area; Possible land contamination;	<i>A small car park, close to core commercial area. Site is under SALA site threshold.</i>	R
No	S105	CP096	N/A	St. George's Road Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	0.255	9	Conservation area	This is a gently sloping car park site within the core commercial area and central conservation area. It is surrounded by a mix of commercial and residential uses. The site is in an accessible location being under 15 minutes of all major services by foot and bus. The SALA assesses the site as suitable for housing and economic uses.	R



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S106	CP097	N/A	Bath Terrace Car Park	Main land use: Car Park Planning Status: N/A Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	0.364	13	Conservation area	This is a flat, car park site within the urban area and central conservation area, which supports the Bath Road District centre. It is surrounded by a mix of commercial and residential properties and has public toilets on site. The site is in an accessible location with good access to all facilities by car (under 5 minutes) and by bus/walking (under 15 minutes) with the exception of access to a secondary school by bus or walking which is longer at 15 - 30 minutes. The SALA assesses the site as suitable for housing or economic uses.	R
No	S107	CP098	N/A	Land south of Collum End Rise	Main land use: Open land Planning Status: N/A Site Character: Edge of urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt, AONB Overcome constraints:	SALA found site to not be deliverable or developable	3.29	62	Green Belt, AONB	This is a greenfield site, outside of the urban area to the south of Cheltenham. It is adjacent to residential development to the north but is within the Green belt and the AONB. The site is adjacent to a residential development site to the east and to the south the AONB slopes steeply up the hill. To the west is a church and open land. There is public access onto the land. The site has good access by car (under 5 minutes and bus/walking (under 15 minutes) including to a supermarket, primary school, children's centre, GP and fitness facility, with it taking longer by car ( 5 - 15 minutes) and by bus/walking (15 - 30 minutes) including access a library and A&E/MIU. Access to A&E/MIU by bus or walking is poor at over 30 minutes. The SALA assesses the site as not suitable, available or achievable for housing or economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S108	CP099	N/A	Land at Swindon Lane (Adj to dismantled line)	Main land use: Agriculture Planning Status: 00/004781/FUL, 09/01809/FUL, 13/00020/TIME - relating to replacement of 4 bed dwelling. Site incorporated within a previous application covering a wider area - Land at Hunting Butts 09/01589/OUT, not included in subsequent application 11/00257/OUT. Site Character: Edge of urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.06	35	Green Belt	This is a greenfield site, adjacent to residential, however outside of the urban area to the north of Cheltenham and within Green Belt. The site makes significant contribution towards Green Belt purposes (JCS Green Belt Review). The site scores Medium - low in the JCS Landscape Sensitivity Study. A number of planning permissions (00/004781/FUL, 09/01809/FUL, 13/00020/TIME ) relating to replacement of 4 bed dwelling. The site was also incorporated within a previous application covering a wider area - Land at Hunting Butts (SO10) 09/01589/OUT but not included in the subsequent application 11/00257/OUT. The site has good access to the majority of service by car being under 5 minutes with the exception of access to a children's centre and A&E/MIU which takes longer at 5 - 15 minutes. Access from the site to facilities by bus/walking is fair, taking between 15 - 30 minutes with the exception of A&E which is poor at over 30 minutes. The SALA assesses the site as available for housing and economic uses	R
No	S109	CP100	N/A	Battledown	Main land use: Open land Planning Status: N/A Site Character: Edge of urban / undeveloped Greenfield/brownfield: Greenfield Critical constraints: AONB Overcome constraints:	SALA found site to not be deliverable or developable	14.68	277	AONB	This is a sloping, greenfield site within the AONB to the east of Cheltenham, it is adjacent to residential areas to the north, west and south. To the north and partially to the east, the site is bordered by GCHQ Oakley residential redevelopment site. The site is in an accessible location with good access to all facilities by car, bus and walking, being under 5 and 15 minutes respectively with the exception of access to a secondary school by bus or walking which takes longer at between 15 - 30 minutes. The SALA assesses the site as not being suitable, available or achievable for housing or economic uses.	R

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
Mixed use	S110	CP101	N/A	North Place and Portland Street	<p>Main land use: Car Park (former Coach Station / residential)                      Planning Status: Part of the St. Margaret's Dev Brief (1998) sites 4 and 5. Existing Local Plan allocation. 12/01612/FUL: Erection of a mixed use development comprising; 5,792sqm (gross external floor space) of class A1 food store, 739sqm (gross) of class A1 shops and 19sqm (gross) of class A2 within atrium space and 336sqm (gross) of class A3 (customer restaurant); multi-storey car park providing 634 spaces over 5 floors (300 spaces for public use and 334 spaces for food store customers); 143 no. residential units within a mix of 1, 2, 3, and 4 bedroom houses and flats, (57 units to be affordable) with associated 143 car parking spaces at ground and basement level; creation of new public open spaces; provision of new parking bays for buses and erection of a passenger information kiosk and waiting room; associated other operations to facilitate the mixed use development including alterations to and from the existing highway for vehicular, pedestrian and cycle access. All following the demolition of existing buildings and other built structures on the site.                      Site Character: urban / developed                      Greenfield/brownfield: Brownfield                      Critical constraints: Conservation area                      Overcome constraints:</p>	Mixed use allocation in previous Local Plan	2.04	143	Conservation area	<p>North Place and Portland Street area was formerly used as the main Coach and Bus station in Cheltenham. The site currently provides 813 parking spaces. The site lends itself to a mixed use scheme; the key drivers are the scale of each use, how they relate to the site context and how they stack up commercially. It will be important to make sure the site is not be seen in isolation of other town centre schemes such as Boots Corner, the Brewery link and obtaining rights over the parking area of St Margaret's Terrace which could all could provide cumulative benefits.</p> <p>The site is located within the central conservation area of Cheltenham and is approximately 2 hectares in area (3.2 including the highway). The site sits within the Central Conservation Area, and is immediately adjacent to the grade II* Trinity Church; the grade II* Saint Margaret's Terrace; and the grade II Dowty House, and consequently the form, massing and design of the any development has potential to impact upon the adjacent historic environment, either positively or negatively. English Heritage states that the potential for the new development provides a rare opportunity that should be grasped.</p> <p>Since planning permission was granted Morrisons supermarket has withdrawn from the site leaving the proposal less certain. Whilst this site remains a planning commitment until the application expires in 2017 the Cheltenham Plan should actively promote the reuse of a town centre brownfield site.                      The site is in an accessible location, with good access to all facilities by car (under 5 minutes) and by bus or walking (under 15 minutes).</p> <p>The SALA assesses the site as suitable, available and achievable for housing, within 6 - 15 years, and economic uses.</p>	G



Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S111	CP102	N/A	Spirax Sarco HQ, Charlton House	Main land use: Employment Planning Status: Various applications relating to existing HQ, including 13/01112/FUL to provide new road bridge crossing the River Chelt, new conference building, new cyclists facilities comprising changing block and cycle store, new roads, footpaths, landscaping and boundary fences Site Character: urban /developed Greenfield/brownfield: Brownfield Critical constraints: Conservation area Overcome constraints:	SALA found site to not be deliverable or developable	1.91	63	Conservation area	<i>Site was included along with all Spirax Sarco sites when they were looking to consolidate. Sites at St George's Road and Tennyson Road were redeveloped to fund the redevelopment and consolidation of uses on the Runnings Road site. It was felt that Charlton House provided a good training/front of house site for Spirax Sarco and site was therefore unlikely to be available for redevelopment. There have been various planning applications relating to existing HQ, including 13/0112/FUL to provide new road bridge crossing the River Chelt, new conference building, new cyclists facilities comprising changing block and cycle store, new roads, footpaths, landscaping and boundary fence. Site is not being promoted.</i>	R
No	S112	CP105	N/A	Land at Whaddon Road	Main land use: Car park Planning Status: In preparation Site Character: urban Greenfield/brownfield: Brownfield Critical constraints: N/A Overcome constraints: N/A	Site capacity is below 10 units		7	N/A	The site is a flat, car park site associated with Cheltenham Town Football Club. developed, site within the urban area containing pre-fabricated bungalows. The surrounding area is predominantly residential with commercial/employment uses to the west and Cheltenham Town Football Club east. The site is subject to a 'land swap' with Cakebridge Place which will allow for the development of residential development outside of the flood risk area. The redevelopment on land at Whaddon Road would provide a total of 16 houses which would provide a net gain of 7. Redevelopment of the Cakebridge Place site would be as a car park use for the Football Club. (See site CP069) The site has good accessibility to a range of facilities by car (under 5 minutes), bus or walking (under 15 minutes) with the exception of access to A&E/MIU by bus or walking which is between 15 - 30 minutes. The SALA assesses the site as available, suitable and achievable for housing within 0 - 5 years	G
Housing	S113	N/A	N/A	Premiere Products, Bouncers Lane	Main land use: B2 uses with B1 Planning Status: Pre app discussion Site Character: Urban / developed Greenfield/brownfield: Brownfield Critical constraints: N/A Overcome constraints: N/A		1.65	70	N/A		
No	S114	N/A	N/A	Land Adjacent to Timbercombe Farm, Little Herberts Road, Charlton Kings	Main land use: Field/ Agriculture Planning Status: N/A Site Character: Edge of urban Greenfield/brownfield: Greenfield Critical constraints: AONB Overcome constraints:	SALA found site to not be deliverable or developable		4	AONB		

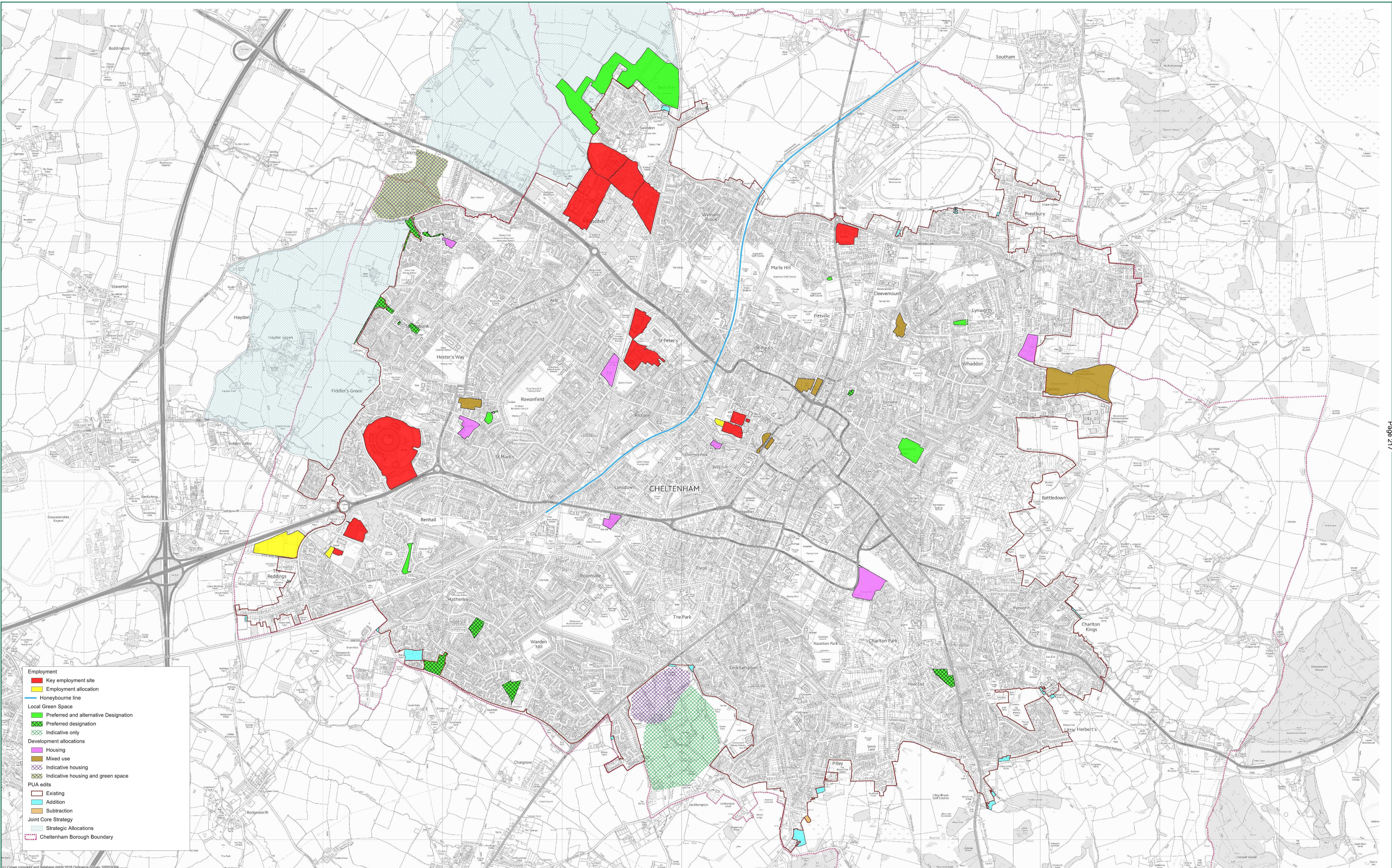
Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S115	N/A	N/A	Land to rear of 291-297 Cirencester Road, Charlton Kings	Main land use: Residential garden land Planning Status: N/A Site Character: Edge of urban/ Garden land Greenfield/brownfield: Greenfield Critical constraints: AONB Overcome constraints:	SALA found site to not be deliverable or developable		12	AONB		
No	S116	N/A	N/A	The East Gloucestershire Club, Old Bath Road;	Main land use: Sports Club Planning Status: N/A Site Character: Urban/ Undeveloped Greenfield/brownfield: Brownfield Critical constraints: Central conservation area Overcome constraints:	Site capacity is below 10 units		111	Central conservation area		
No	S117	N/A	N/A	Land adjacent to Longfield, Charlton Kings	Main land use: Open/ Field Planning Status: N/A Site Character: Rural/ edge of urban Greenfield/brownfield: Greenfield Critical constraints: AONB; Flood Risk Overcome constraints: Reduce potential development area to avoid areas at risk of flooding	SALA found site to not be deliverable or developable		32	AONB; Flood Risk		
No	S118	N/A	N/A	John Dower House, 24 Crescent Place, Cheltenham, Gloucestershire, GL50 3RA and South Court	Main land use: B1 uses Planning Status: 15/00362/FUL (conversion and construction to provide 68 later living apartments) decision pending; 13/00603/FUL (B1 to C3) Site Character: Developed Greenfield/brownfield: Brownfield Critical constraints: Central conservation area; Heritage Overcome constraints:			68	Central conservation area; Heritage		
No	S119	N/A	HLA-COL1052	Karenza, Naunton Parade (HLA ref: COL1052)	Main land use: land associated with residential use Planning Status: 09/00276/REM; 05/01750/OUT- Outline application for residential development following the demolition of existing buildings- LAPSED Site Character: Developed Greenfield/brownfield: Greenfield/ Brownfield Critical constraints: Central conservation area; Potentially contaminated land Overcome constraints:	Site is too small to allocate		13	Central conservation area; Potentially contaminated land		
No	S121	N/A	N/A	The Bredons, Harp Hill	Main land use: Residential garden land Planning Status: 15/02176/FUL demolition of existing dwelling and erection of 2 detached dwellings, pending consideration. Site Character: Edge of urban Greenfield/brownfield: Greenfield Critical constraints: AONB Overcome constraints:	SALA found site to not be deliverable or developable	0.46	2	AONB		

Preferred Housing site or mixed use allocation	Site Ref	CP I&O Ref	Old Refs	Site Name	Site summary	Reason for exclusion from Preferred Options	Area for Capacity Calc.	Capacity (dwgs)	Critical constraints:	I&O site proforma summary	Issues & Options status
No	S122	N/A	N/A	Land rear of Nuffield Hospital, Hatherley Lane	Main land use: Available brownfield site Planning Status: 15/01048/OUT Residential development of up to 27 dwellings- application refused Site Character: Urban previously developed Greenfield/brownfield: Brownfield Critical constraints: Potentially contaminated land Overcome constraints: N/A	Safeguarded employment site	0.48	27	Potentially contaminated land		
Mixed use	S123	N/A	N/A	100 – 102 Prestbury Road, Cheltenham	Main land use: Vacant Brownfield site Planning Status: CBC Concept Statement outlining preferences for mixed-use redevelopment. Permission granted and work completed on redevelopment of many adjoining/nearby sites Site Character: Vacant former storage facility and part of Yeates vehicle recovery garage Greenfield/brownfield: Brownfield Critical constraints: Access in Flood zone 3; Potentially contaminated land Overcome constraints: Resolving and adequate flood mitigation at access and south west edge of site.	Part of larger mixed use site with S074	0.8	40	Access in Flood zone 3; Potentially contaminated land		
No	S124	N/A	N/A	Park Corner and land to the west of Park Corner, Bowbridge Lane, Prestbury	Main land use: Planning Status: N/A Site Character: Greenfield/brownfield: Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	1.1	25-30	Green Belt		
No	S125	N/A	N/A	Land north west of Racecourse	Main land use: Partly arable, part racecourse car park Planning Status: TPO on site Site Character: Rural/ Open Greenfield/brownfield: Greenfield Critical constraints: Flood risk; Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	39.45	1183	Flood risk; Green Belt		
No	S126	N/A	N/A	Land south west of Racecourse	Main land use: Part of racecourse Planning Status: N/A Site Character: Edge of urban / undeveloped Greenfield/brownfield: Brownfield/ Greenfield Critical constraints: Green Belt Overcome constraints:	SALA found site to not be deliverable or developable	2.47	74	Green Belt		
No	S127	N/A	N/A	Land south east of Ham Road		Site is within the AONB	0.53	13	AONB		

## 10 APPENDIX F – MINOR AMENDMENTS TO THE EXISTING PRINCIPAL URBAN AREA BOUNDARY

Ref	Location	Area (ha)	Addition / subtraction	Reason
1	Swindon Village Primary School	0.26	Addition	Inclusion of new school buildings
2	Jemaro, Hyde Lane GL51 9QN	0.2	Addition	Inclusion of building and the creation of consistent boundary
3	81a New Barn Lane	0.15	Addition	Inclusion of new dwelling and residential curtilage
4	49 & 51 Apple Orchard, Prestbury	0.09	Addition	Inclusion of residential gardens and creation of consistent boundary
5	Pilgrin Cottate, Lake Street, Prestbury	0.05	Addition	Inclusion of residential garden
6	Rear of Beechcroft, Bowbridge House	0.003	Addition	Minor amendment of boundary anomaly
7	3 The Orchards, Glenfall Way	0.19	Addition	Inclusion of residential building and garden
8	Balcarras School	0.26	Addition	Inclusion of new school buildings
9	Timbercombe Gate	0.32	Addition	Inclusion of new residential development
10	Timbercombe Cottage, Timbercombe Lane	0.12	Addition	Inclusion of residential garden
11	Meadow House, Gadshill Road	0.32	Addition	Inclusion of residential garden
12	The Richard Pate School	0.4	Addition	Minor amendments to more accurately conform to building dimensions
13	Pilford Court	0.31	Addition	Inclusion of new residential development
14	26 Pilford Road	0.02	Addition	Inclusion of residential garden
15	Cliff House, Leckhampton Hill & Highfield, Daisy Bank Road	1.11	Addition	Inclusion of residential gardens and creation of consistent boundary
16	17, 19 & The Sleepers, Merlin Way	0.18	Addition	Inclusion of new residential development
17	106 Frith Lodge, Shurdington Road	0.11	Addition	Inclusion of new residential development
18	4 & 5 The Spindles	0.08	Addition	Inclusion of new residential development
19	Old Farm Drive, Manor End & Manor Farm Drive	1.35	Addition	Inclusion of new residential development
20	Highfields, Cold Pool Lane	0.06	Addition	Inclusion of new residential development
21	The Hayloft, The Reddings	0.07	Addition	Inclusion of residential dwelling
22	Chestnuts Farm, Branch Road	0.04	Addition	Inclusion of existing farm buildings to form consistent boundary
23	Land south east of Imber, Undercliff Avenue	0.19	Subtraction	The land is not urban in character and forms part of the wider rural area

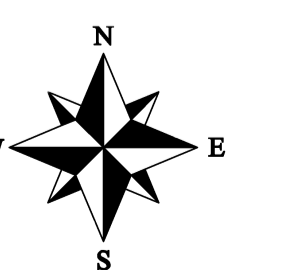




### Cheltenham Plan (Part One) Preferred Options Proposals Map

1:10000

15 November 2016

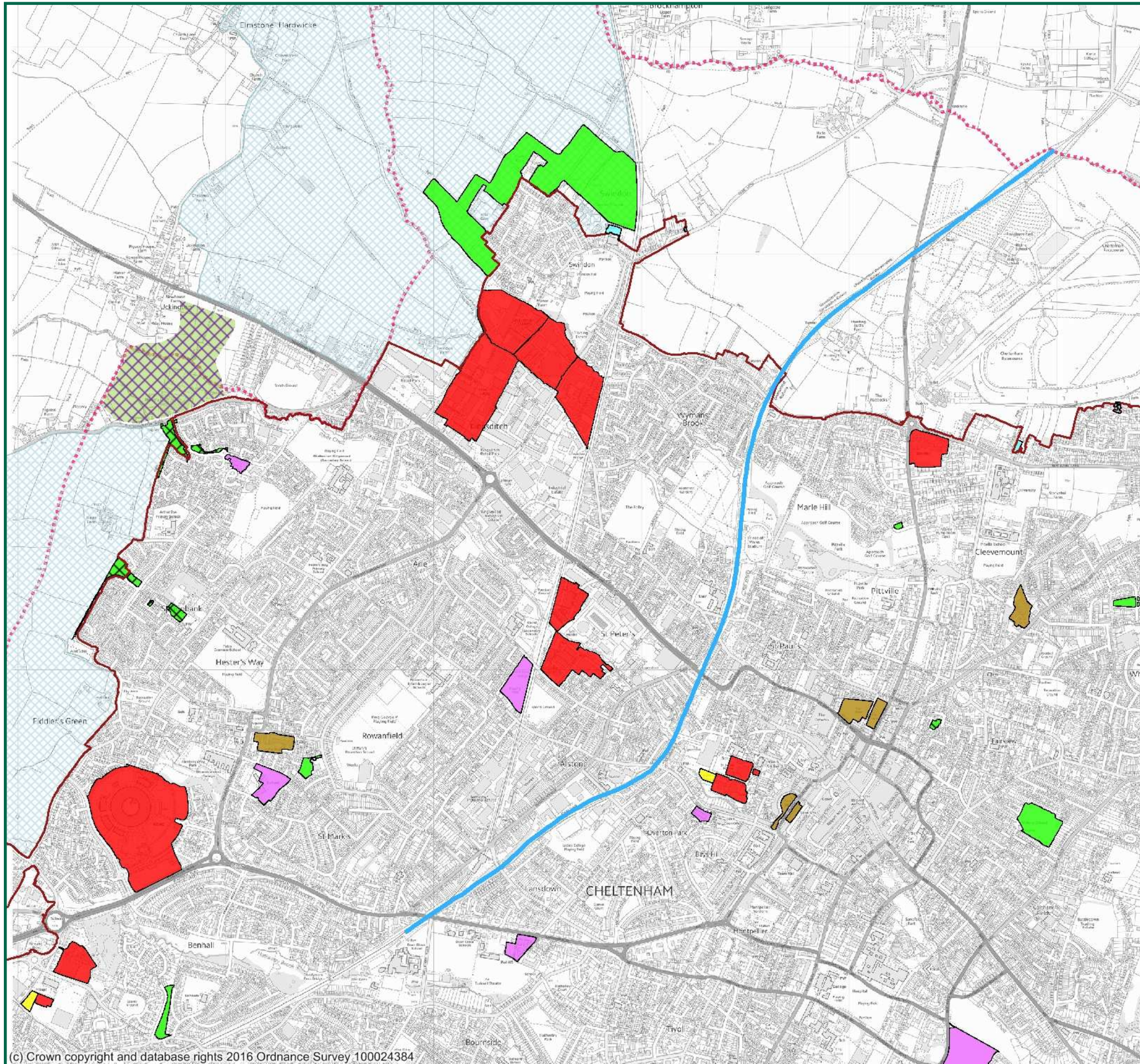




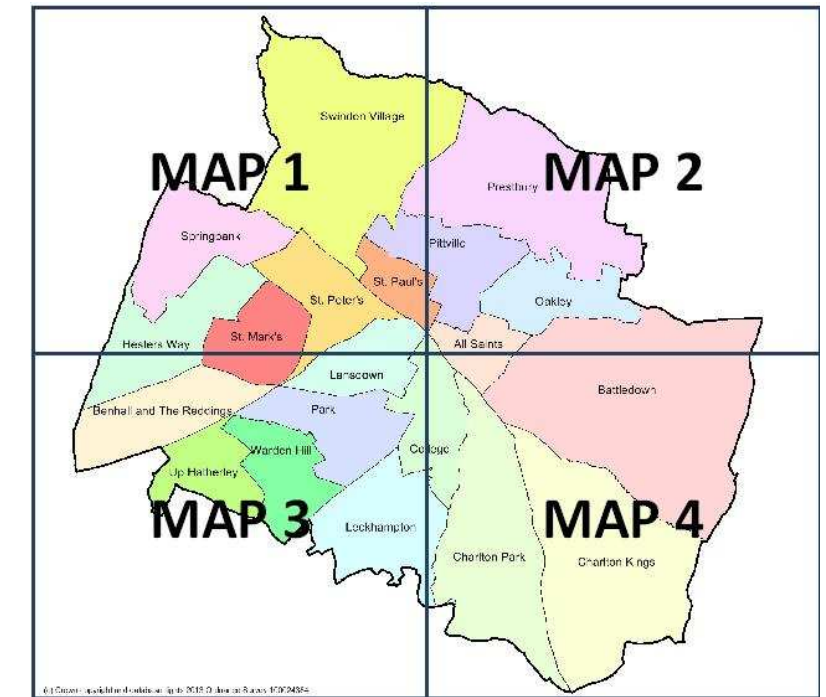




# Preferred Options Proposals A3 Map 1



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**Employment**

- Key employment site
- Employment allocation

**Honeybourne line**

**Local Green Space**

- Preferred and alternative Designation
- Preferred designation
- Indicative only

**Development allocations**

- Housing
- Mixed use
- Indicative housing
- Indicative housing and green space

**PUA edits**

- Existing
- Addition
- Subtraction

**Joint Core Strategy**

- Strategic Allocations
- Cheltenham Borough Boundary



1:20000 at A3

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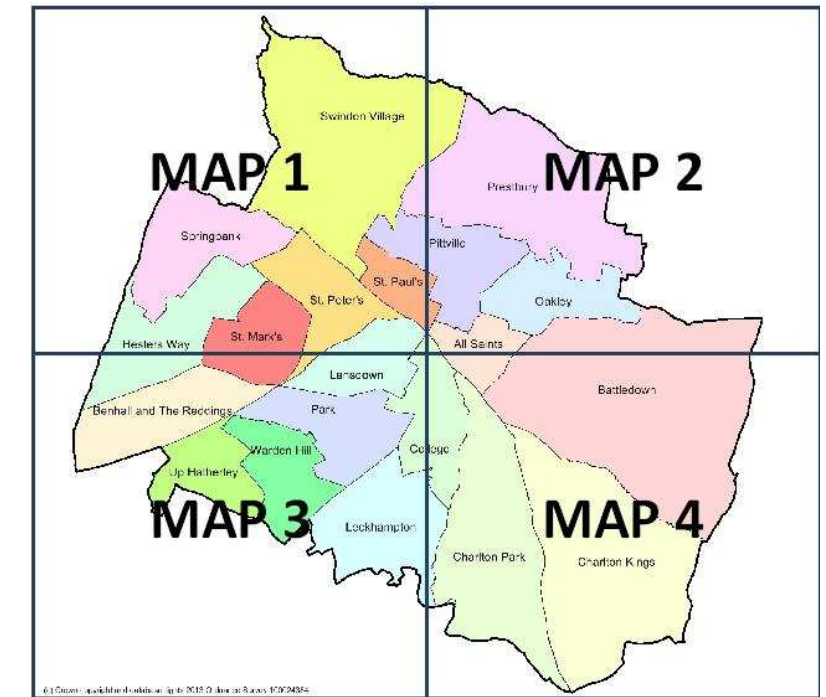
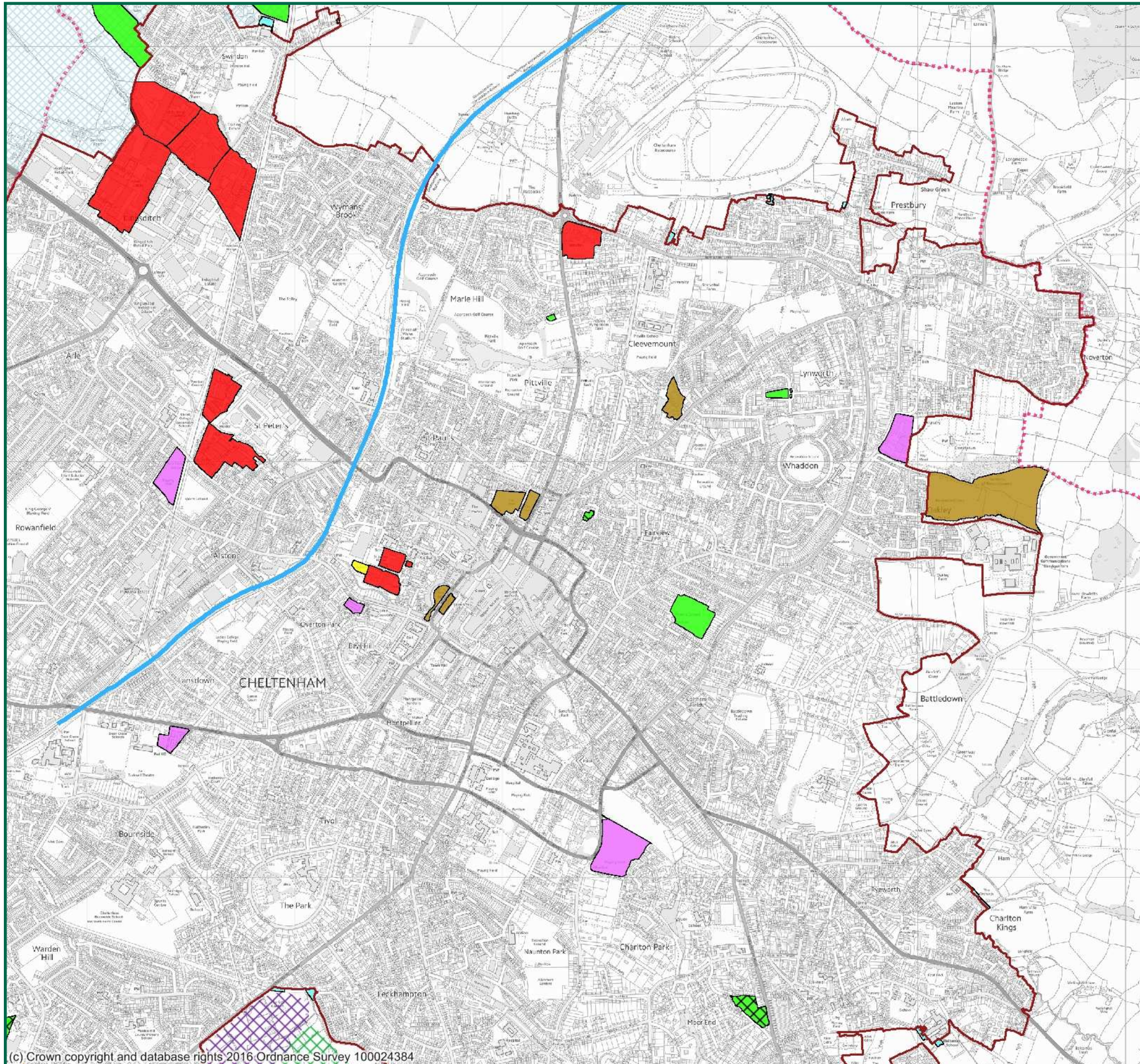








# Preferred Options Proposals A3 Map 2



## Employment

- Key employment site
- Employment allocation

## Honeybourne line

## Local Green Space

- Preferred and alternative Designation
- Preferred designation
- Indicative only

## Development allocations

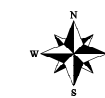
- Housing
- Mixed use
- Indicative housing
- Indicative housing and green space

## PUA edits

- Existing
- Addition
- Subtraction

## Joint Core Strategy

- Strategic Allocations



1:20000 at A3

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Ordnance Survey 100024384

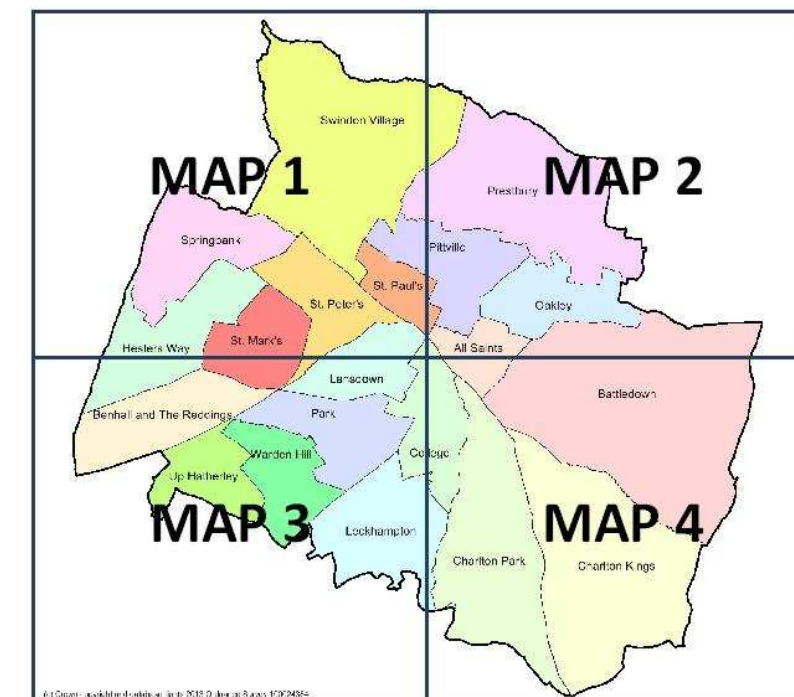
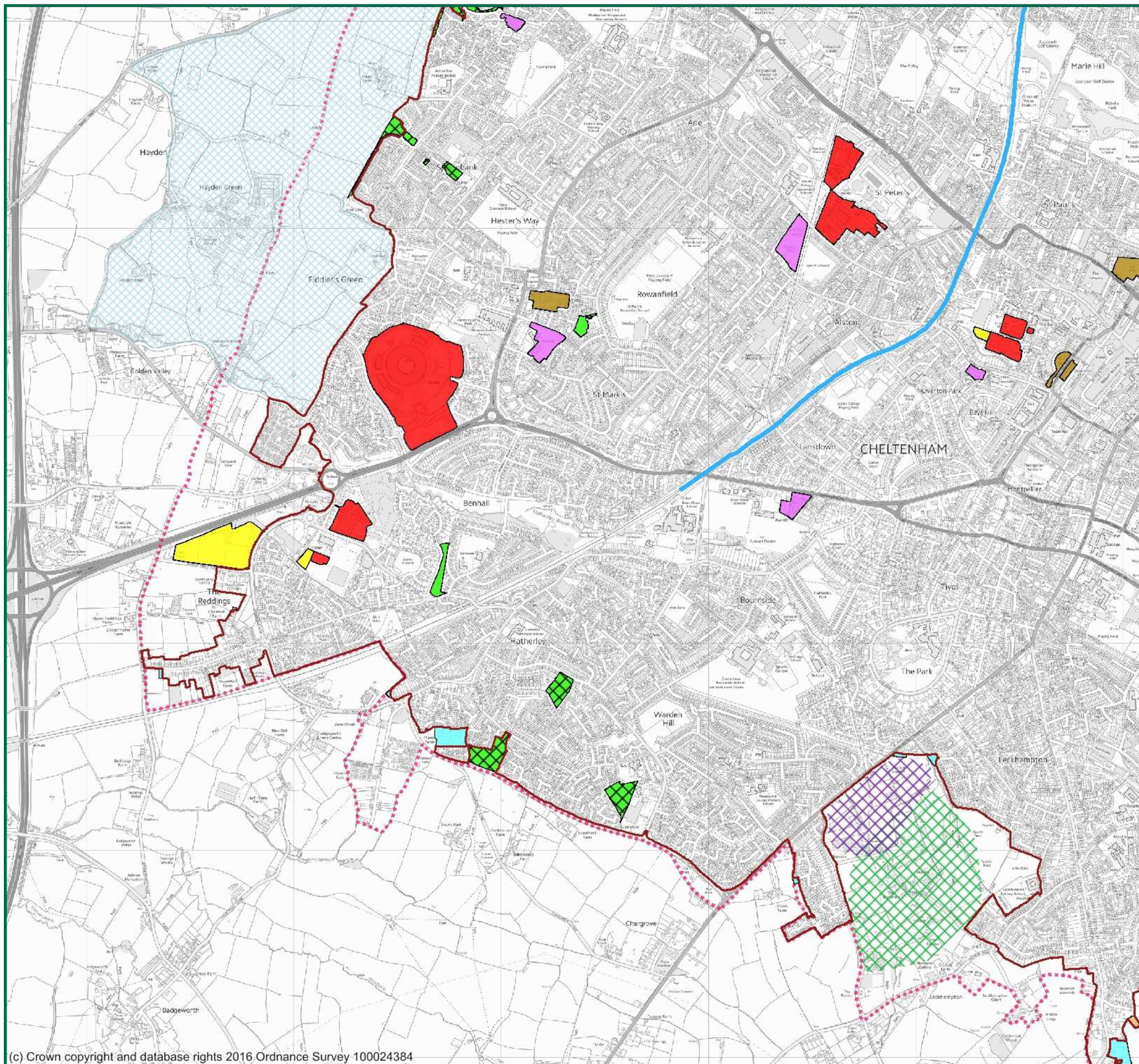








# Preferred Options Proposals A3 Map 3



**Employment**

- Key employment site (Red solid)
- Employment allocation (Yellow solid)

**Local Green Space**

- Preferred and alternative Designation (Green solid)
- Preferred designation (Green cross-hatch)
- Indicative only (Green dotted)

**Development allocations**

- Housing (Purple solid)
- Mixed use (Brown solid)
- Indicative housing (Purple cross-hatch)
- Indicative housing and green space (Purple and green cross-hatch)

**PUA edits**

- Existing (Red outline)
- Addition (Cyan outline)
- Subtraction (Orange outline)

**Joint Core Strategy**

- Strategic Allocations (Blue cross-hatch)

**Cheltenham Borough Boundary** (Red dotted line)

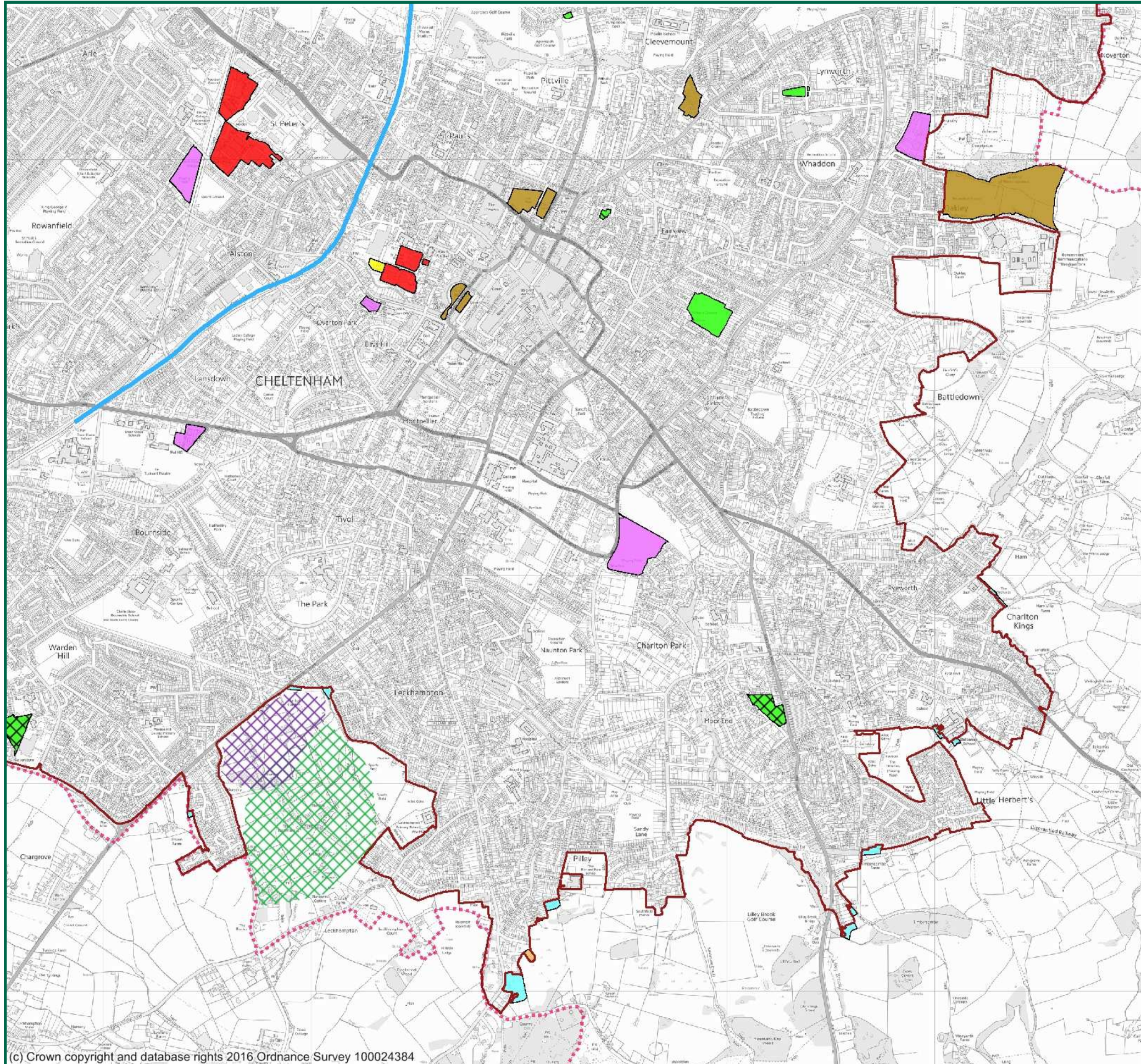




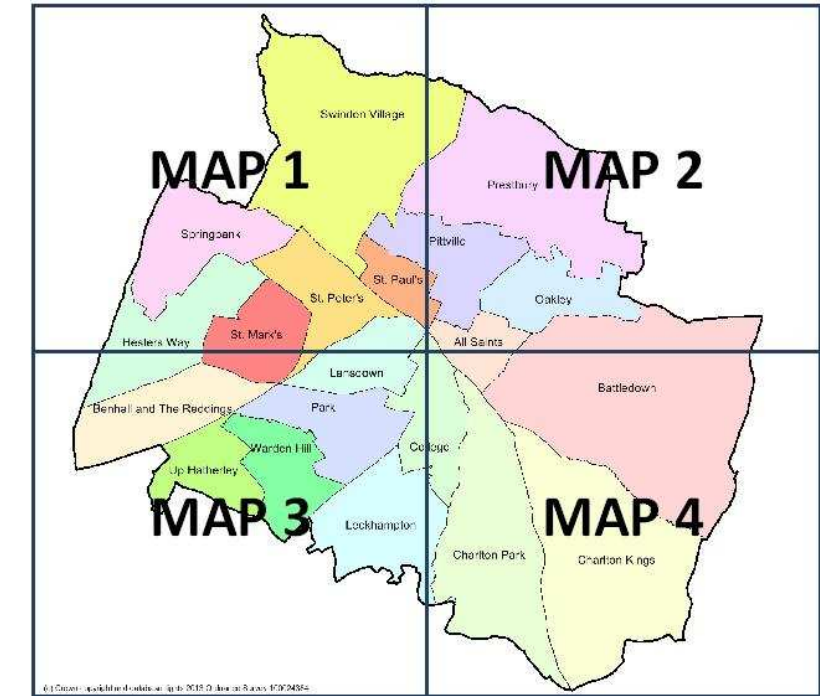




# Preferred Options Proposals A3 Map 4



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**Employment**

- Key employment site
- Employment allocation

**Honeybourne line**

**Local Green Space**

- Preferred and alternative Designation
- Preferred designation
- Indicative only

**Development allocations**

- Housing
- Mixed use
- Indicative housing
- Indicative housing and green space

**PUA edits**

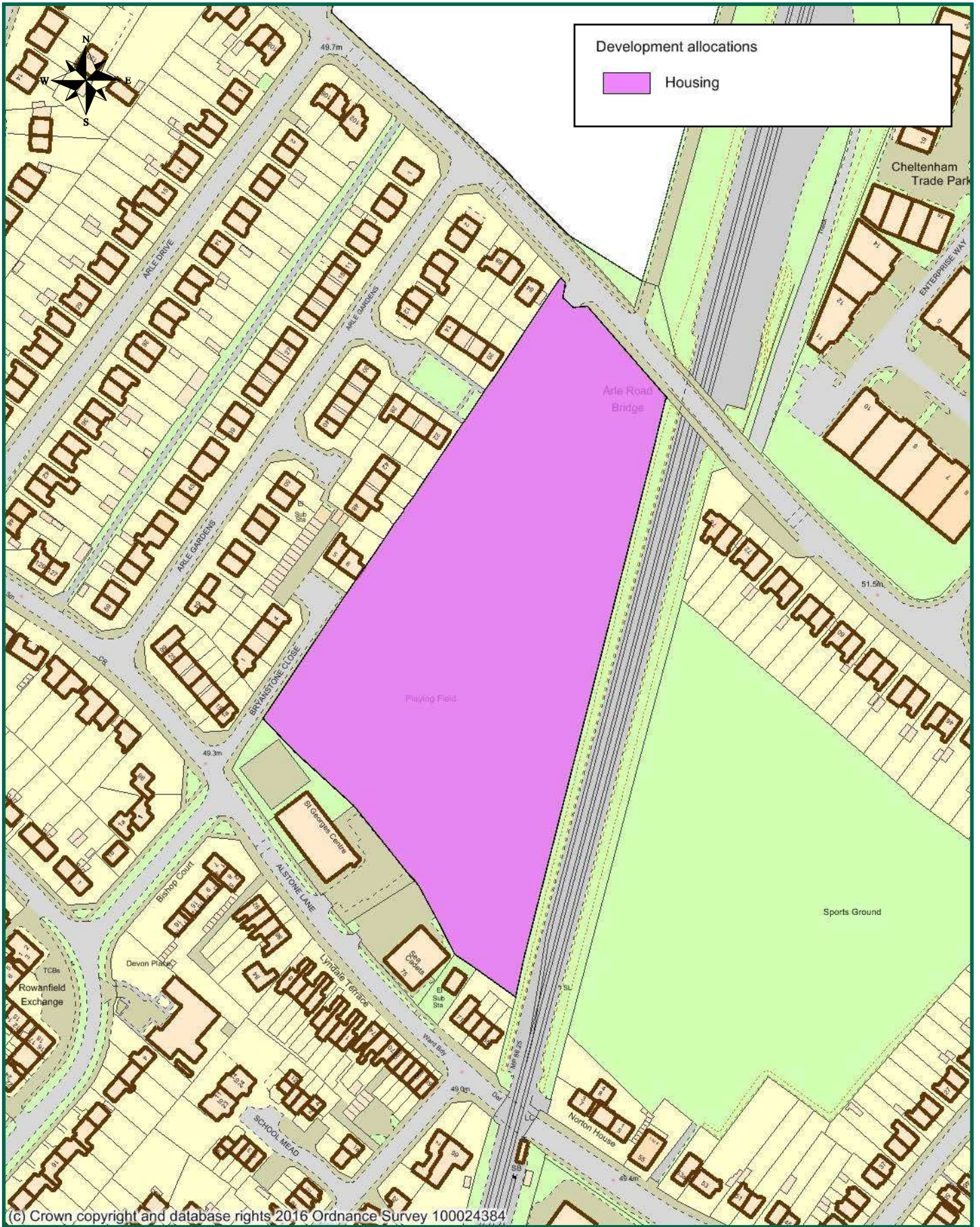
- Existing
- Addition
- Subtraction

**Joint Core Strategy**

- Strategic Allocations







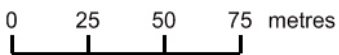
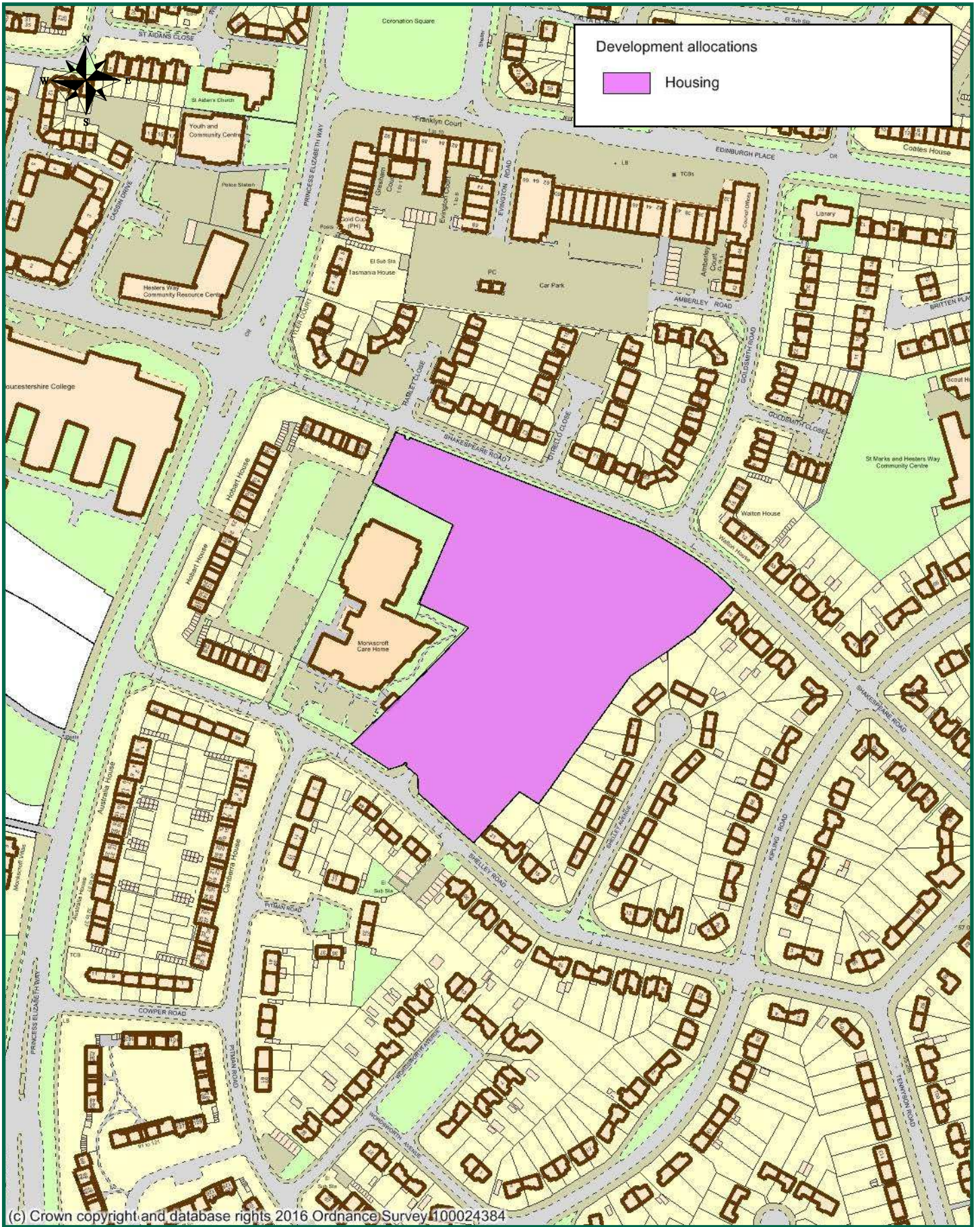
0 20 40 60 metres

land at Christ College Site B

06 October 2016





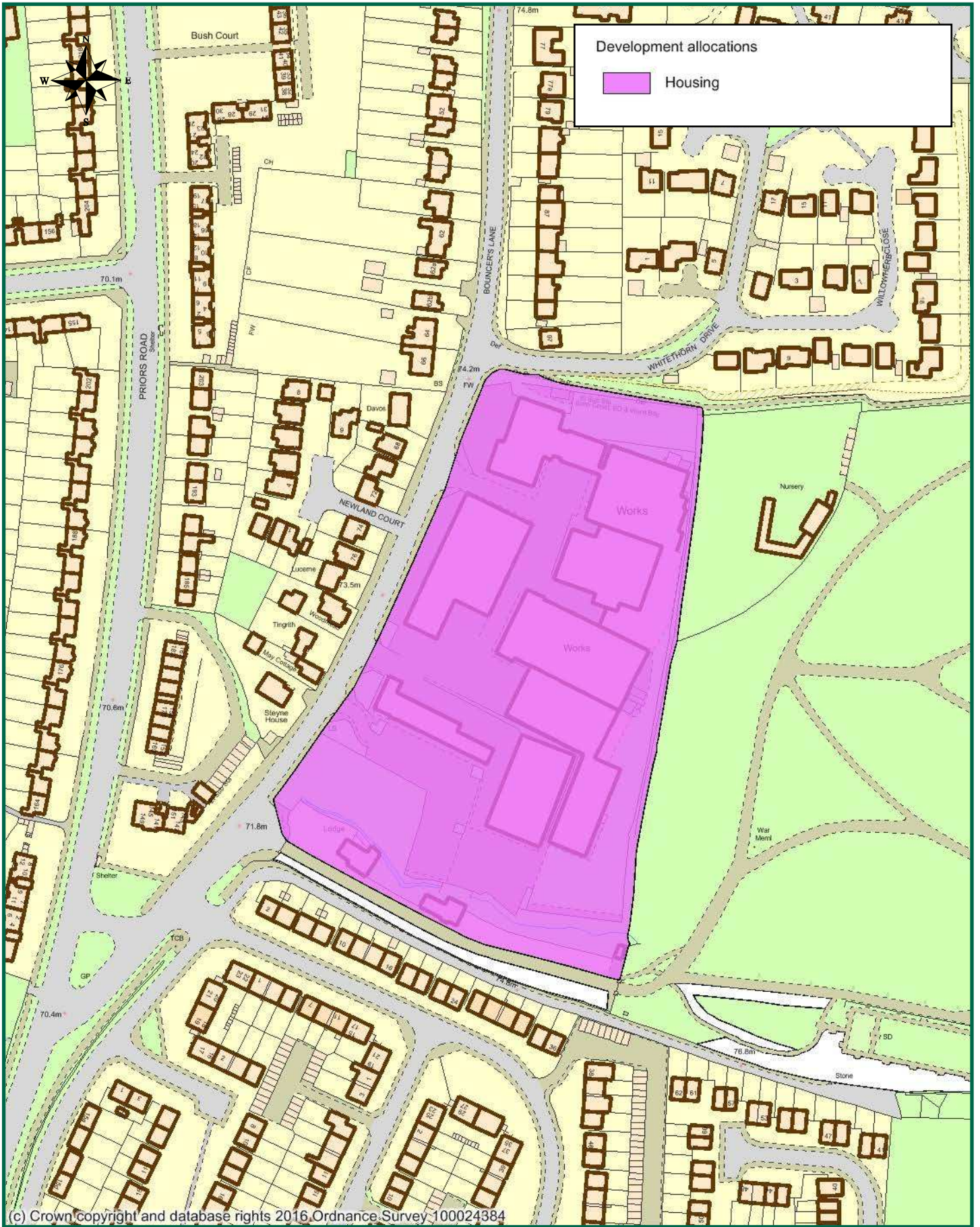


land at former Monkscroft Primary School

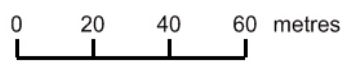
06 October 2016







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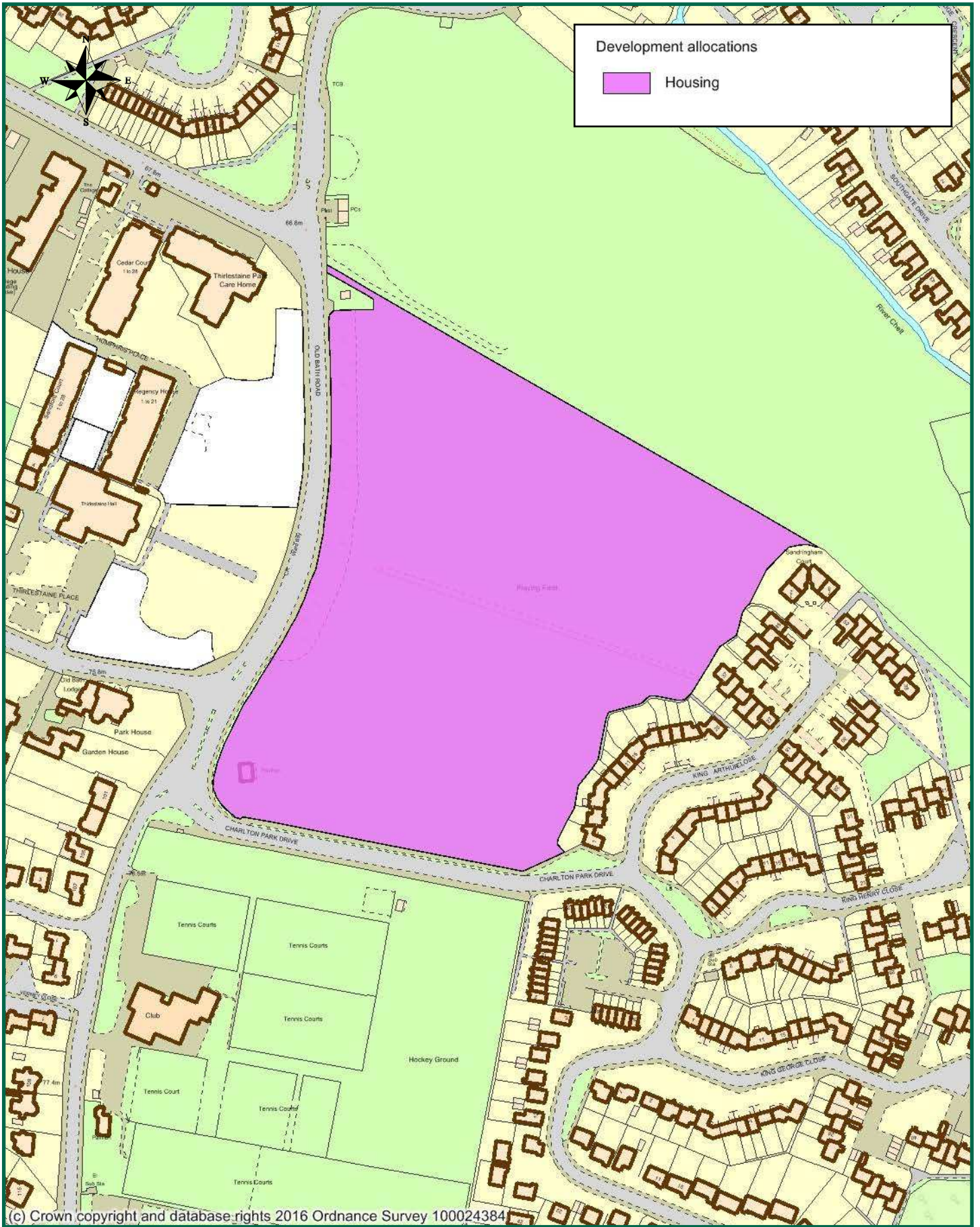


land at Premiere Products

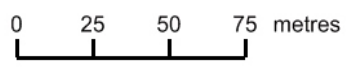
06 October 2016







(c) Crown copyright and database rights 2016 Ordnance Survey 100024384

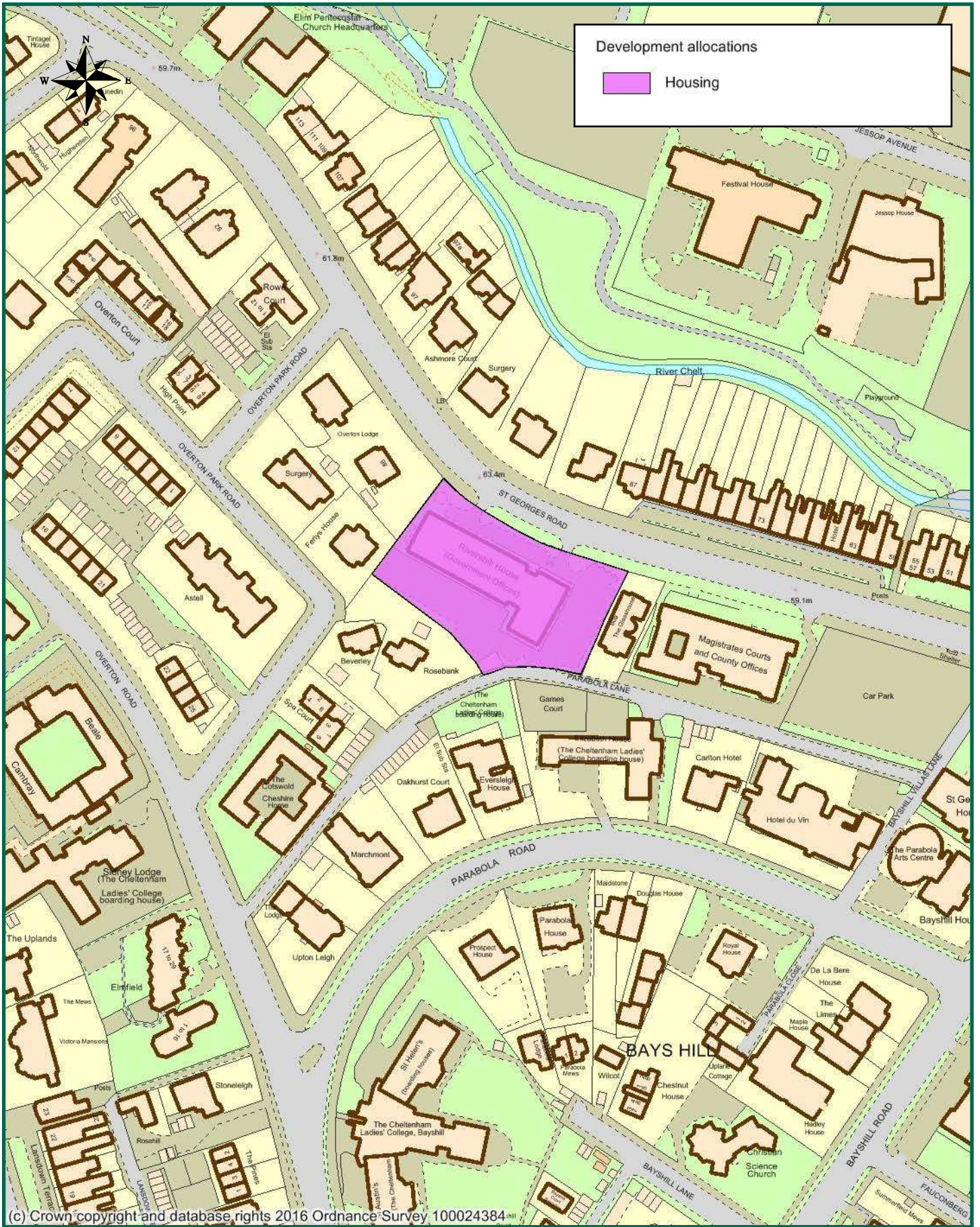


land at Reeves Field

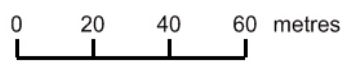
06 October 2016







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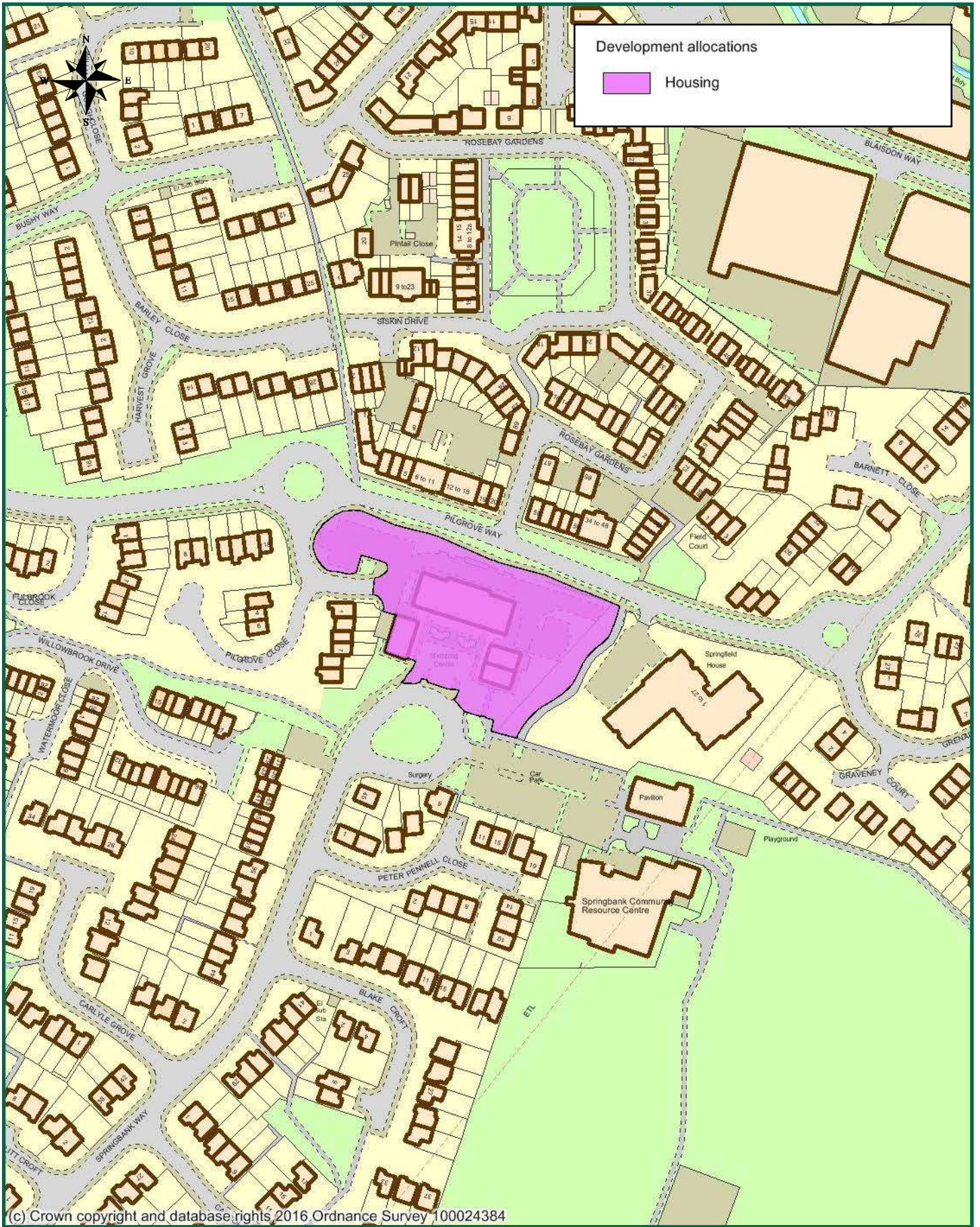


land at Rivershill House

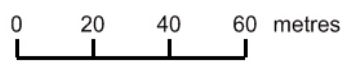
06 October 2016







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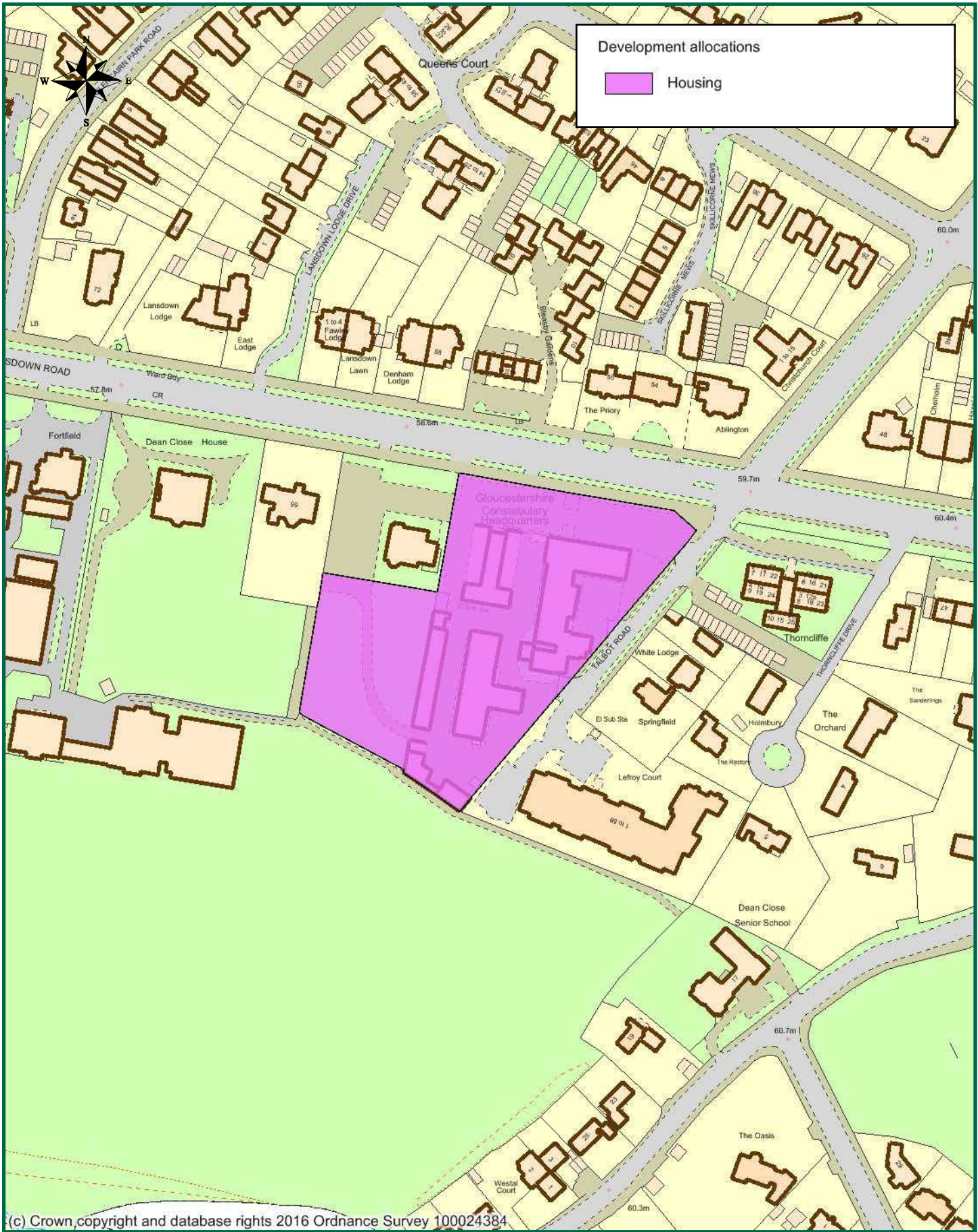


land at Springbank Shopping Centre;

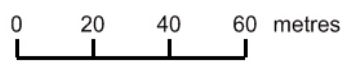
06 October 2016







(c) Crown copyright and database rights 2016 Ordnance Survey 100024384

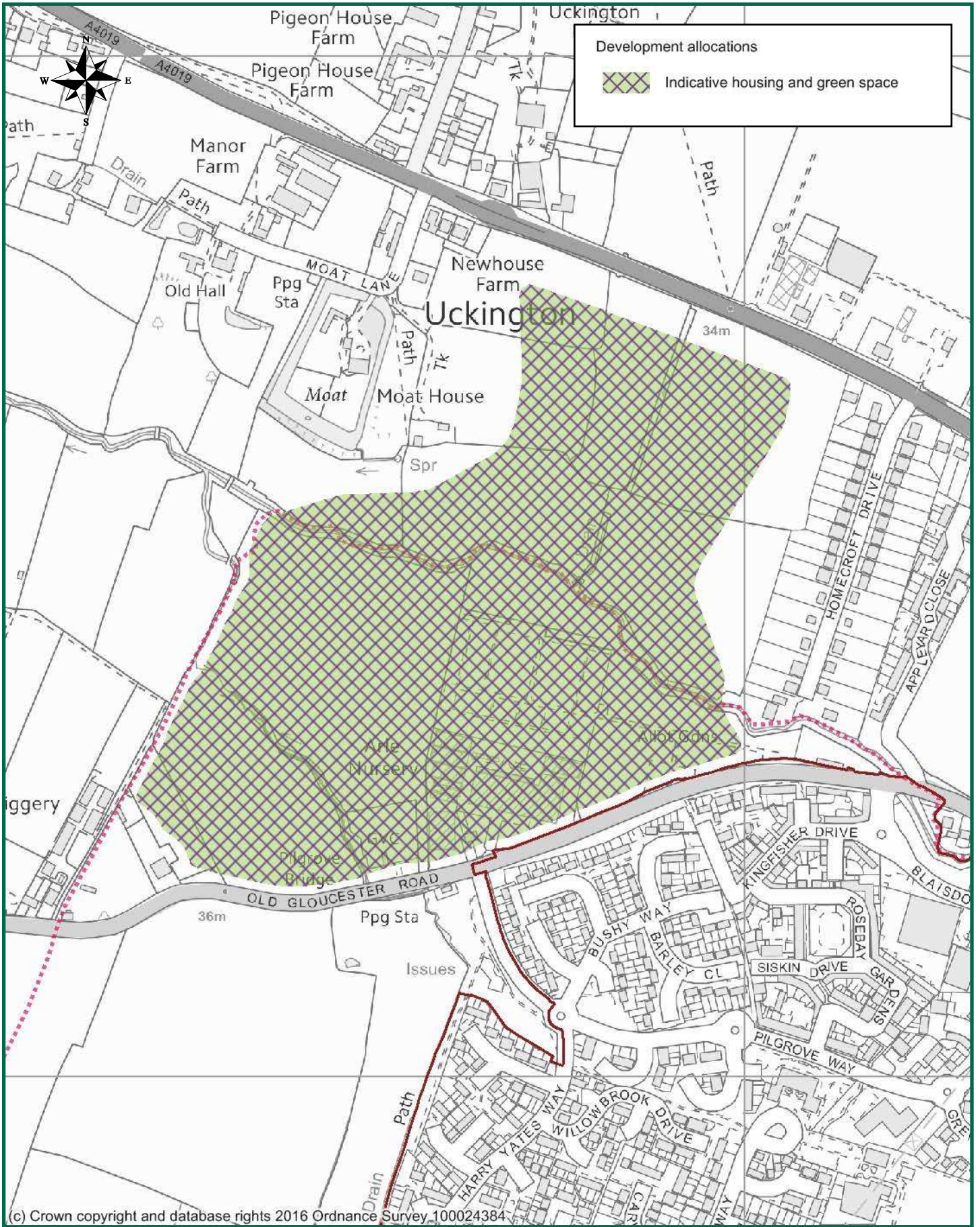


land at Lansdown Road

06 October 2016







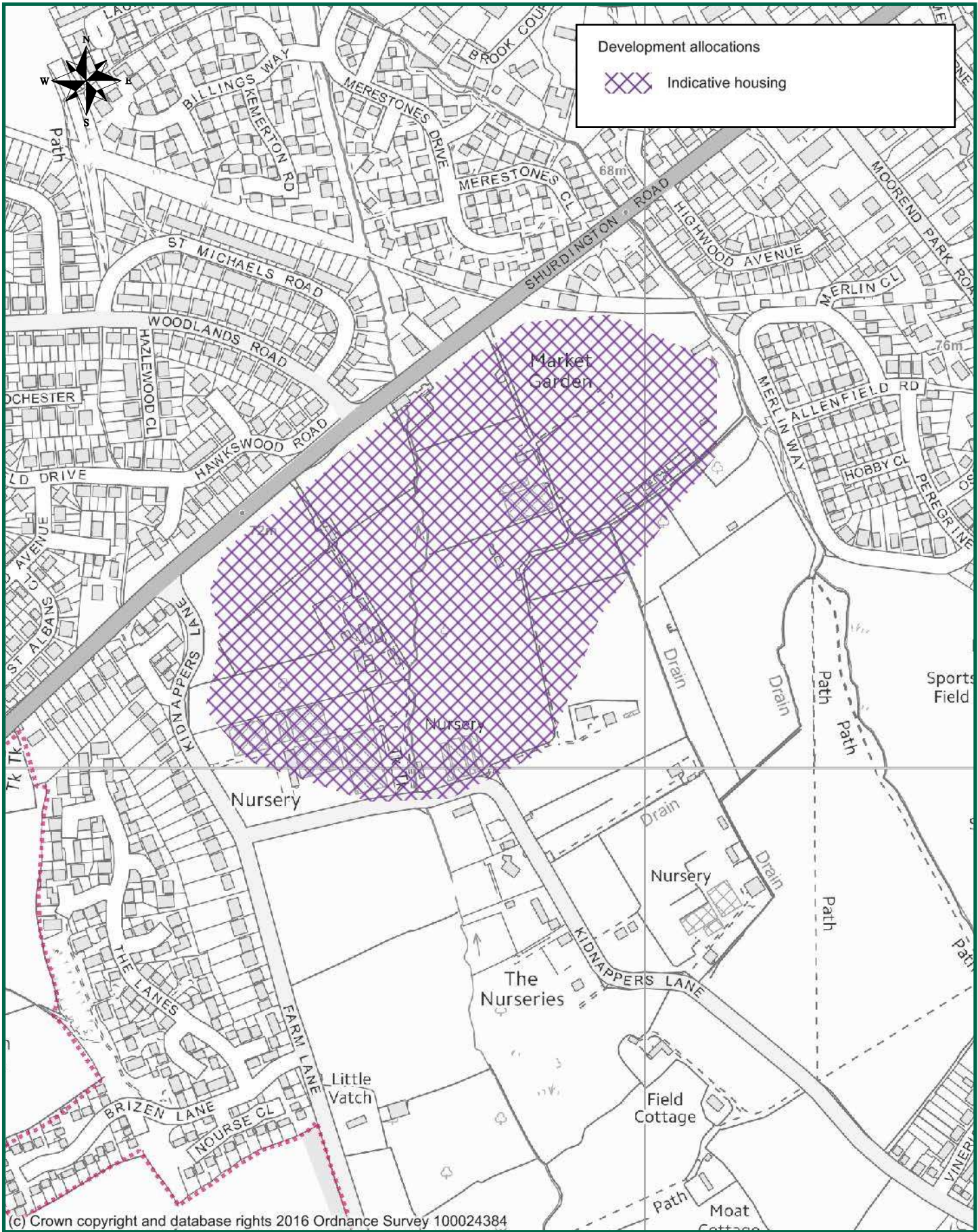
0 50 100 150 metres

land at Arle Nurseries / Old Gloucester Road

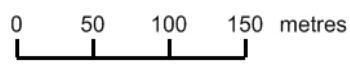
20 October 2016







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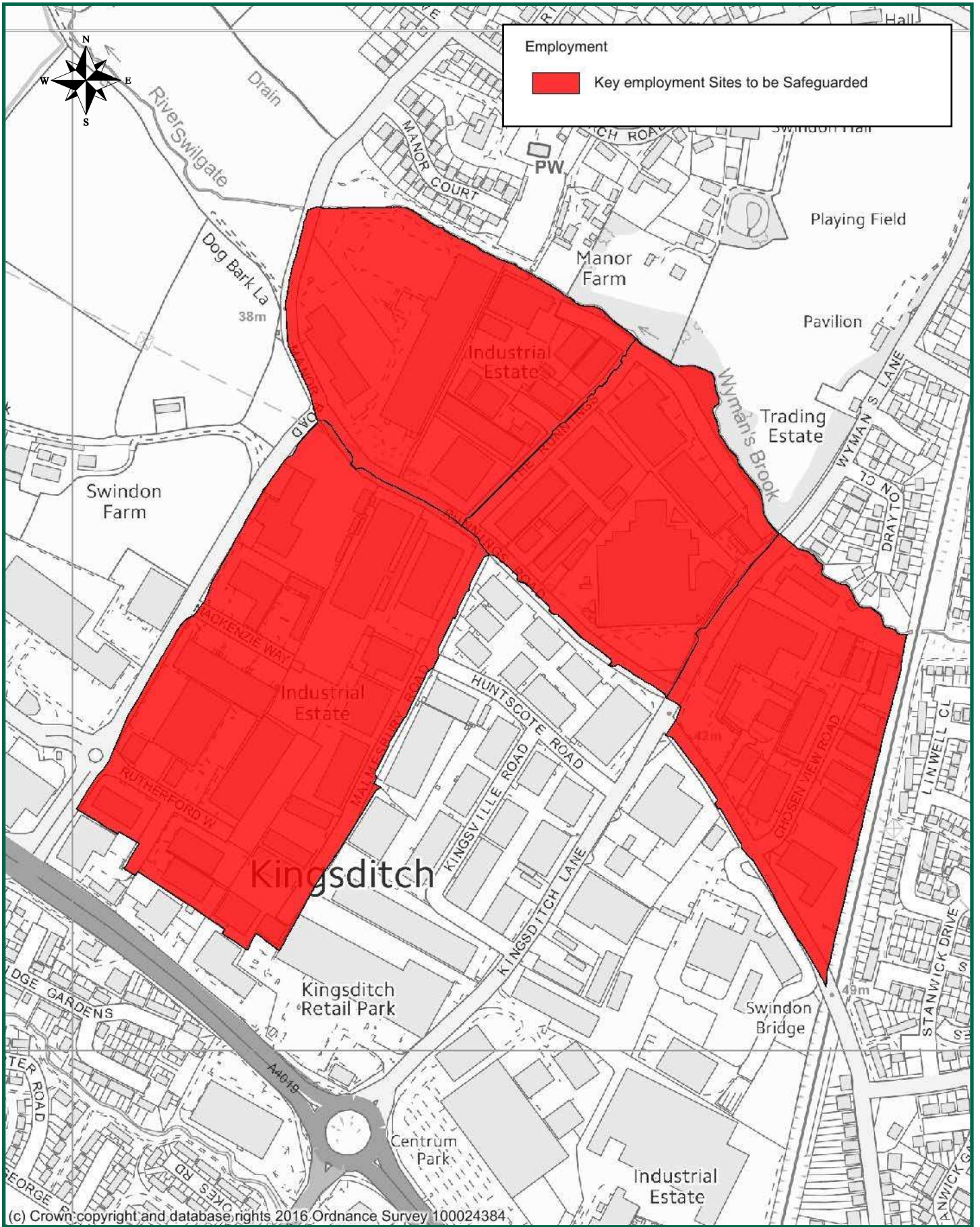
land at Leckhampton

20 October 2016









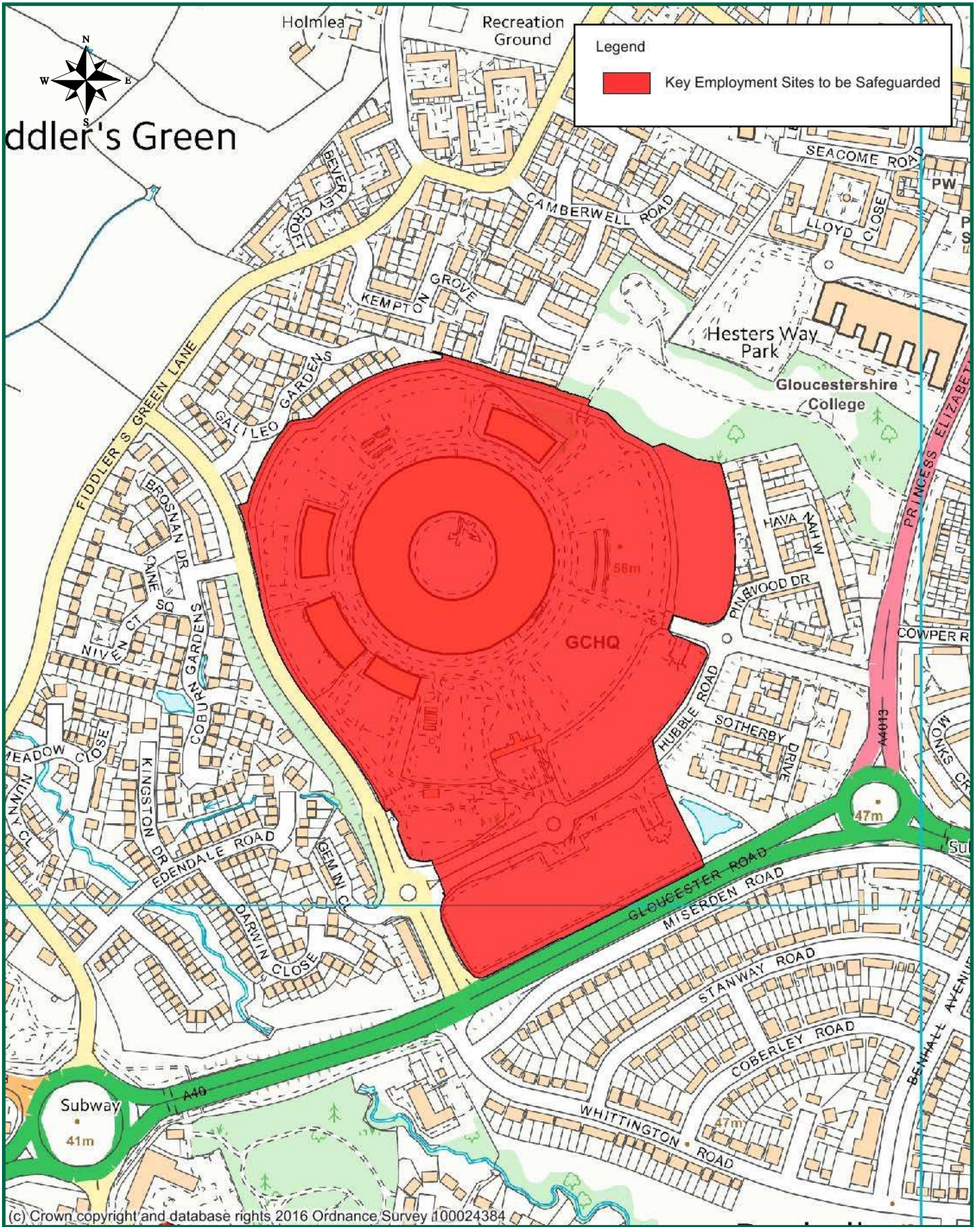
0 50 100 150 metres

**Kingsditch Trading Estate (ES1)**

06 October 2016







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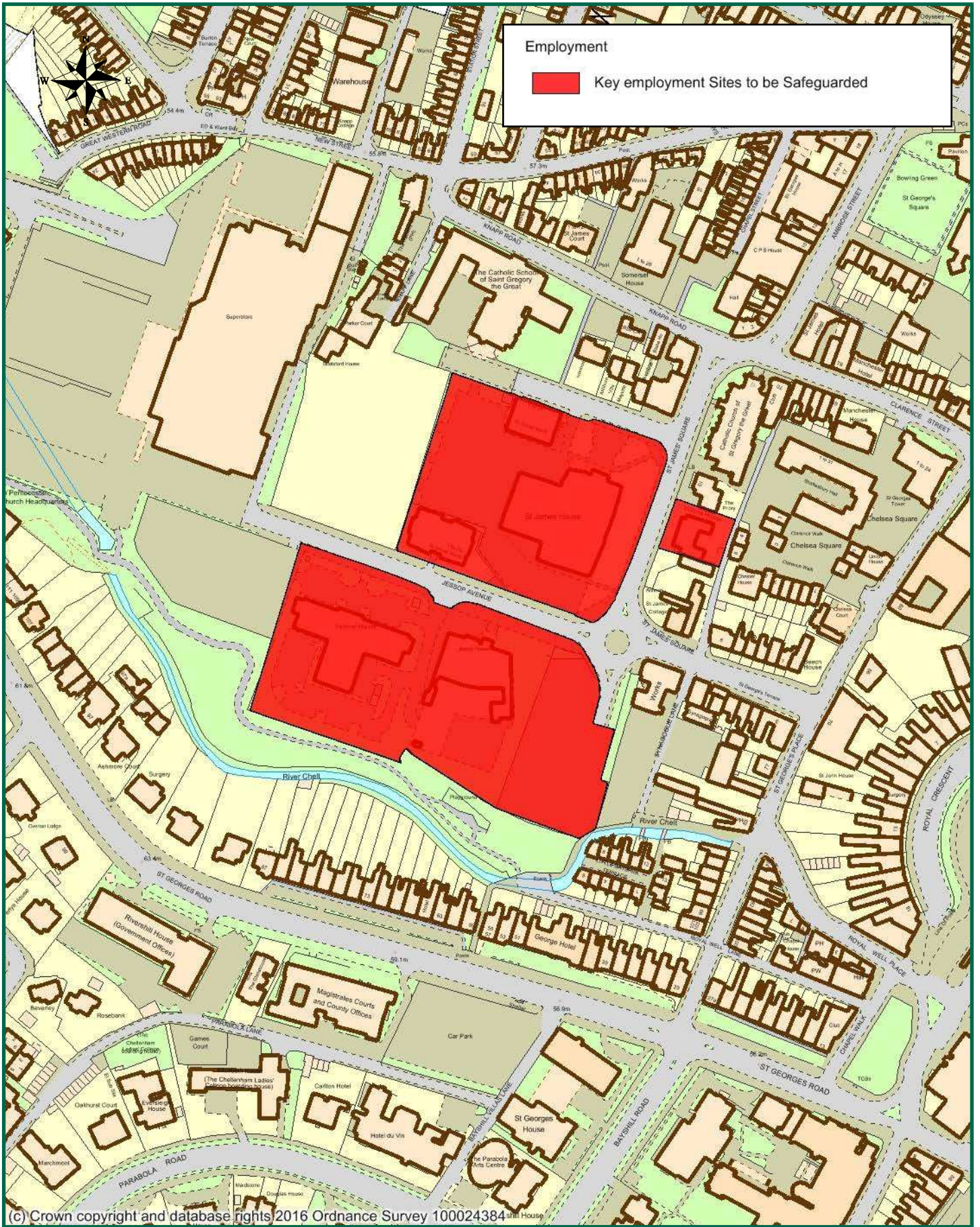
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**GCHQ Benhall  
Gloucester Road (ES2)**

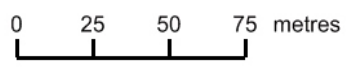
06 October 2016







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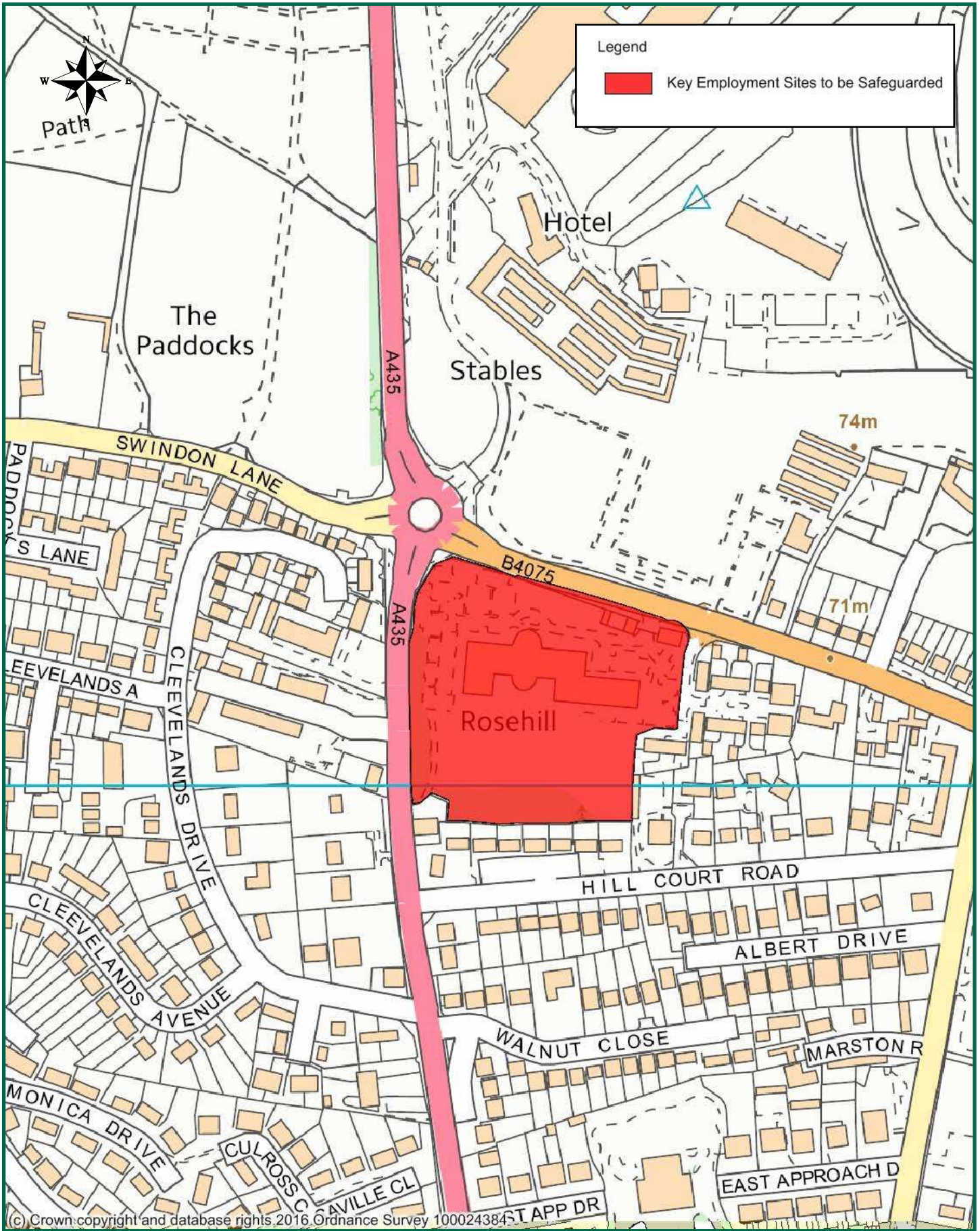


Jessop Avenue & St. James' Square (ES3)

06 October 2016







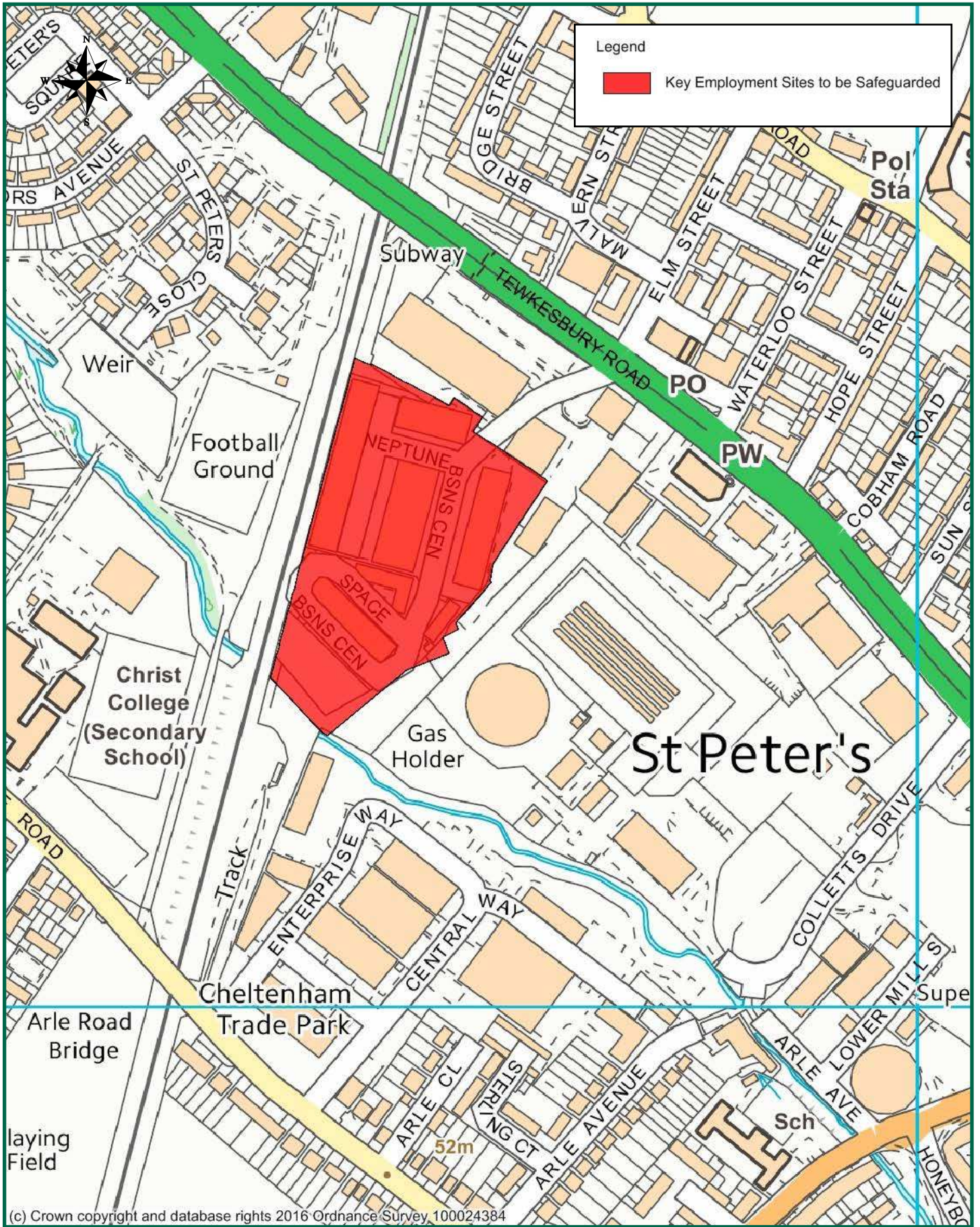
0 25 50 75 metres

06 October 2016

UCAS  
New Barn Lane (ES4)







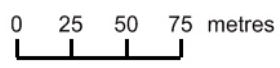
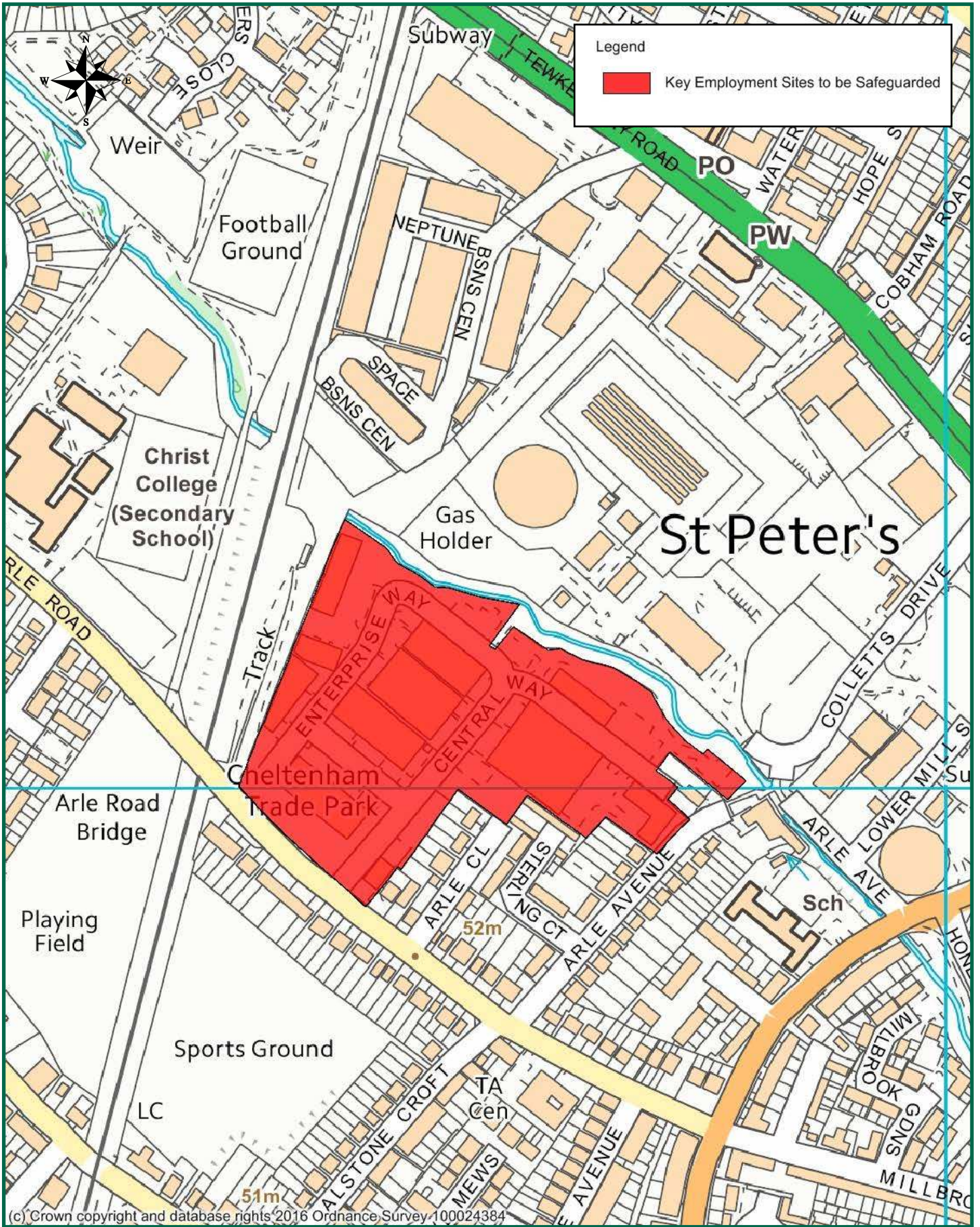
0 25 50 75 metres

06 October 2016

Tewkesbury Road  
Block 1 (ES5)





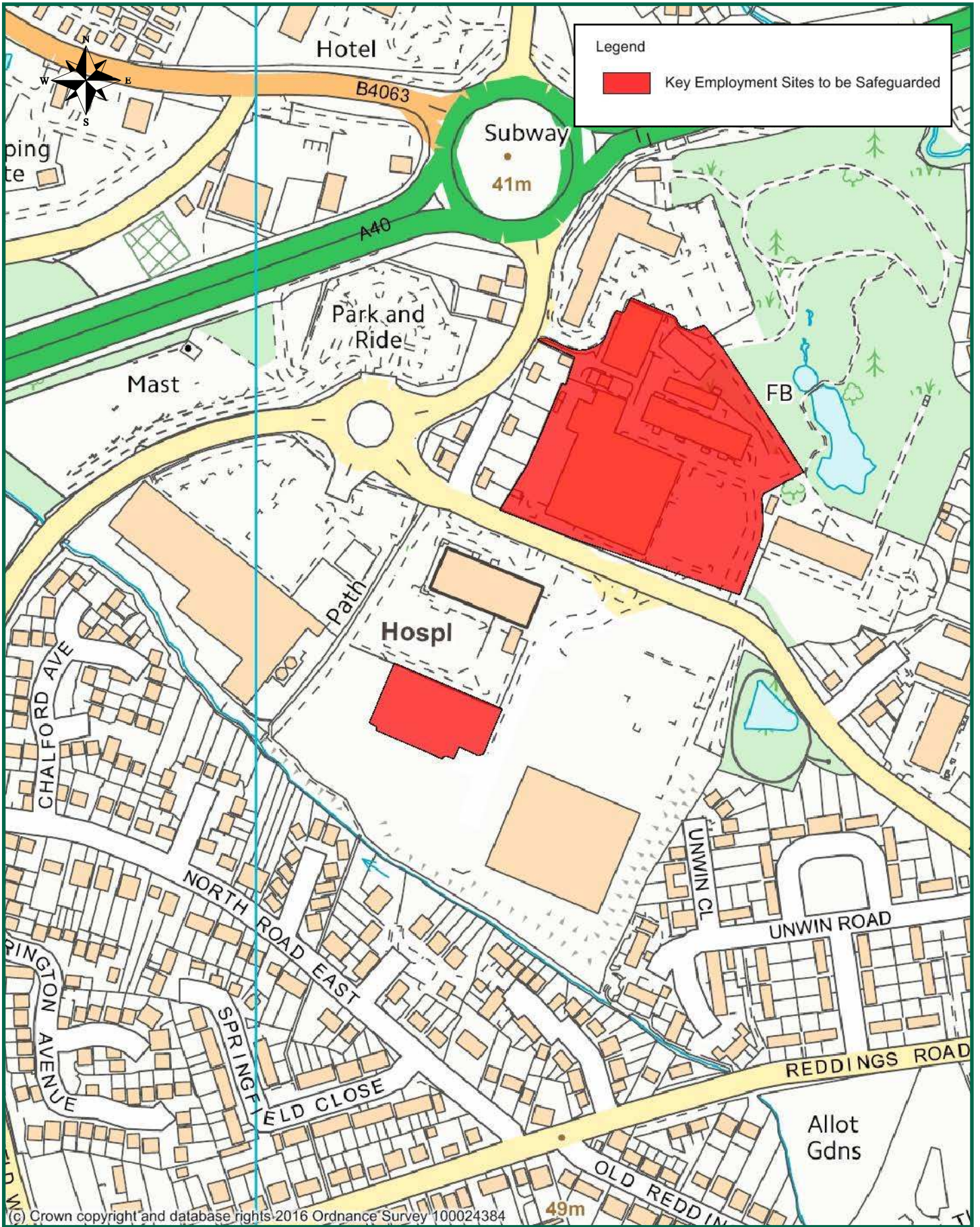


06 October 2016

**Cheltenham Trade Park  
Arle Road (ES6)**







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0 25 50 75 metres

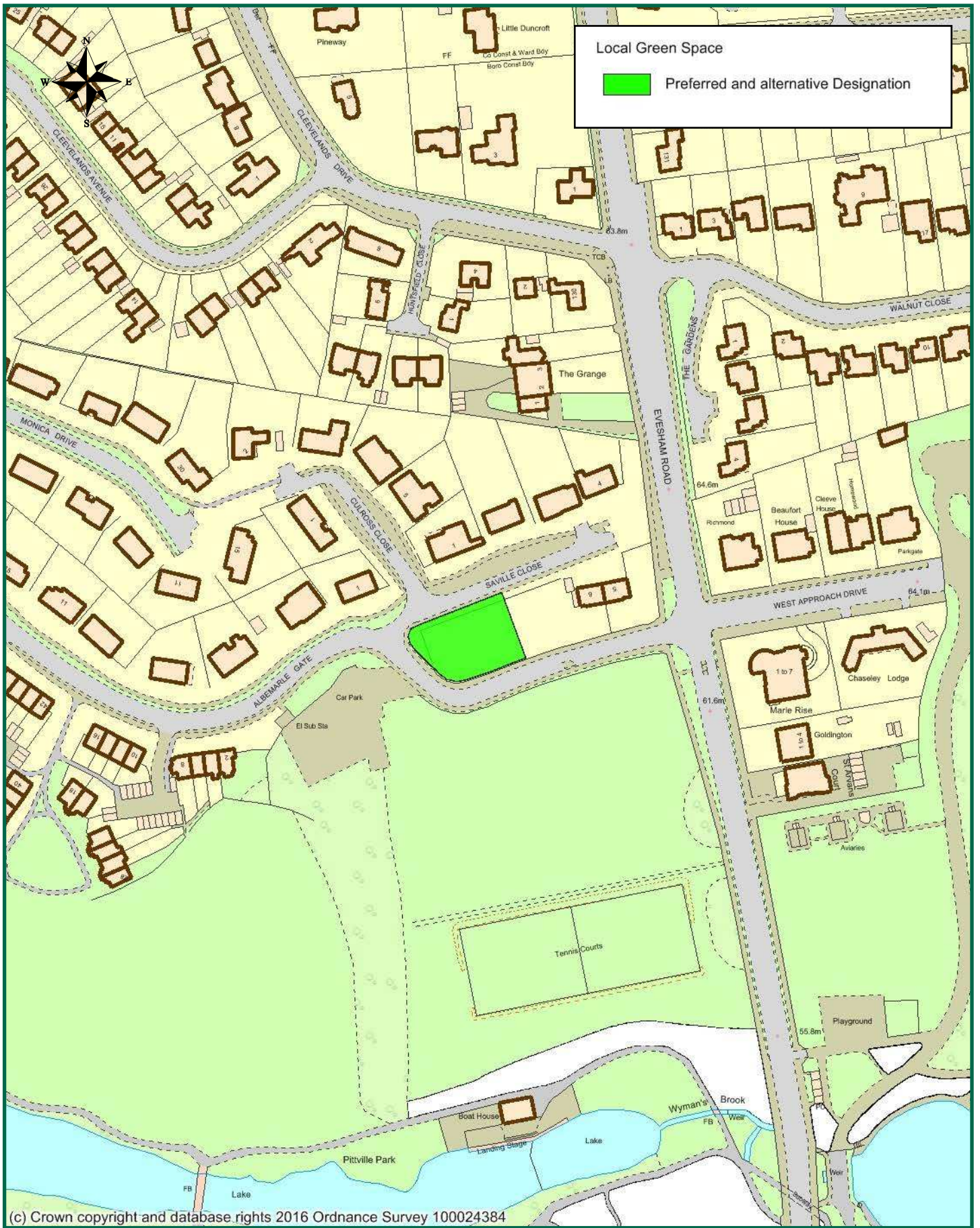
06 October 2016

Hatherley Lane  
The Reddings (ES7)









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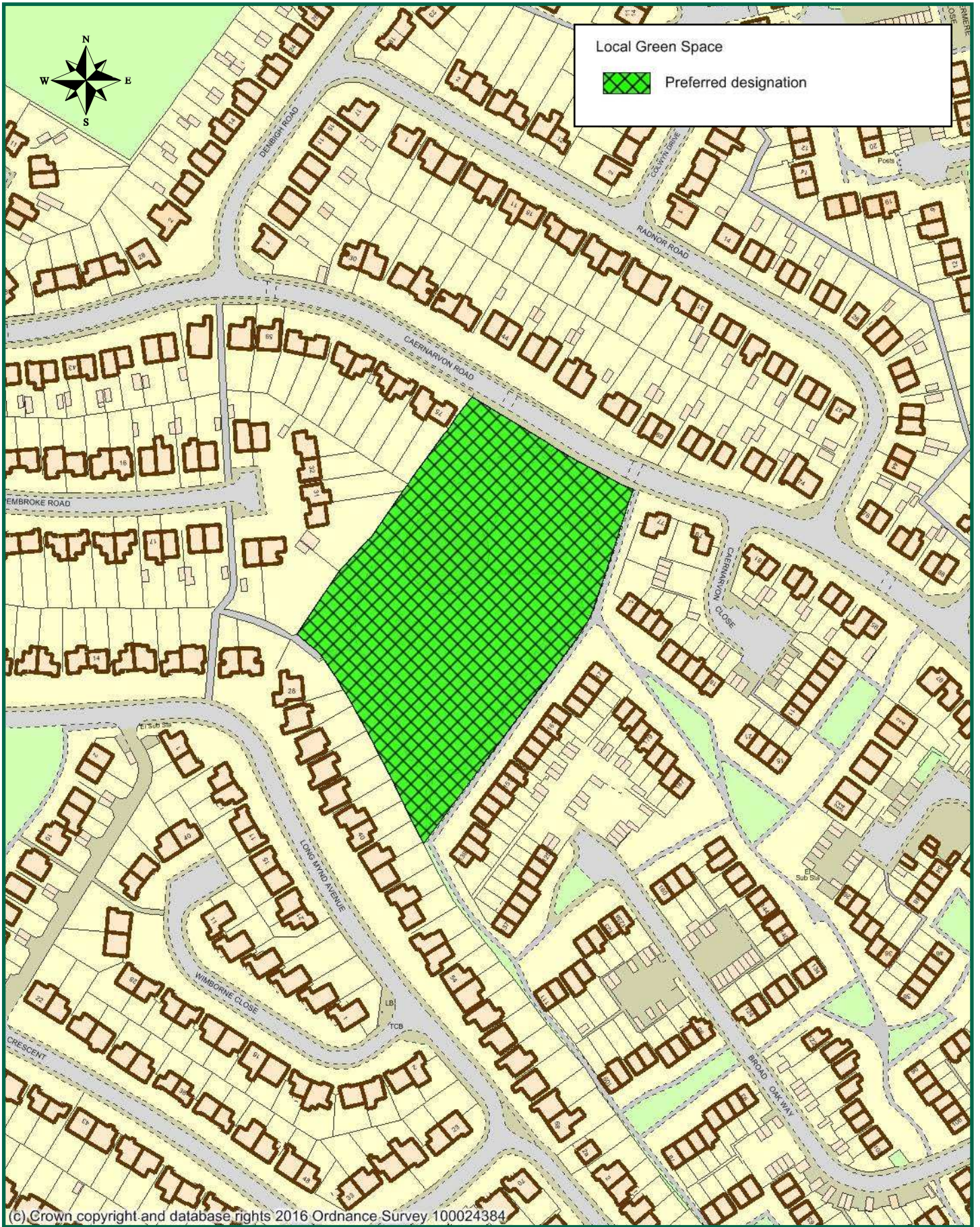
0 20 40 60 metres

land at Albermarle Orchard

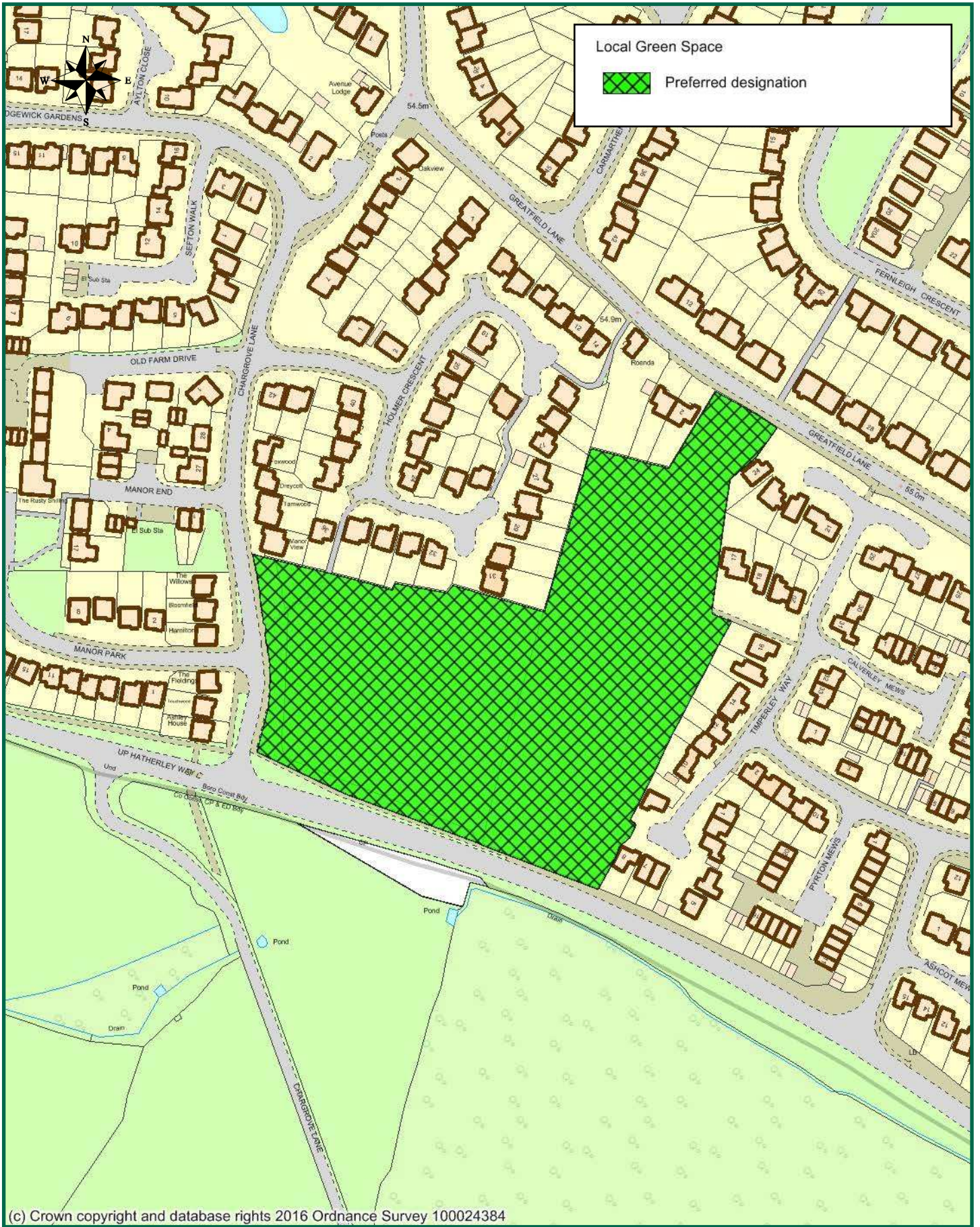
06 October 2016



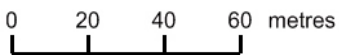








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land at Chargrove Open Space

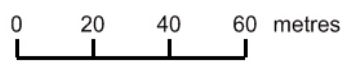
06 October 2016







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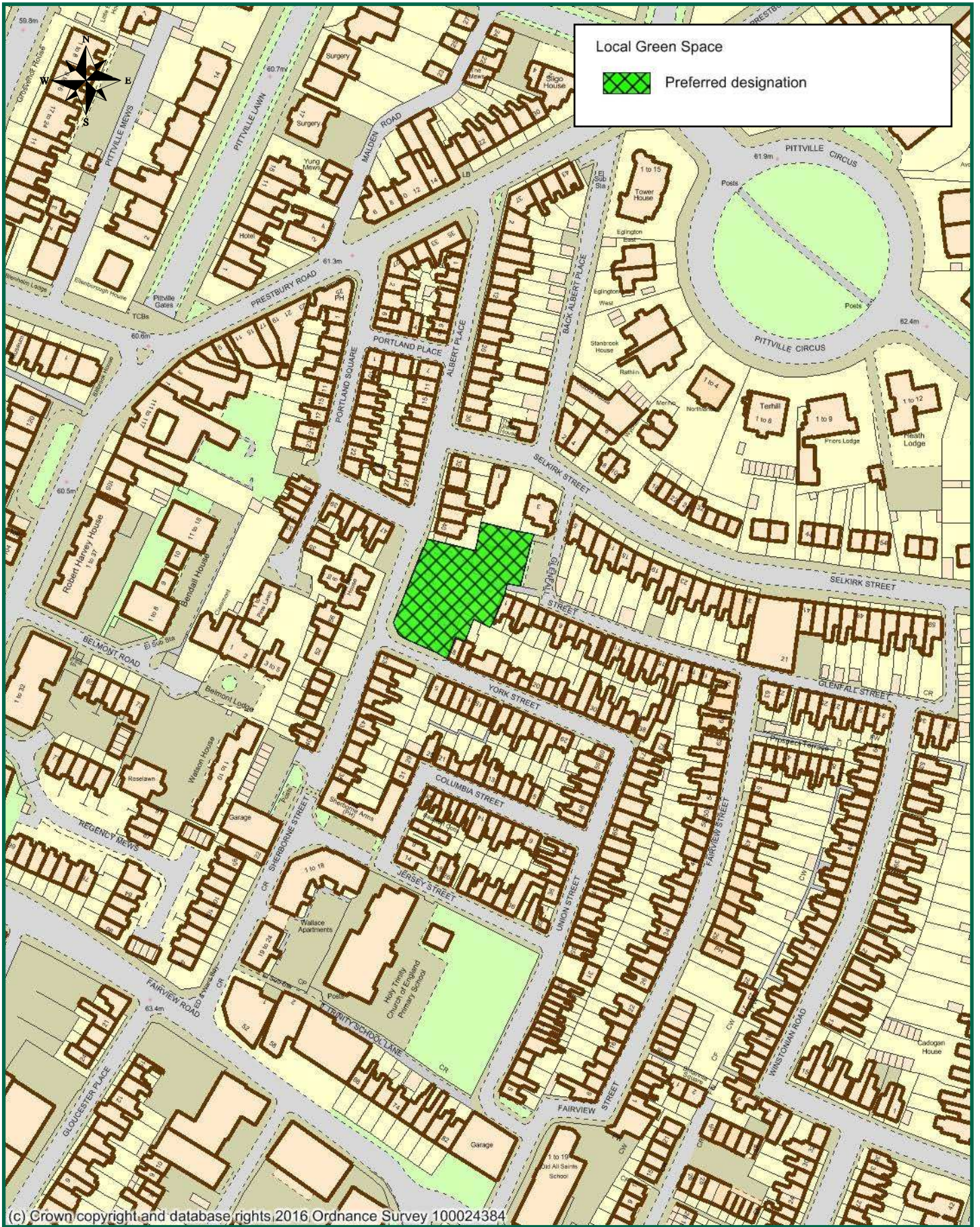


land at Colesbourne Road and Redgrove Park

06 October 2016







0 20 40 60 metres

land at Fairview Green

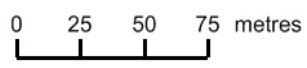
06 October 2016







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**Henley Road and Triscombe Way**

06 October 2016





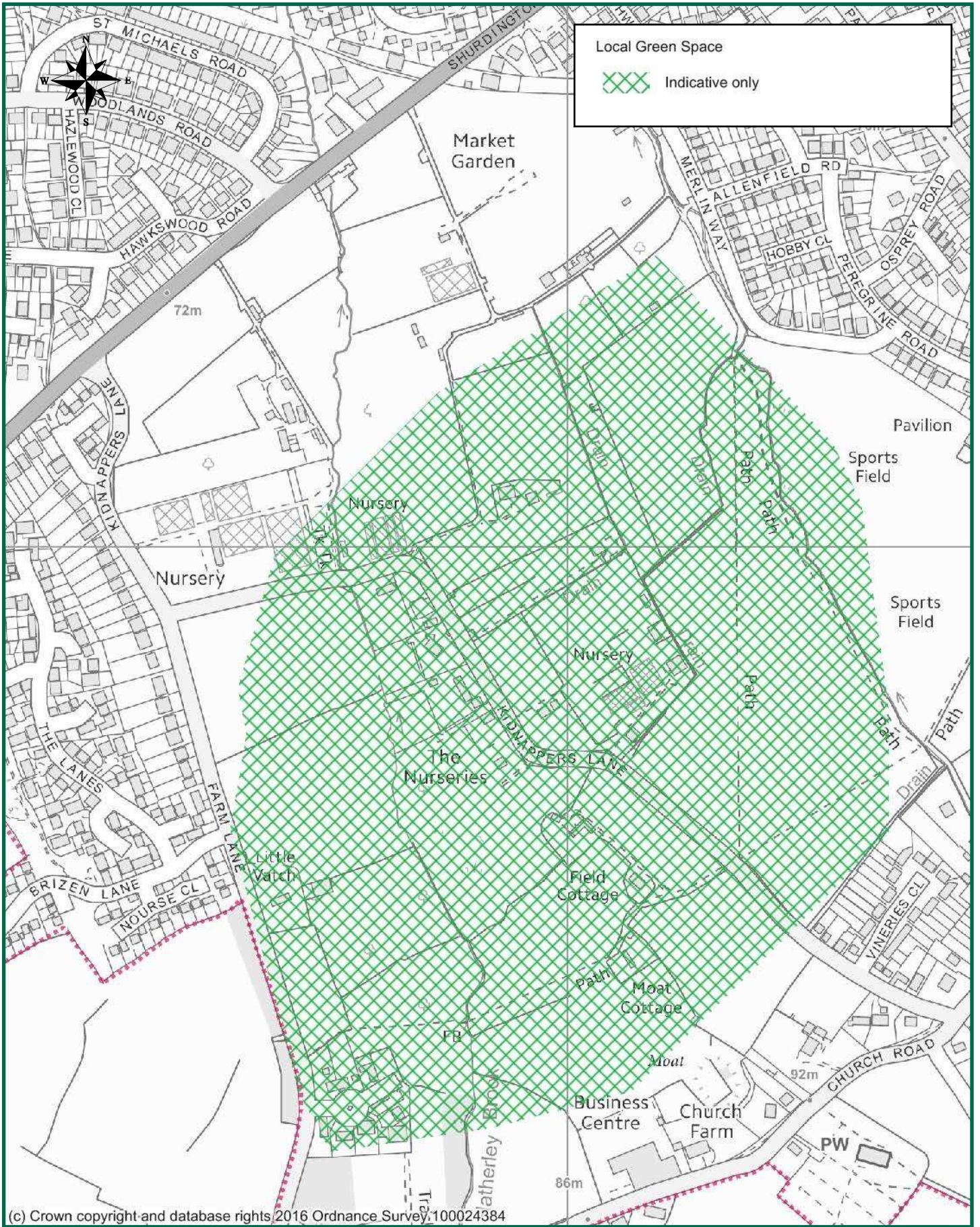


land at Hesters Way Community Centre

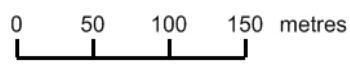
06 October 2016







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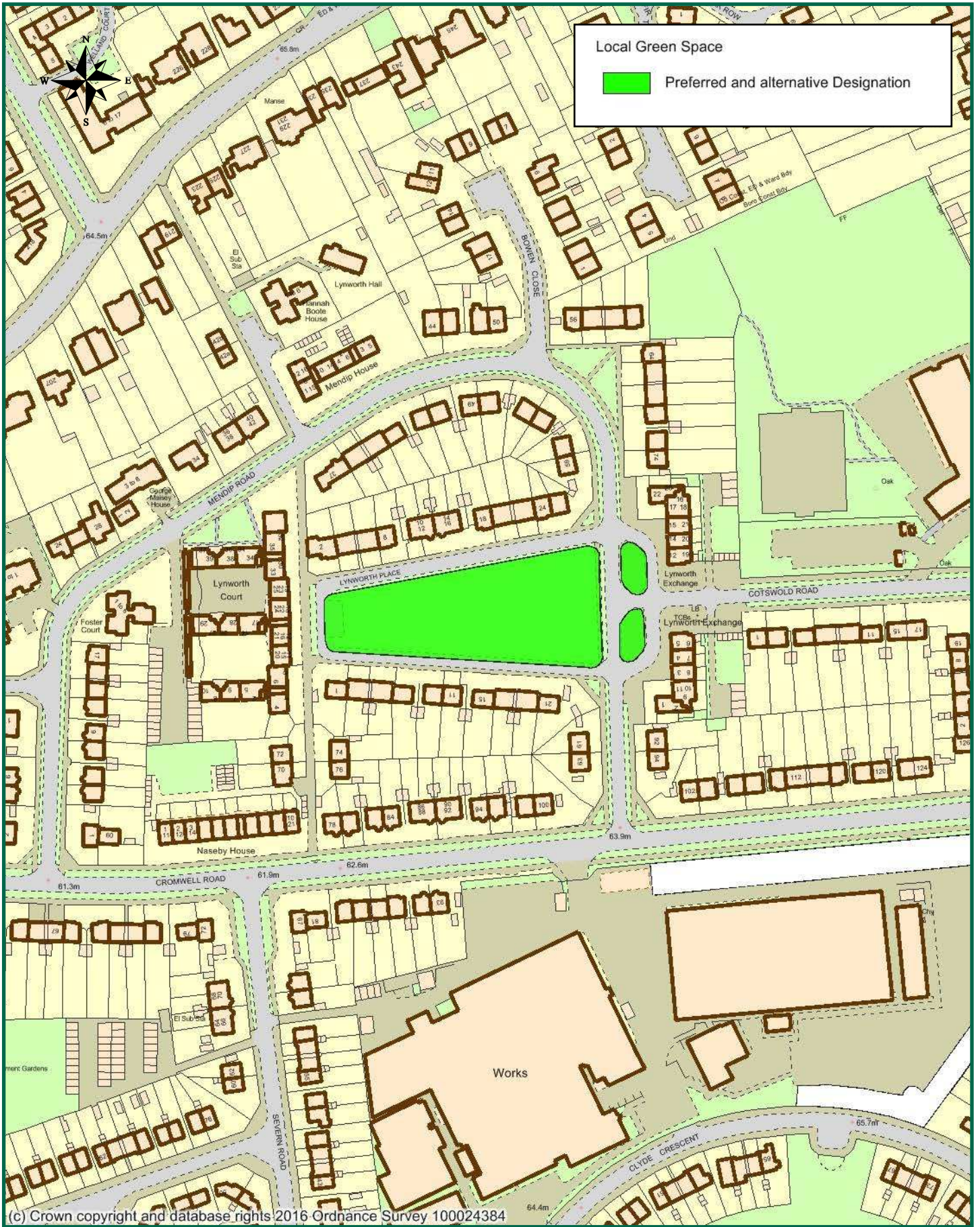


land at Leckhampton

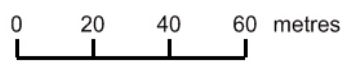
20 October 2016







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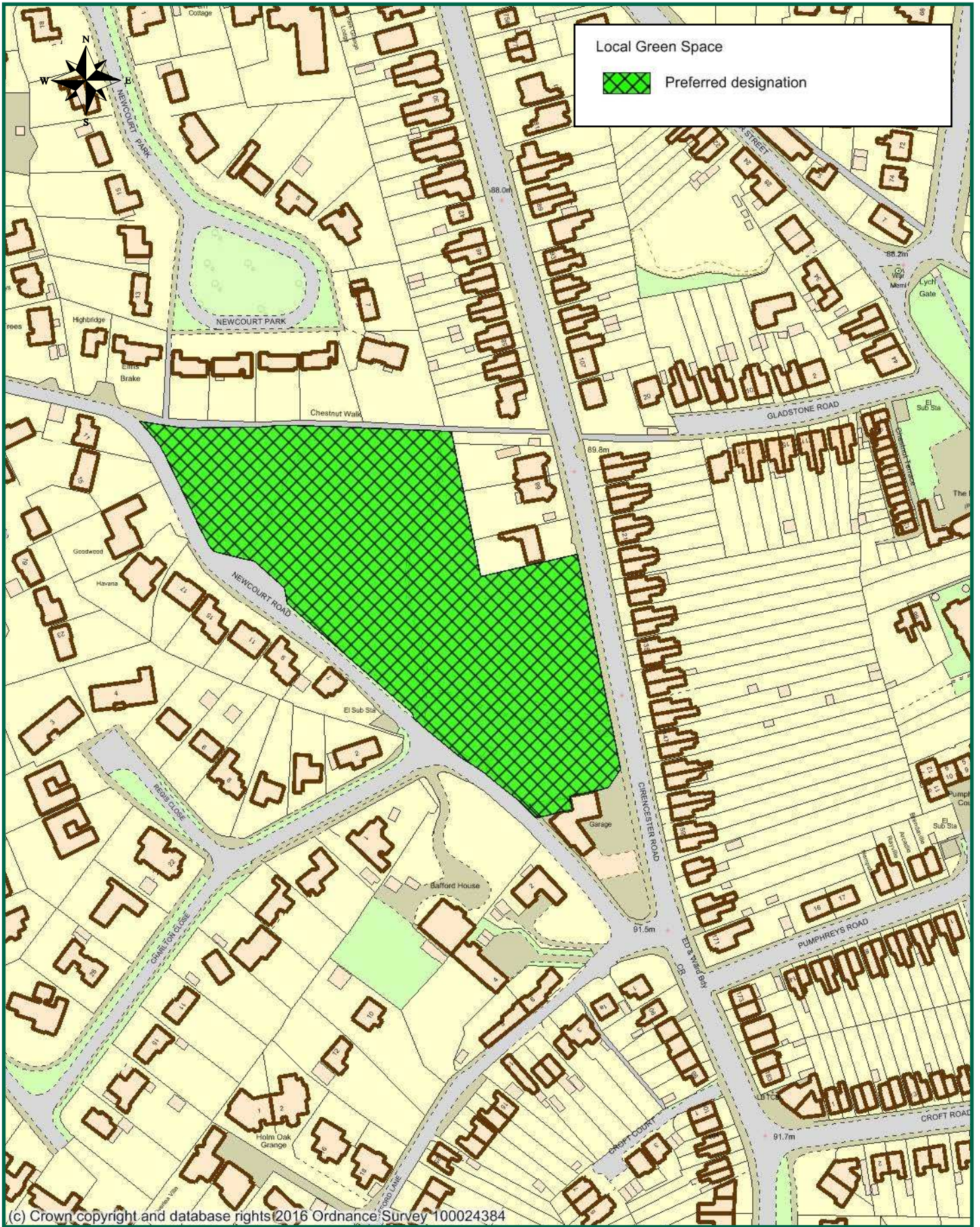


land at Lynworth Green

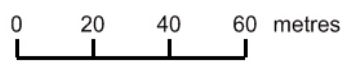
06 October 2016







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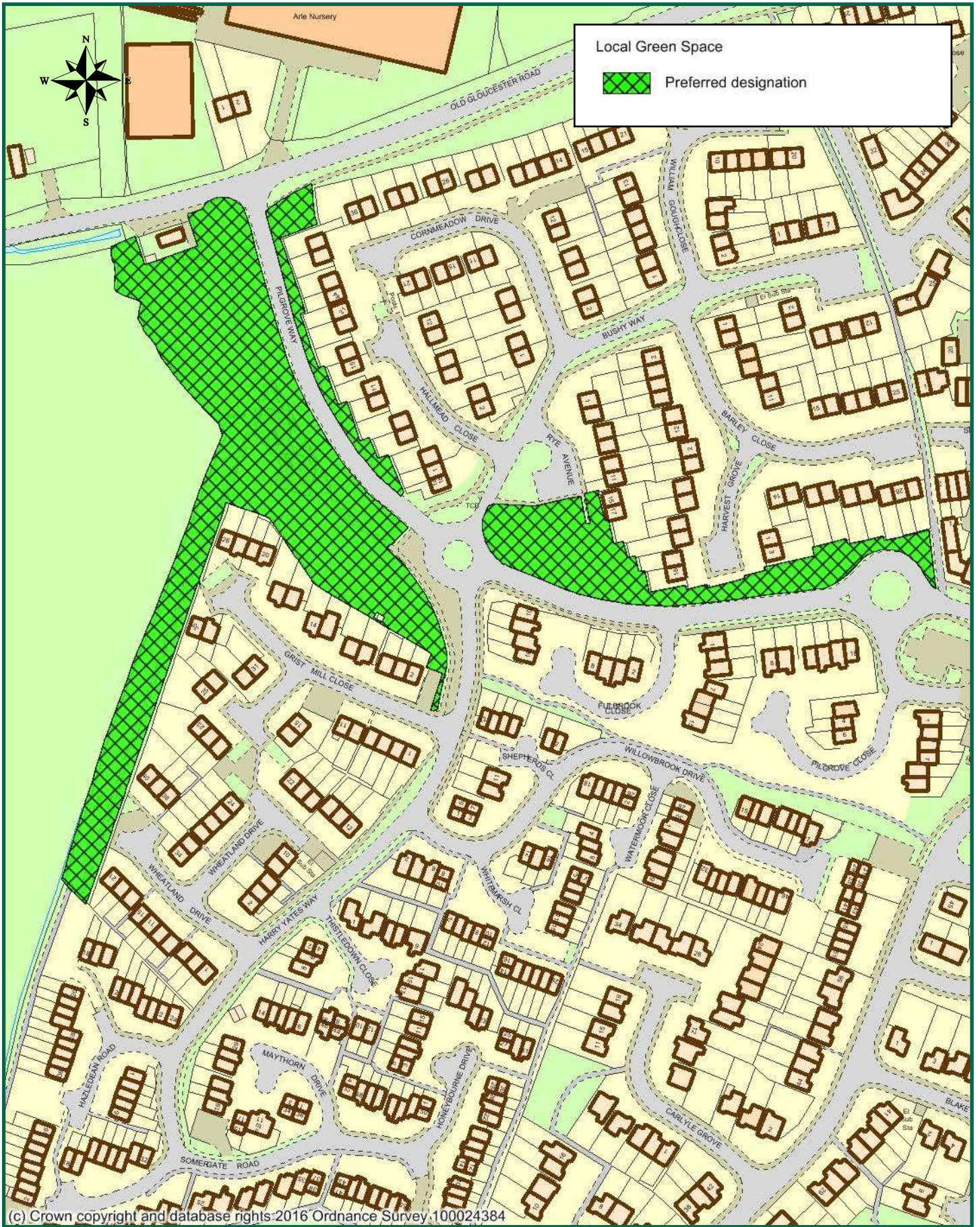


land at Newcourt Green

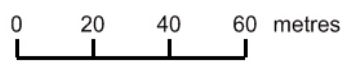
06 October 2016







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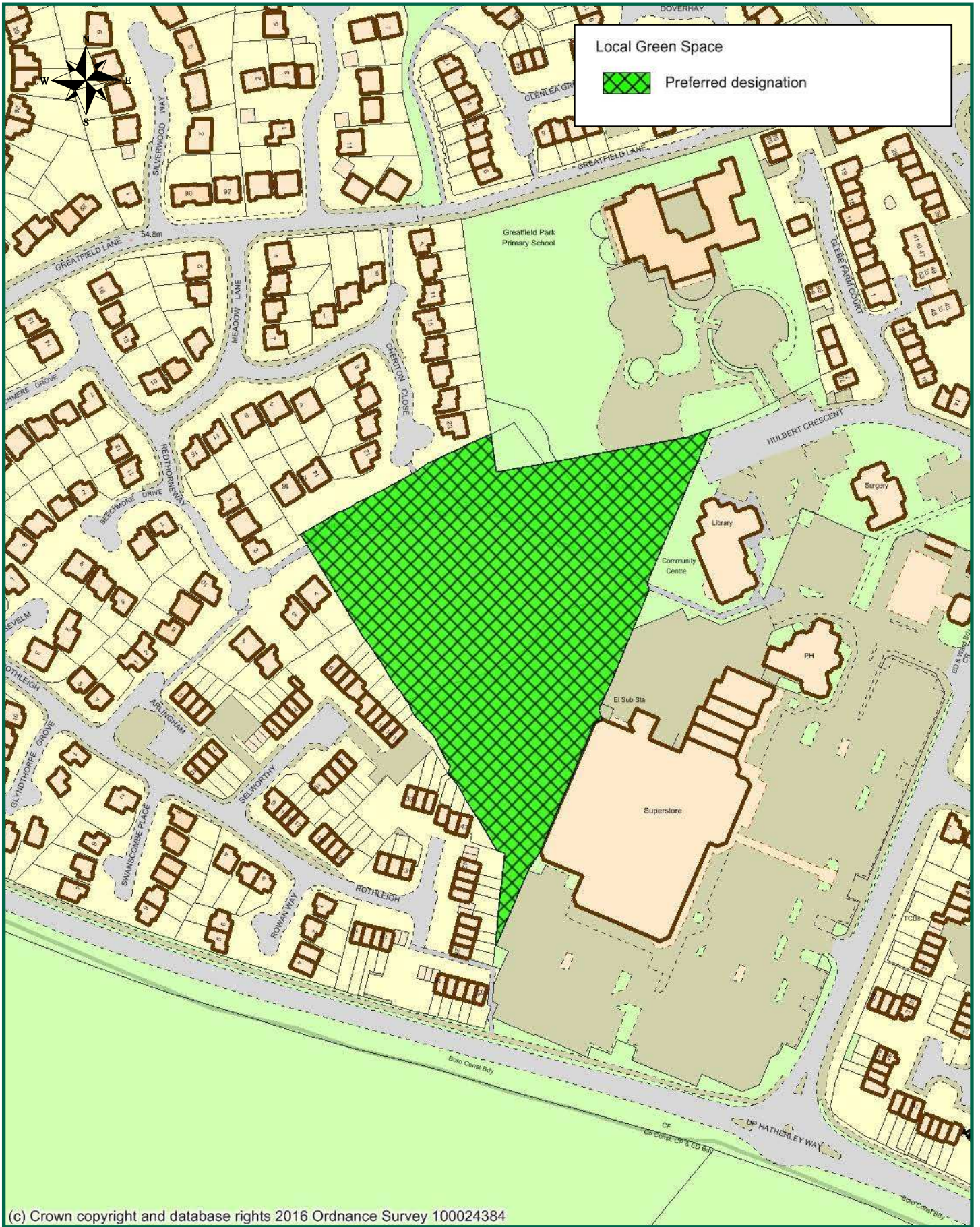


land at Pilgrove

06 October 2016







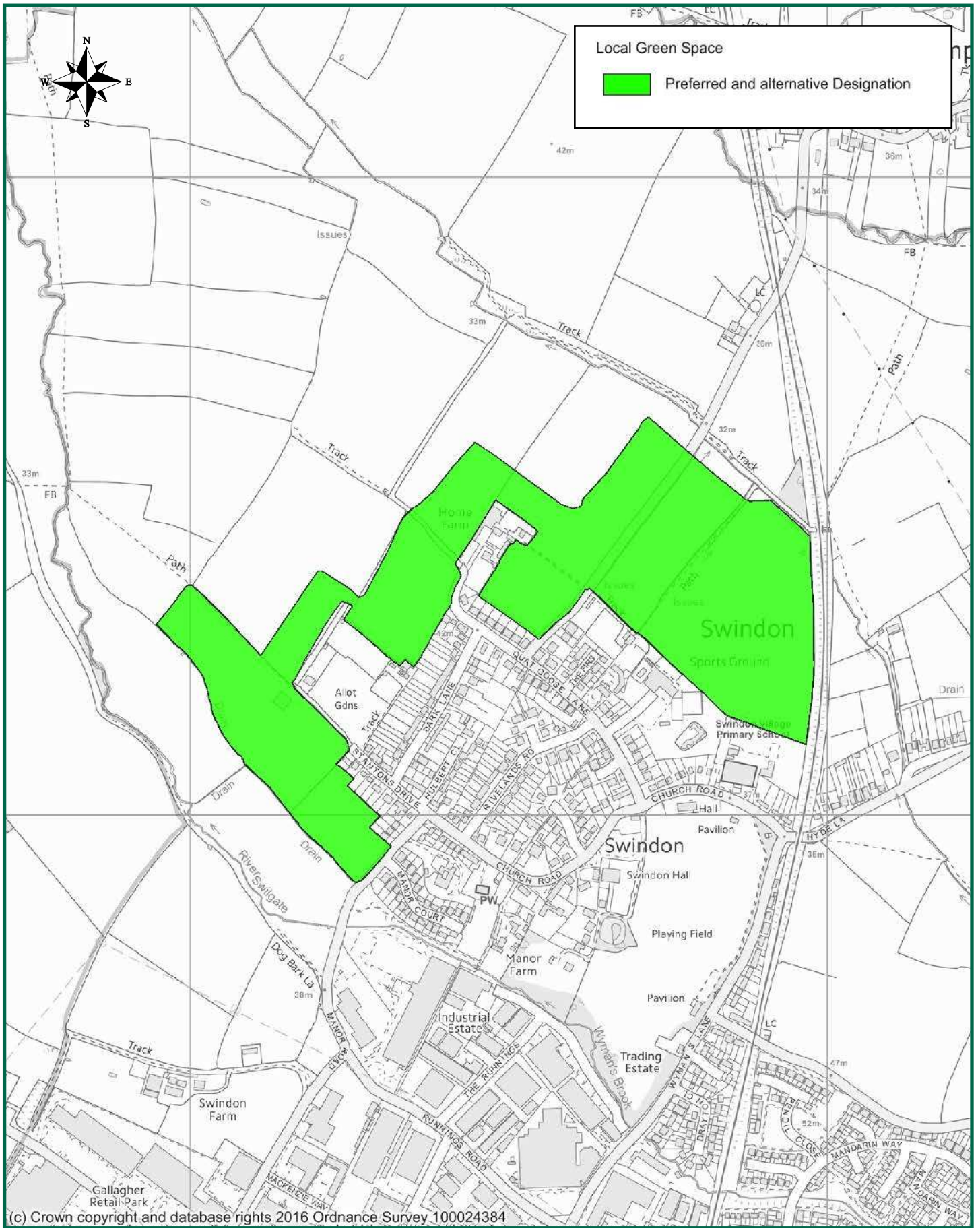
0 20 40 60 metres

land at Redthorne Way

06 October 2016







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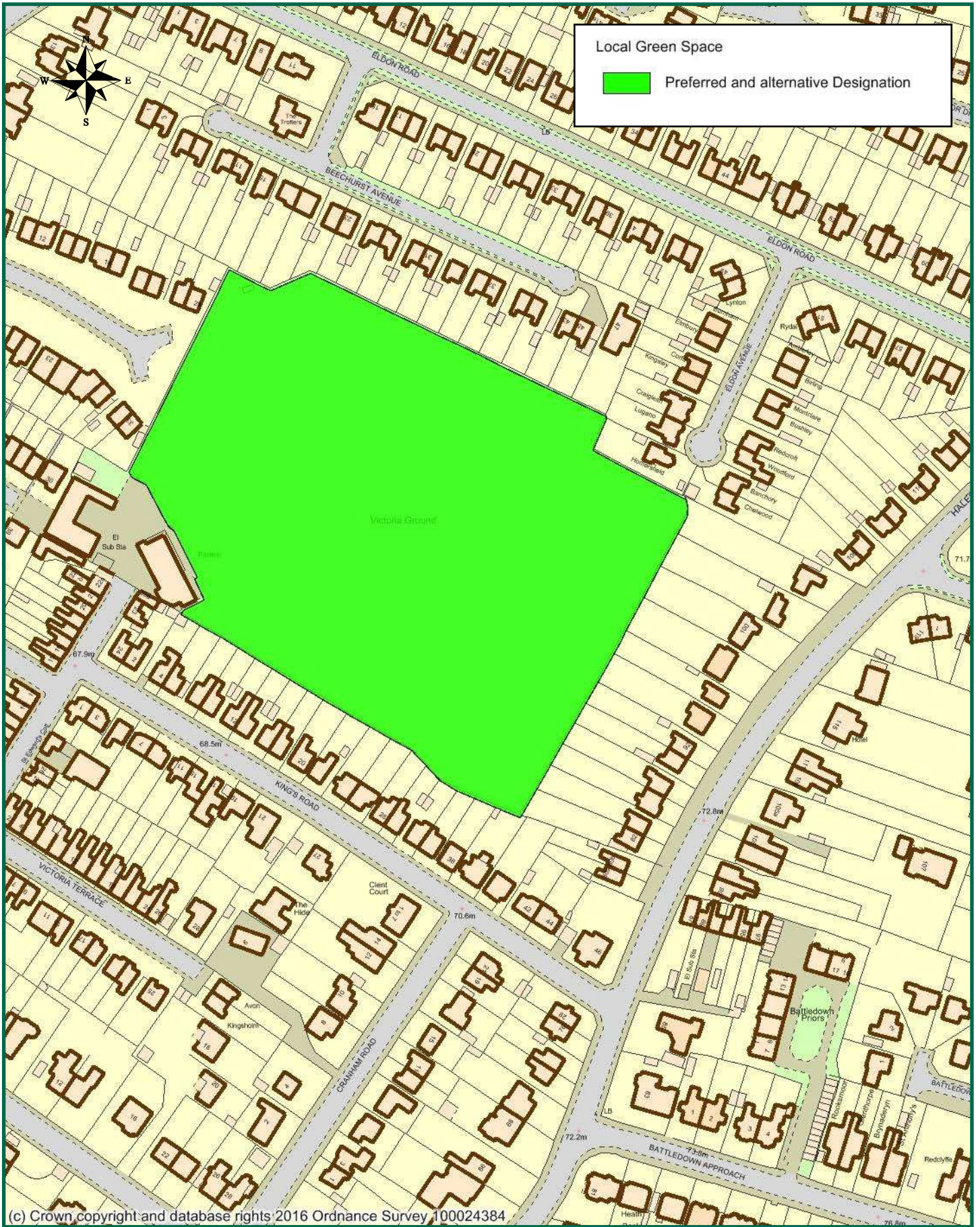
0 50 100 150 metres

land at Swindon Village

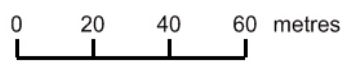
06 October 2016







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land at Victoria Cricket Ground

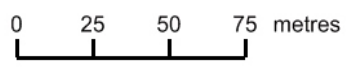
06 October 2016







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land at 196 – 102 Prestbury Road

06 October 2016







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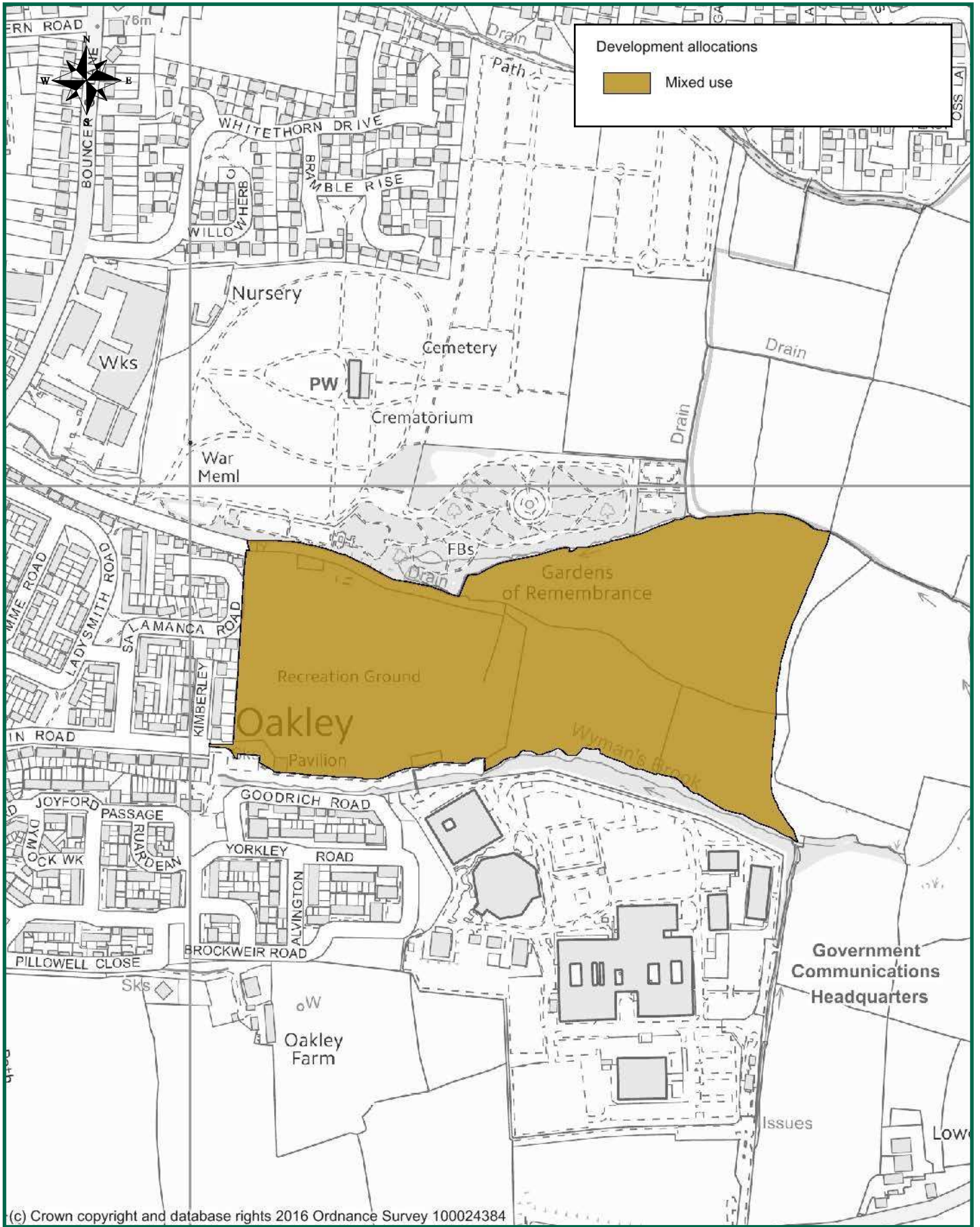
0 25 50 75 metres

land at Coronation Square

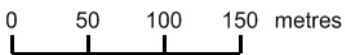
06 October 2016







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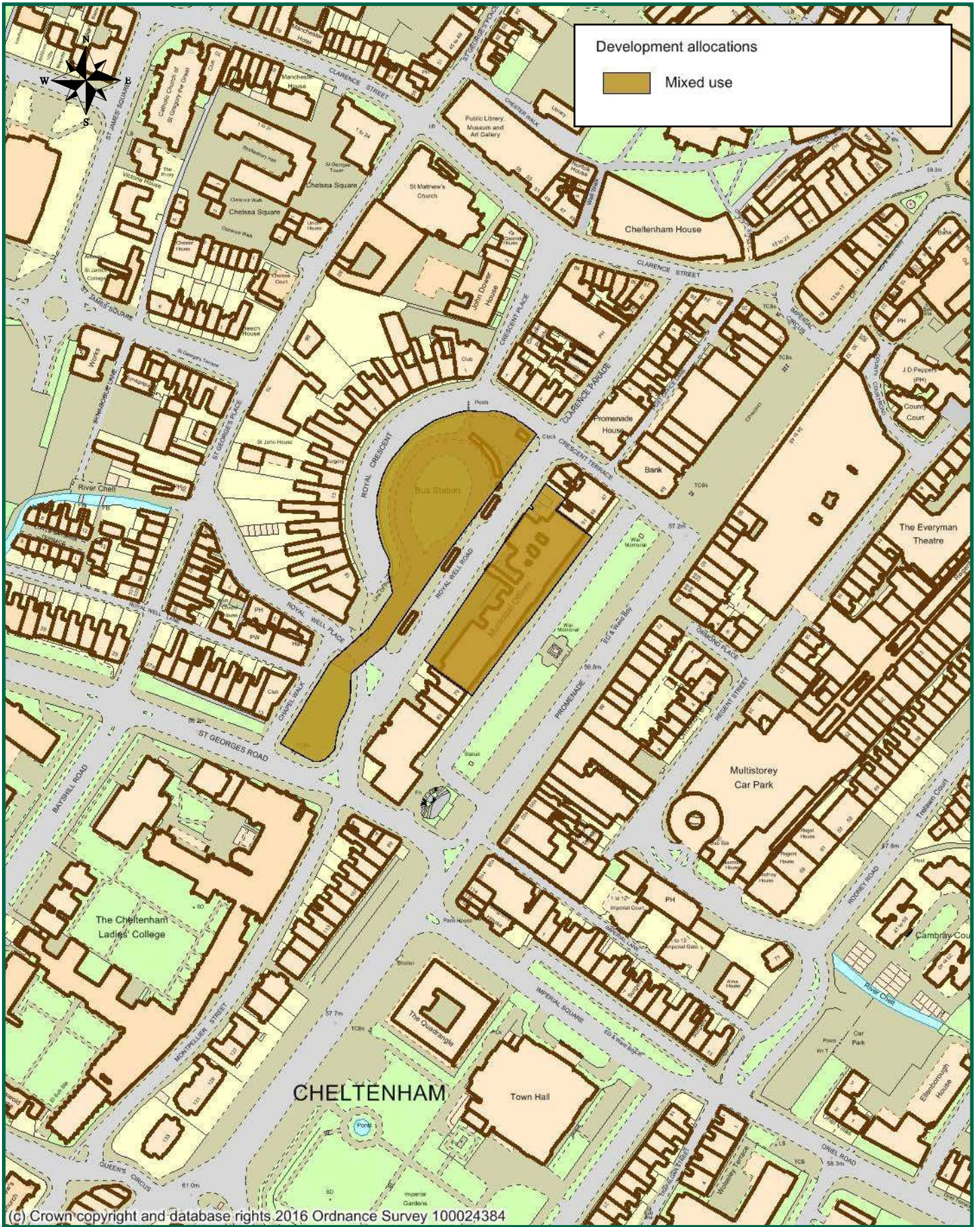


land at Priors Farm Fields

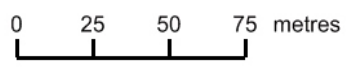
06 October 2016







(c) Crown copyright and database rights 2016 Ordnance Survey 100024384

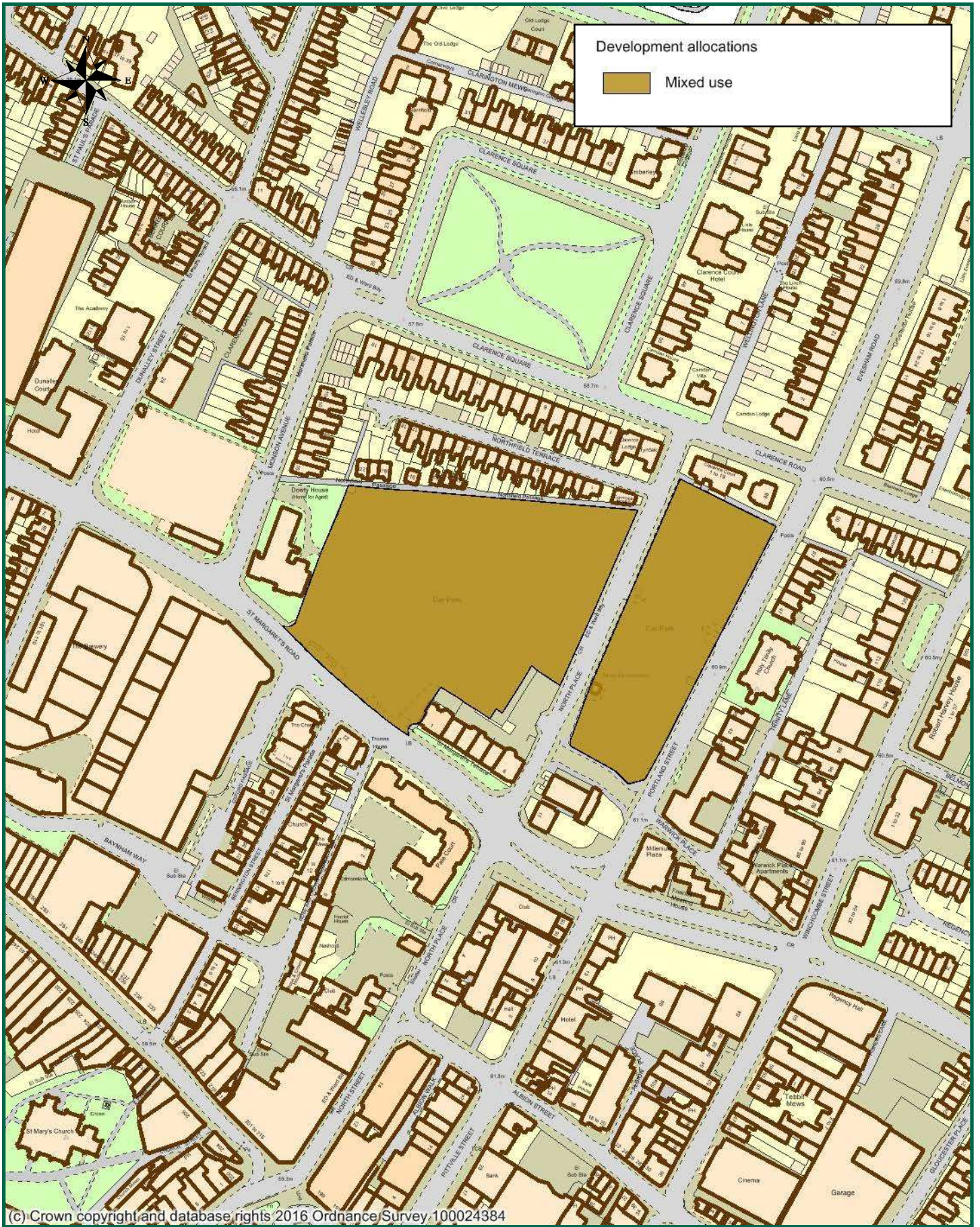


land at Royal Well and Municipal Offices

06 October 2016







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0 25 50 75 metres

North Place and Portland Place

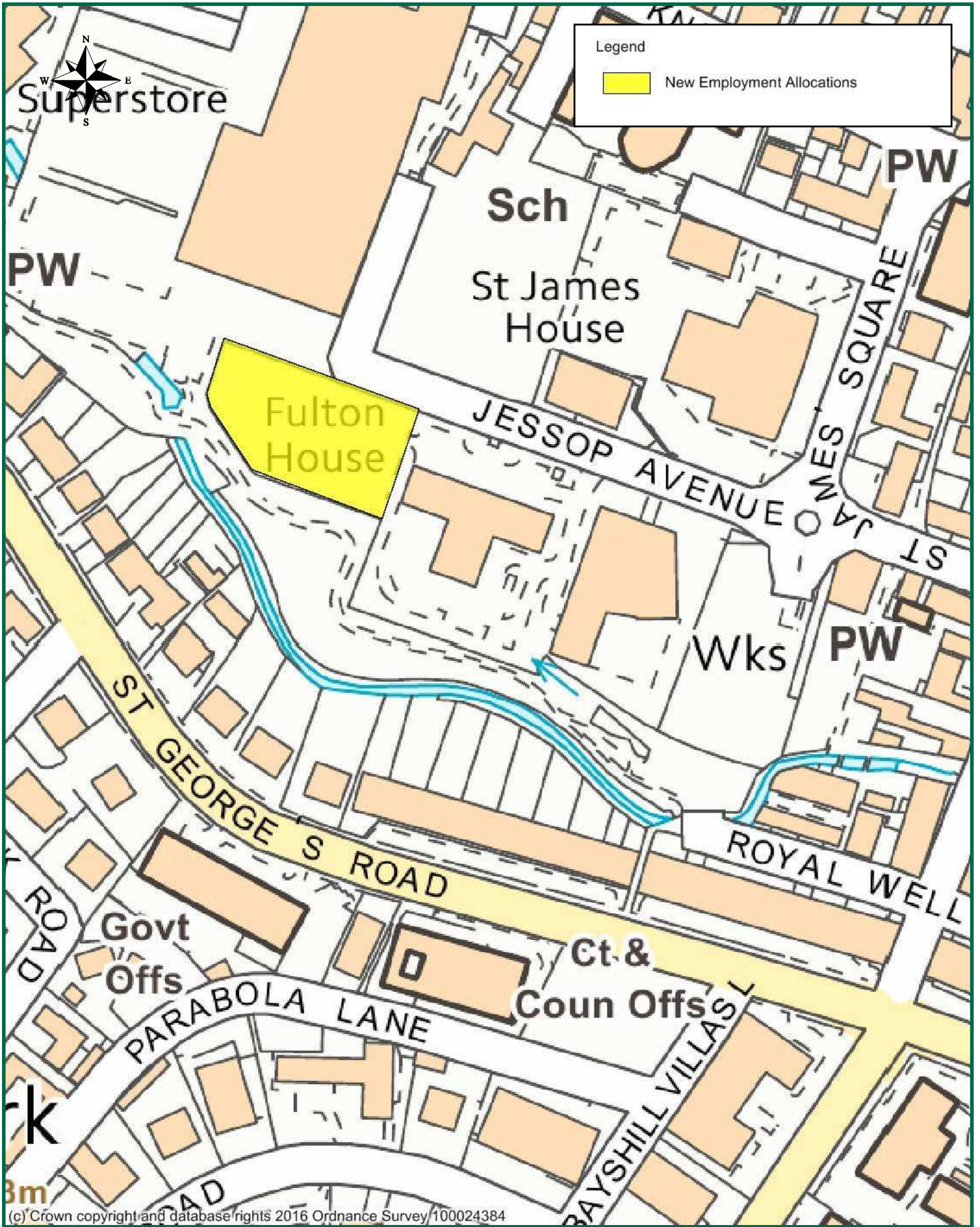
06 October 2016



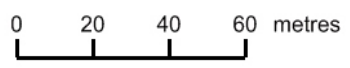
CHELTEMHAM  
BOROUGH COUNCIL







(c) Crown copyright and database rights 2016 Ordnance Survey 100024384

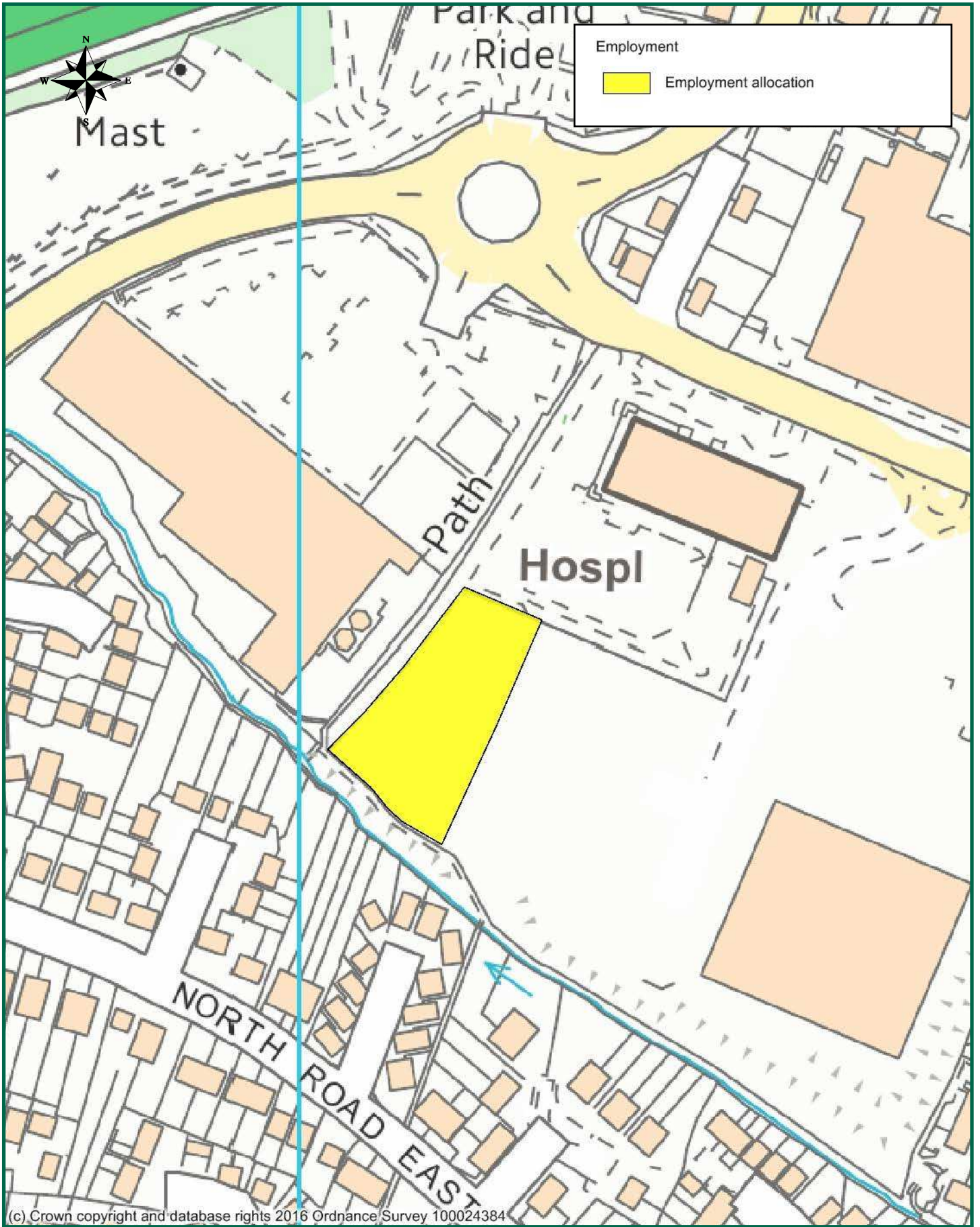


Jessop Avenue (E1)

06 October 2016







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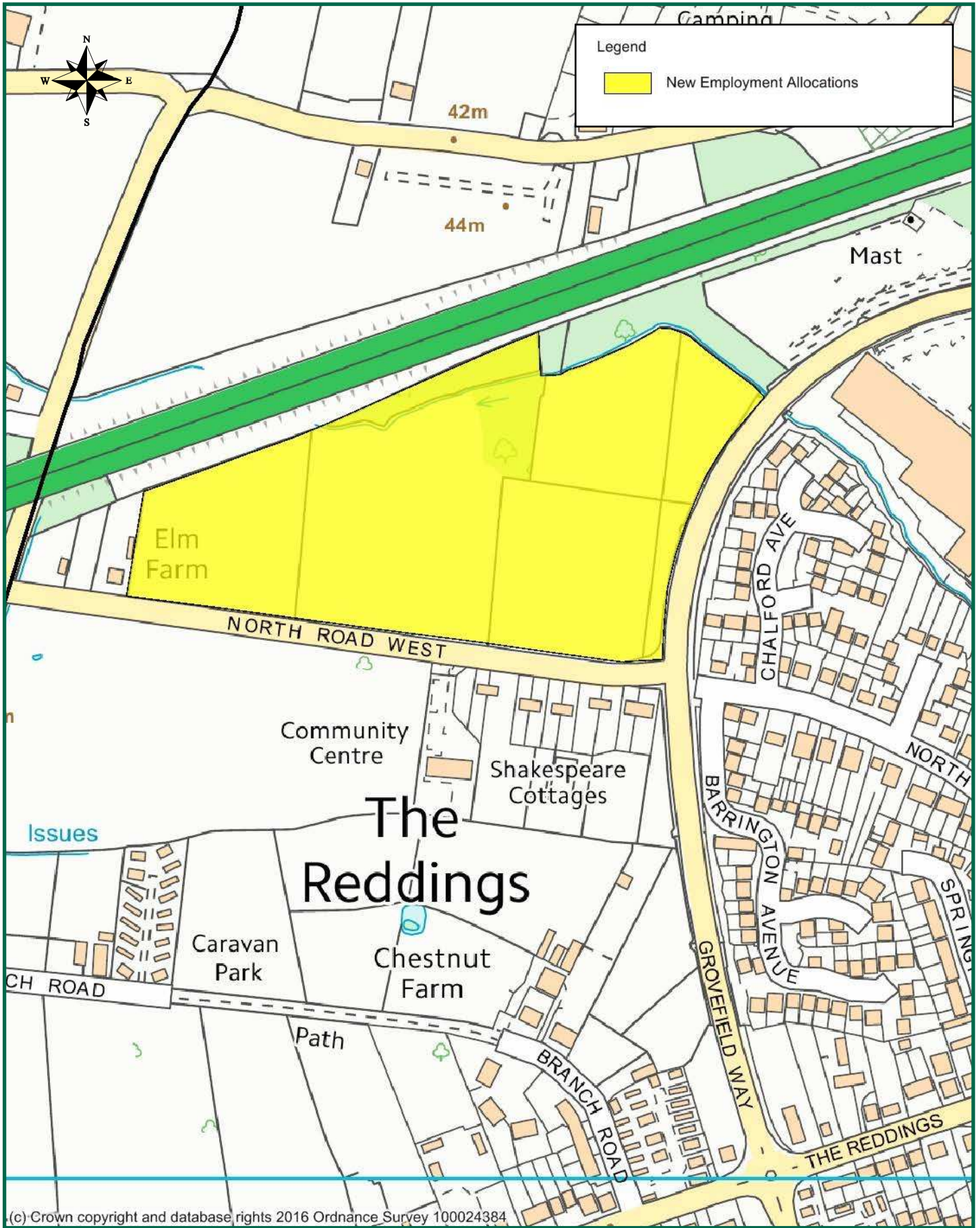
0 20 40 60 metres

Hatherley Lane, The Reddings (E2)

15 November 2016







0 25 50 75 metres

06 October 2016

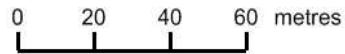
**Land North West of Grovefield Way  
The Reddings (E3)**



**CHELTEMHAM**  
BOROUGH COUNCIL



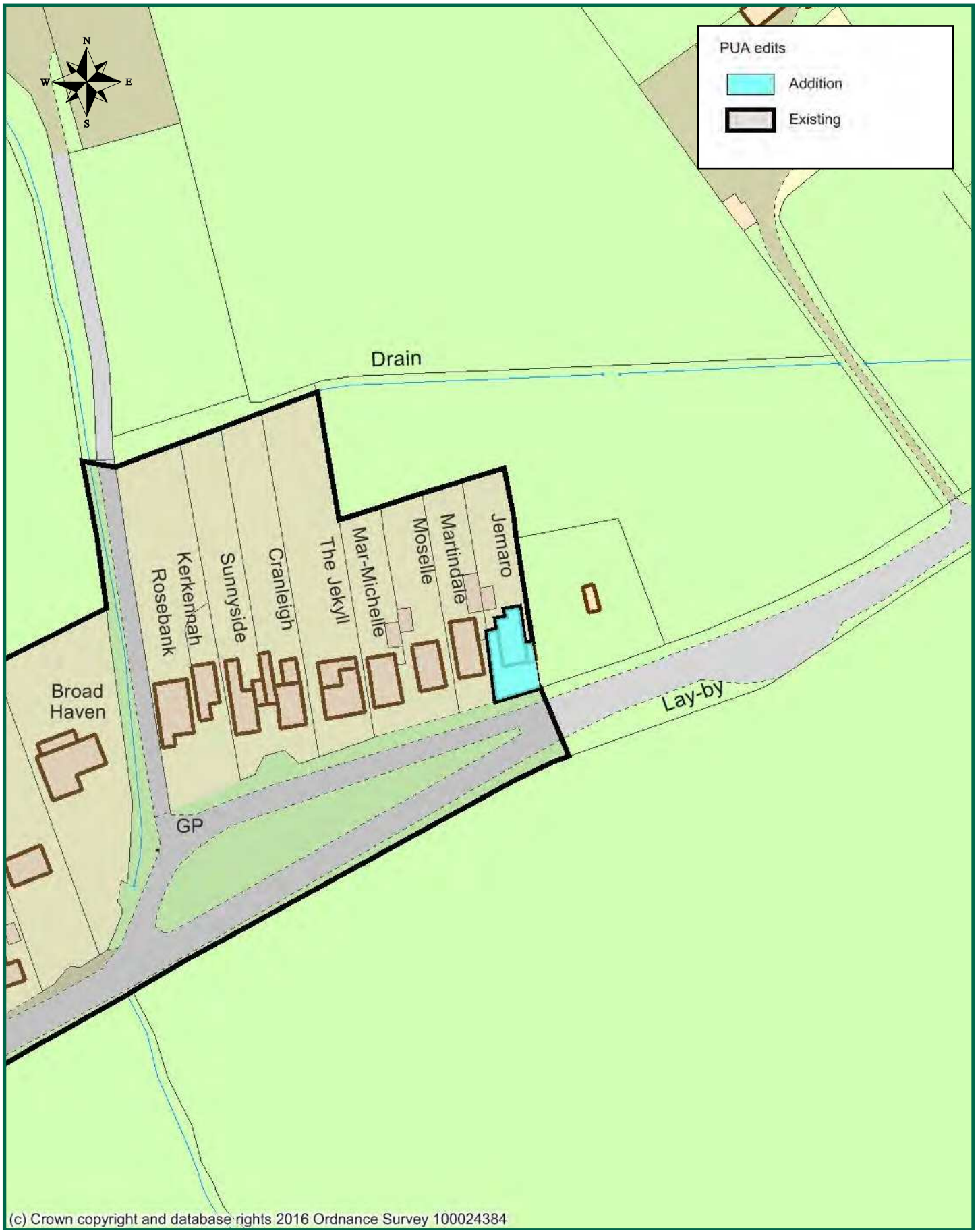




06 October 2016

Principal Urban Area amendments - Ref 1





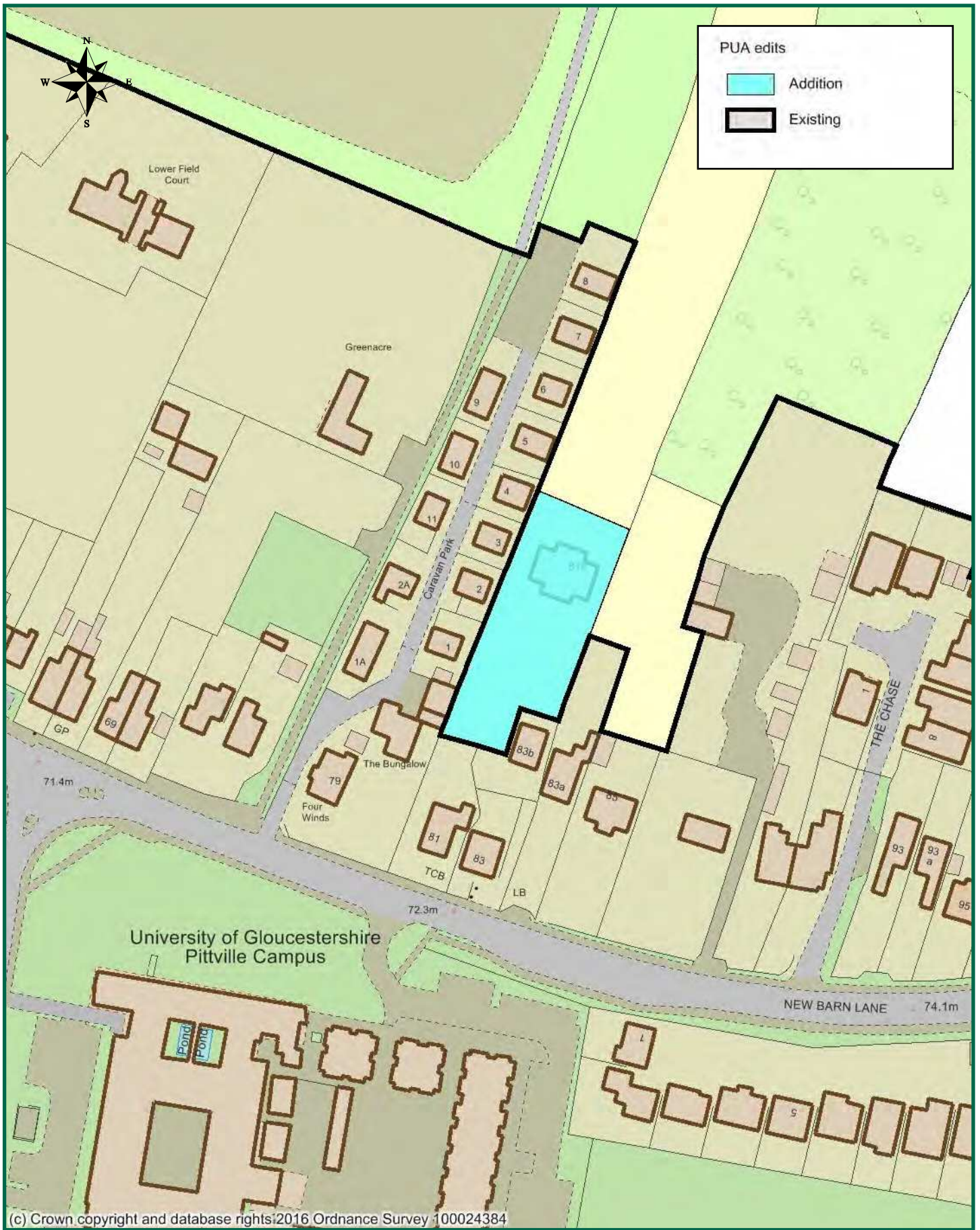
0 10 20 30 metres

Principal Urban Area amendments - Ref 2

06 October 2016







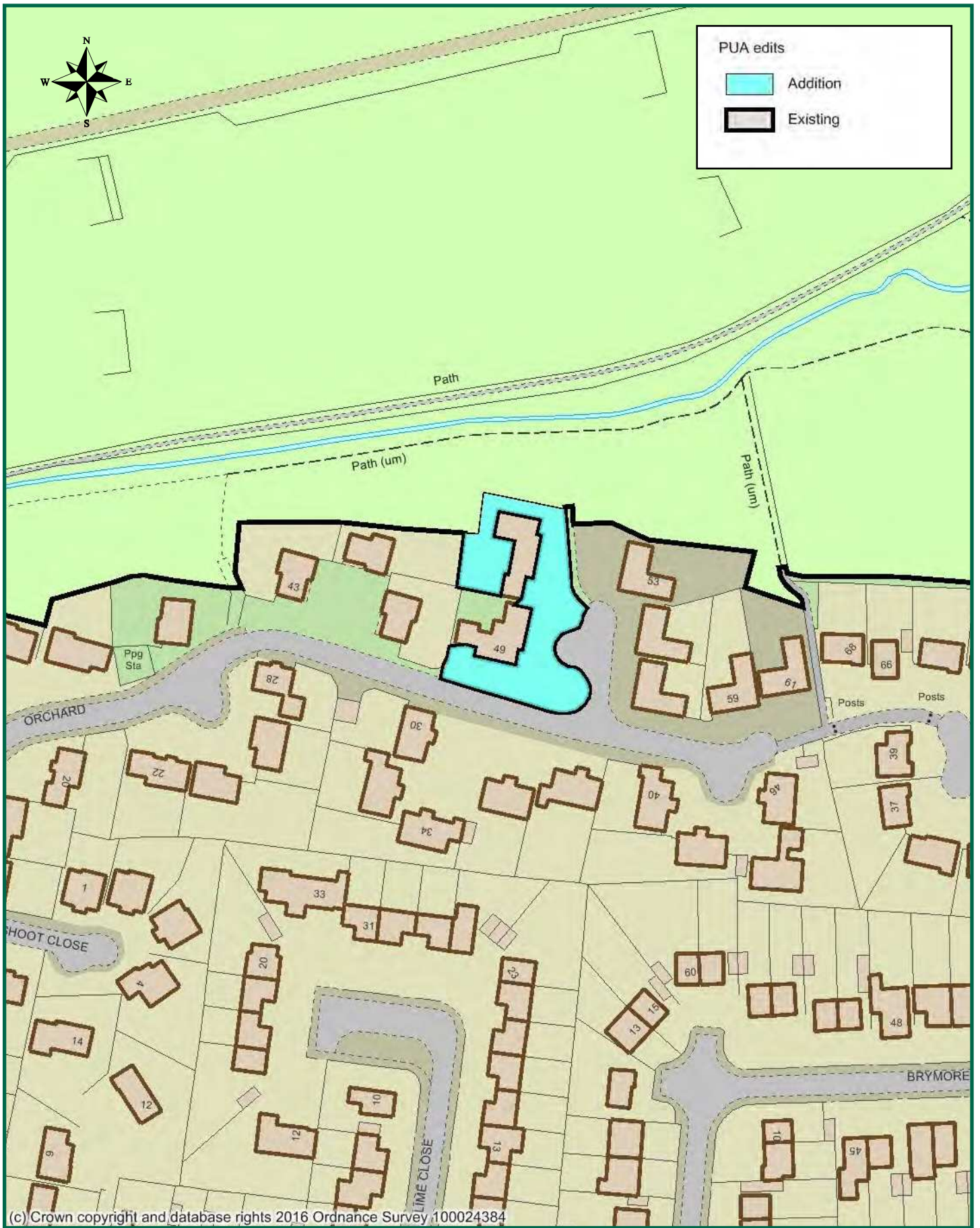
0 10 20 30 metres

Principal Urban Area amendments - Ref 3

06 October 2016







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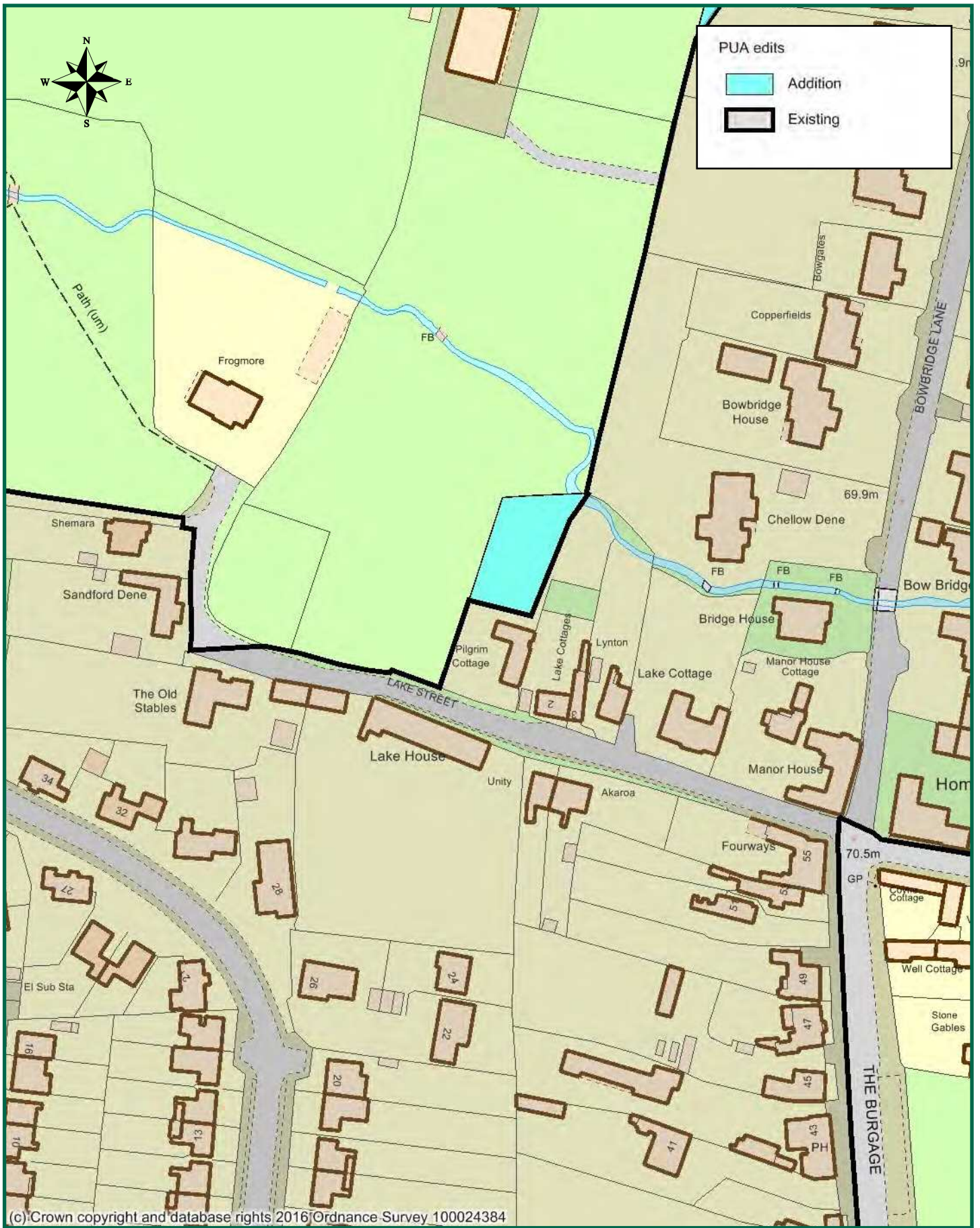
0 10 20 30 metres

Principal Urban Area amendments - Ref 4

06 October 2016







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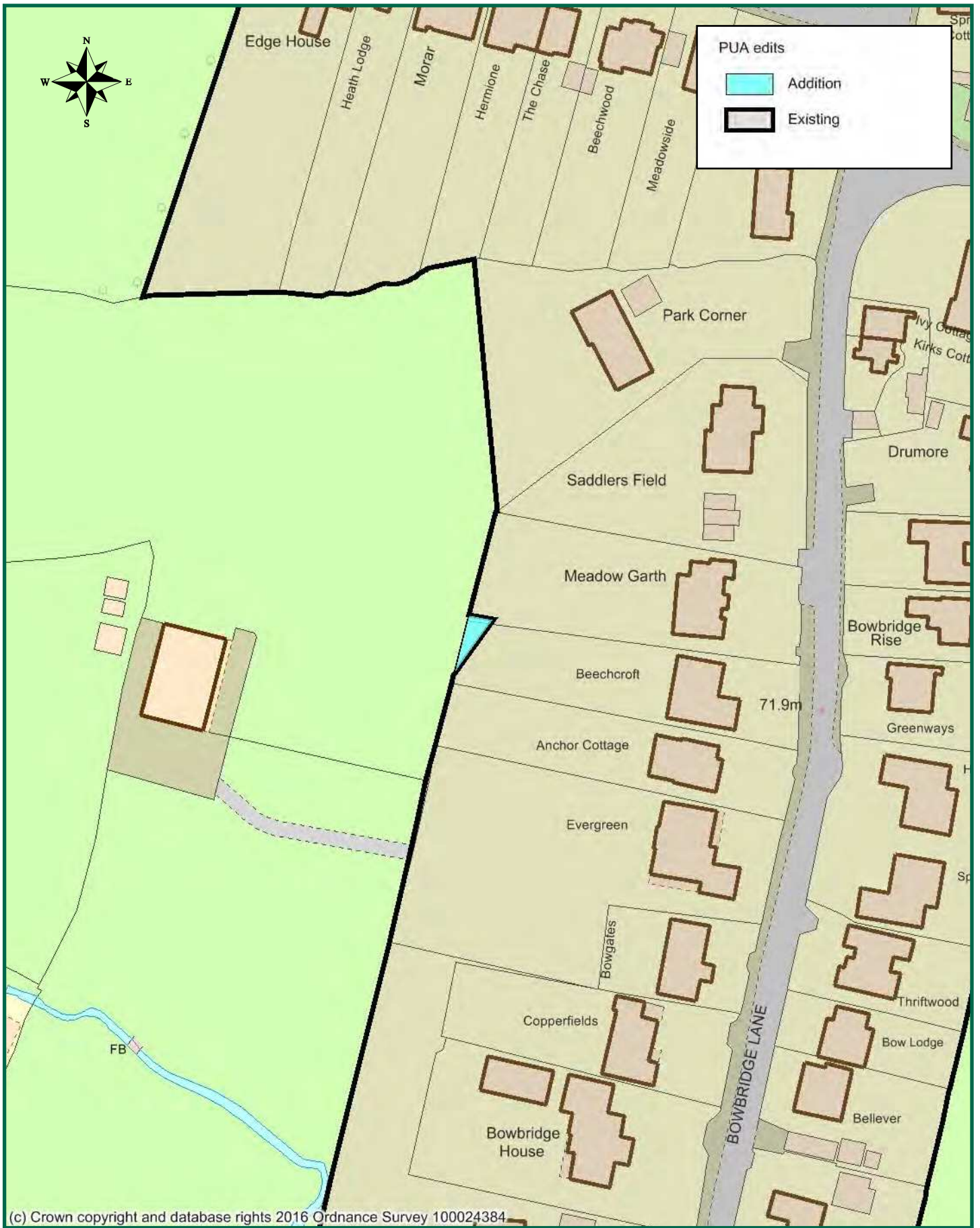
0 10 20 30 metres

Principal Urban Area amendments - Ref 5

06 October 2016







0 10 20 30 metres

Principal Urban Area amendments - Ref 6

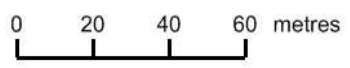
06 October 2016







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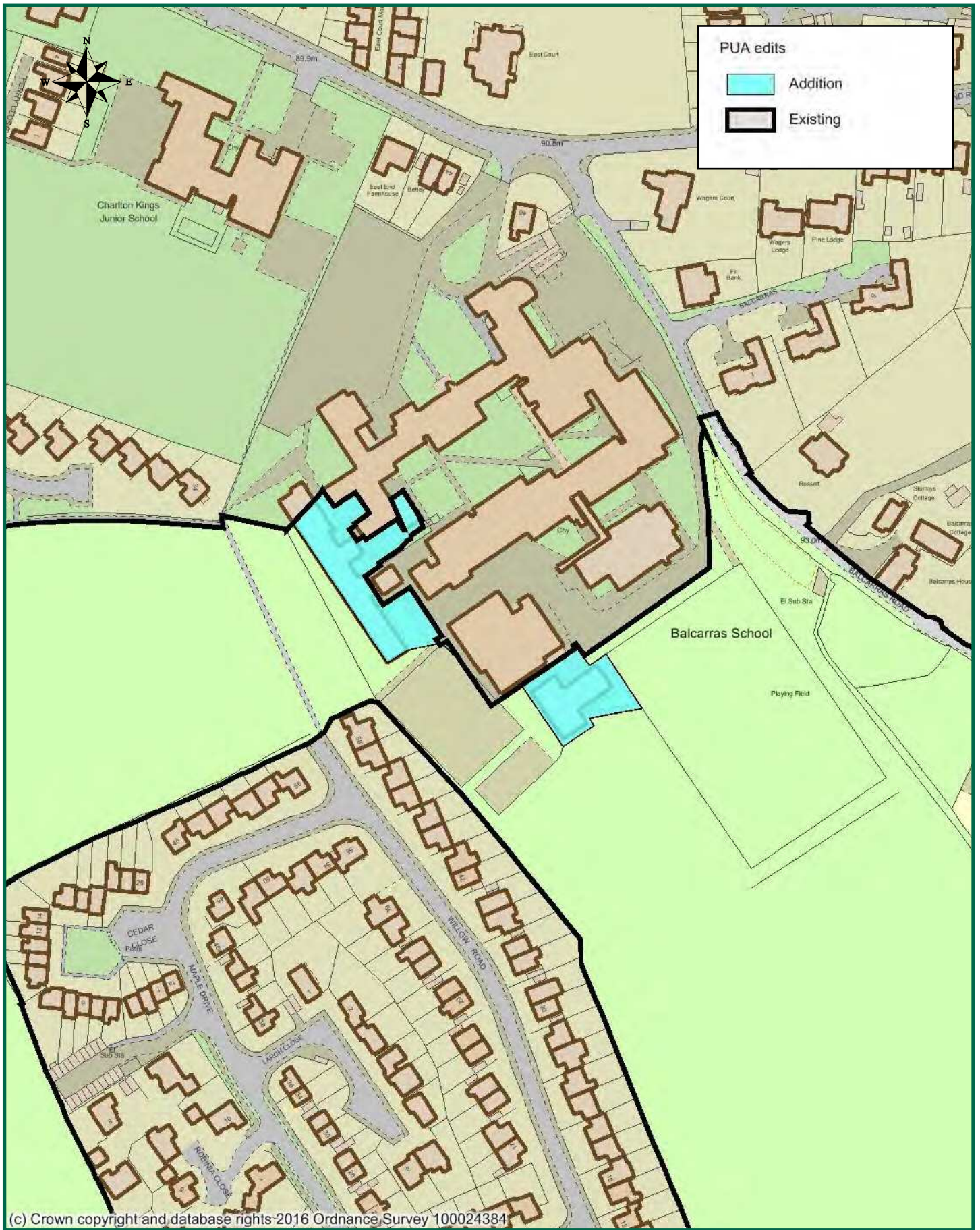


Principal Urban Area amendments - Ref 7

06 October 2016







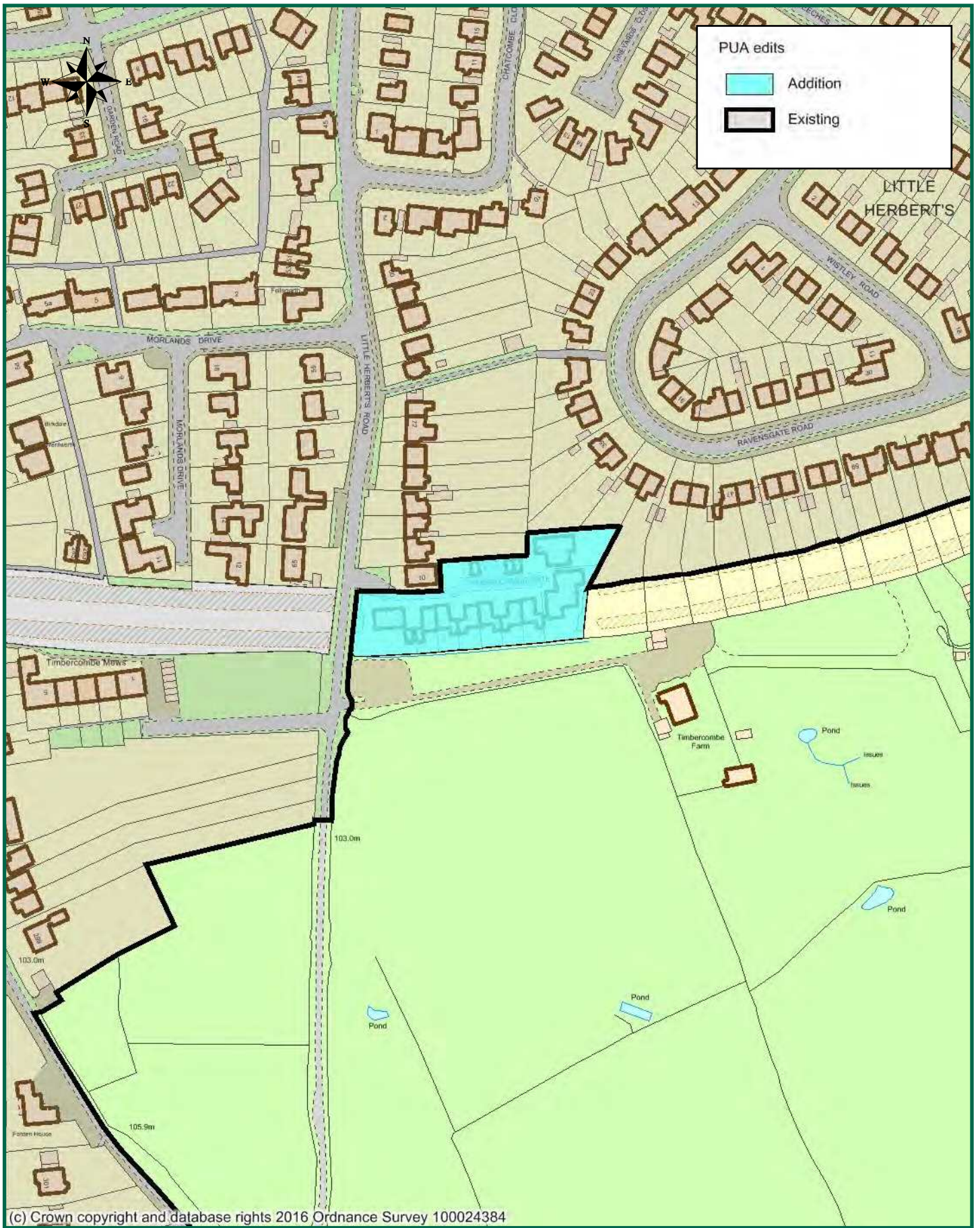
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Principal Urban Area amendments - Ref 8

06 October 2016







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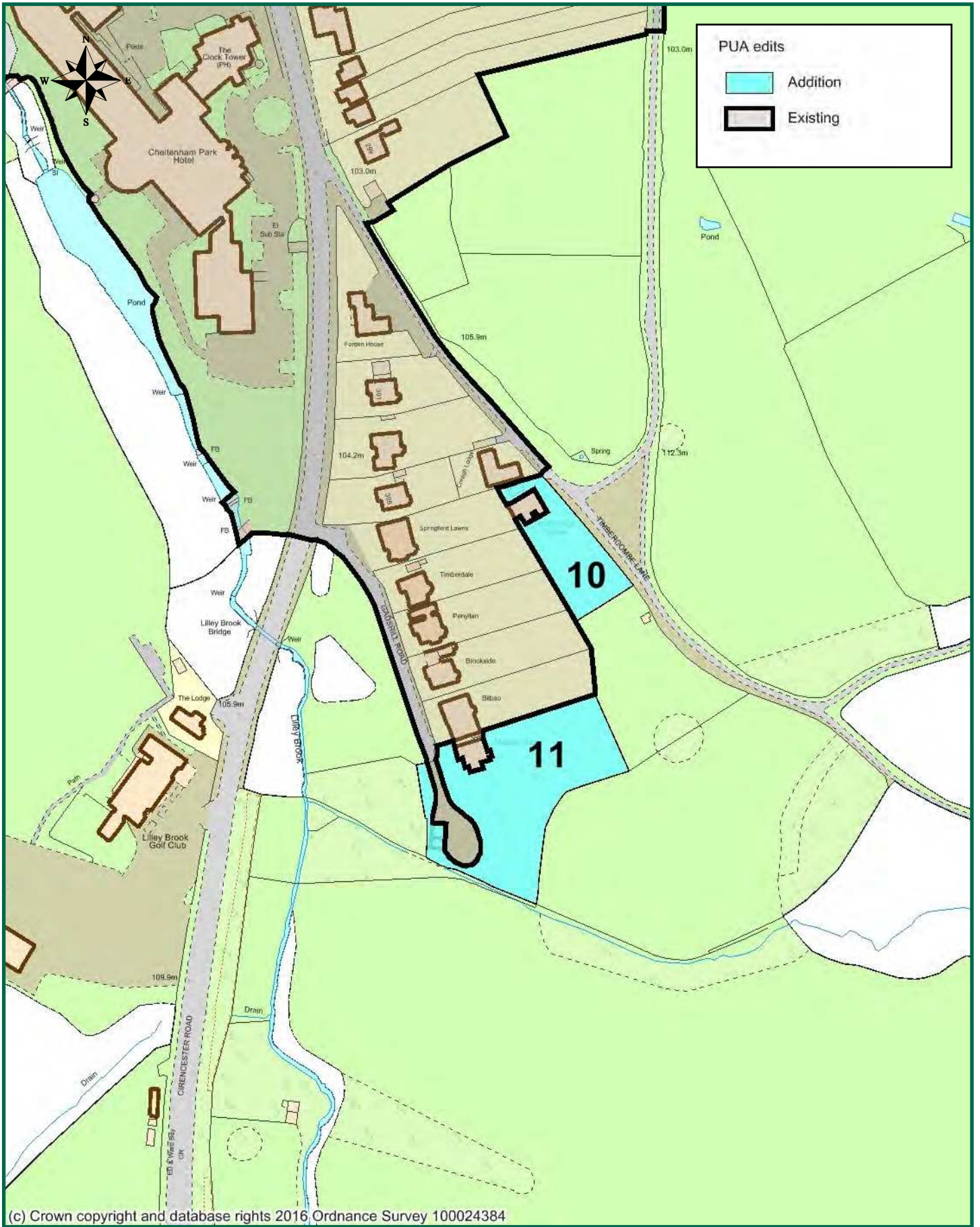
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Principal Urban Area amendments - Ref 9

06 October 2016







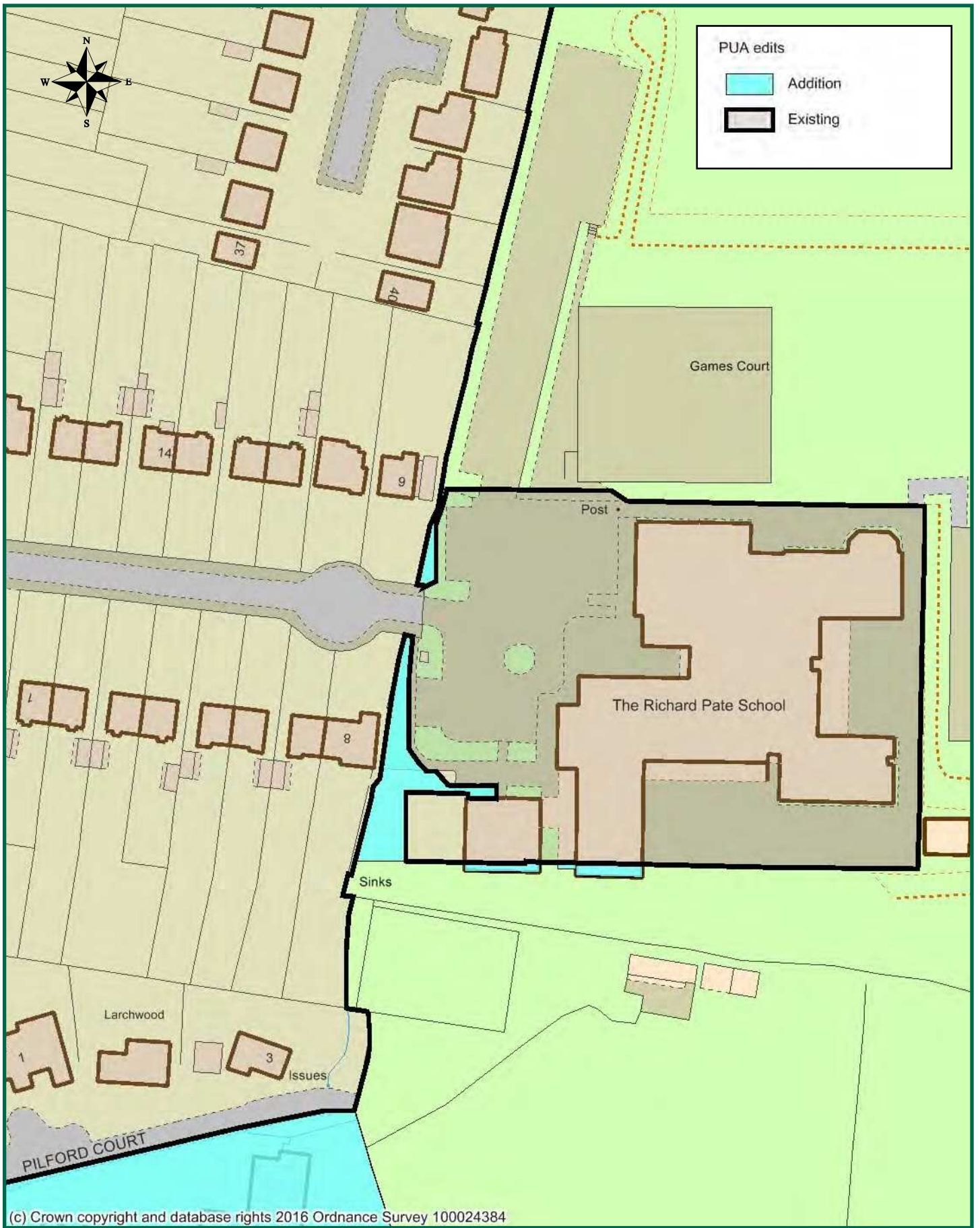
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Principal Urban Area amendments - Ref 10 & 11

06 October 2016





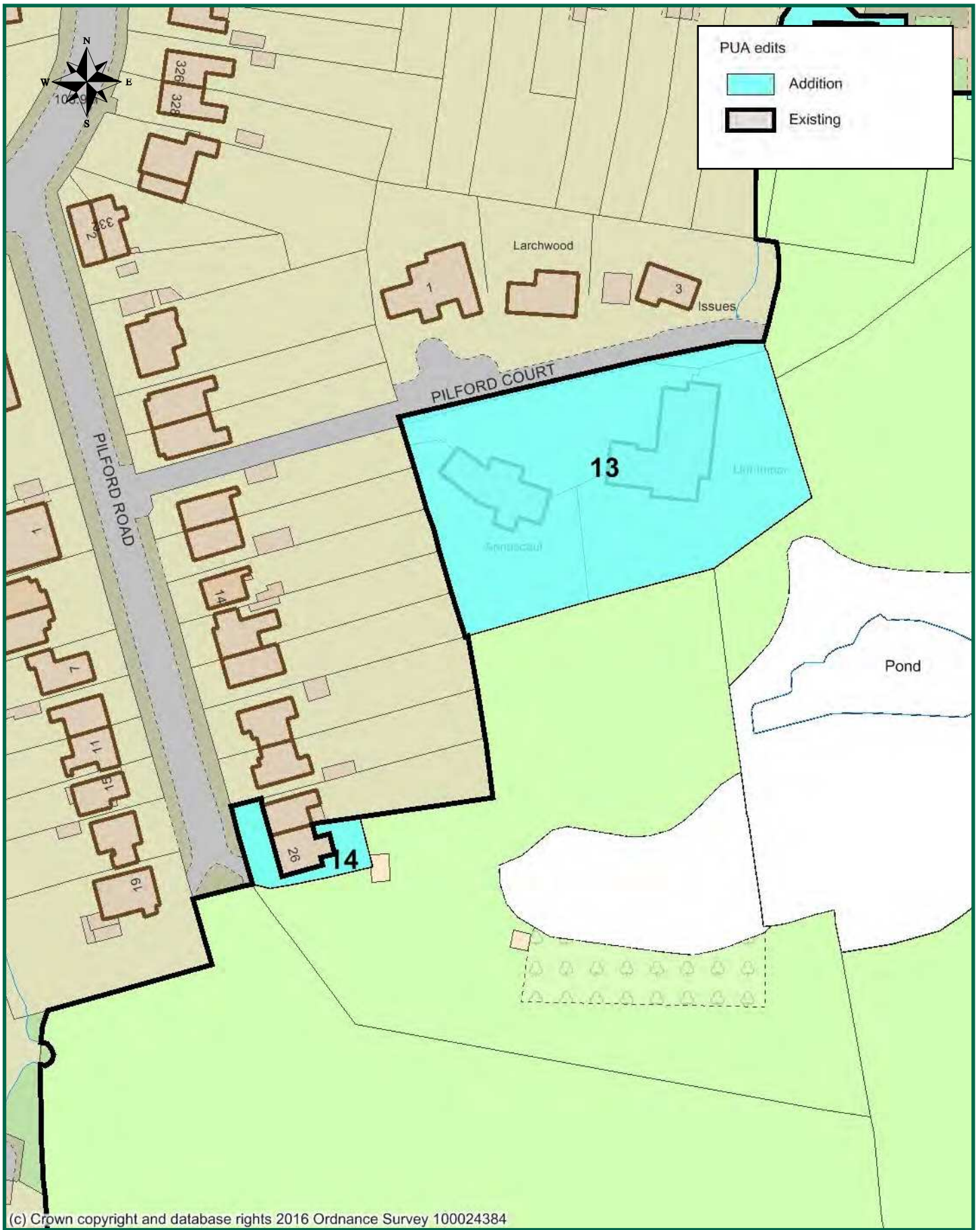


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Principal Urban Area amendments - Ref 12

06 October 2016



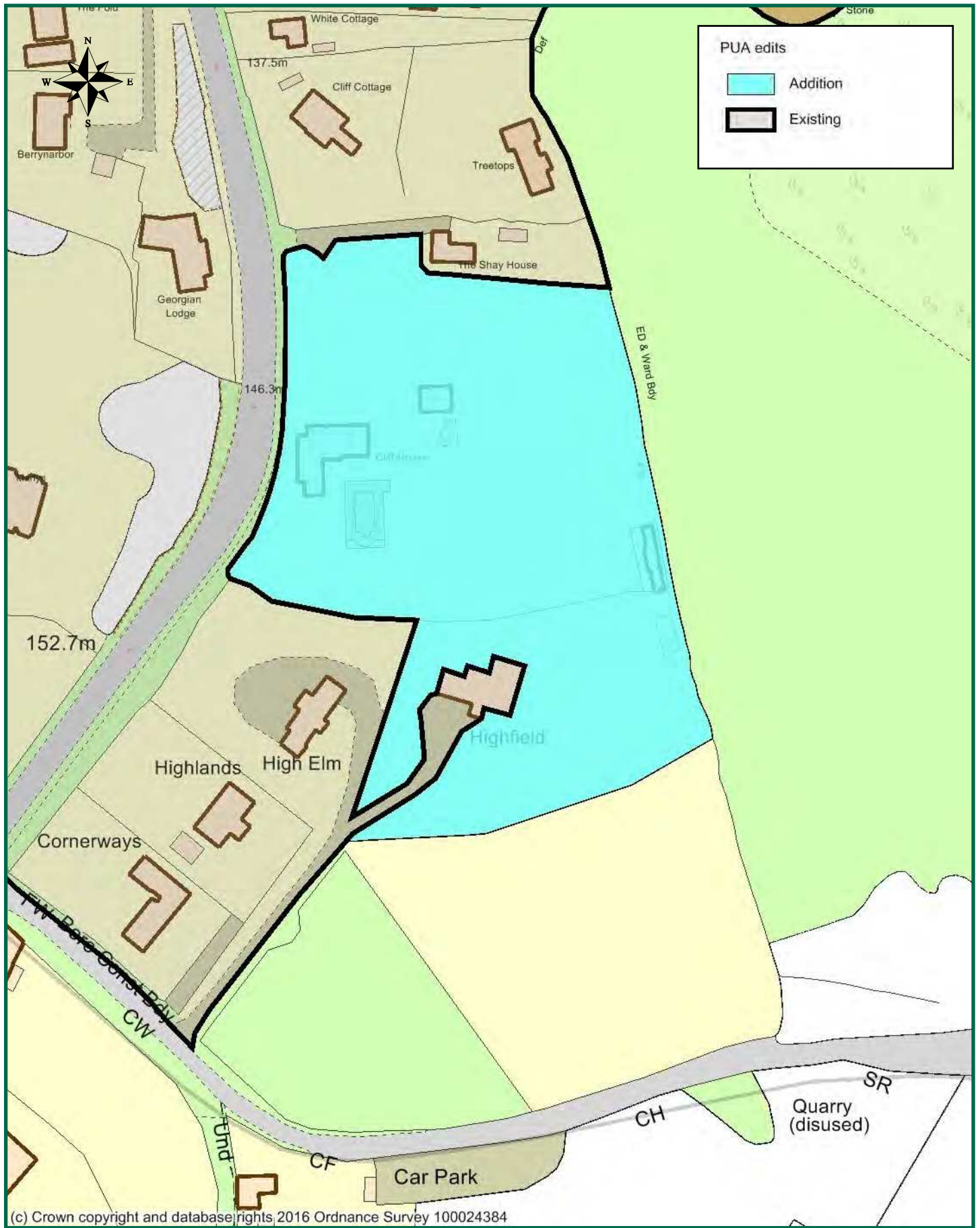


Principal Urban Area amendments - Ref 13 & 14

06 October 2016







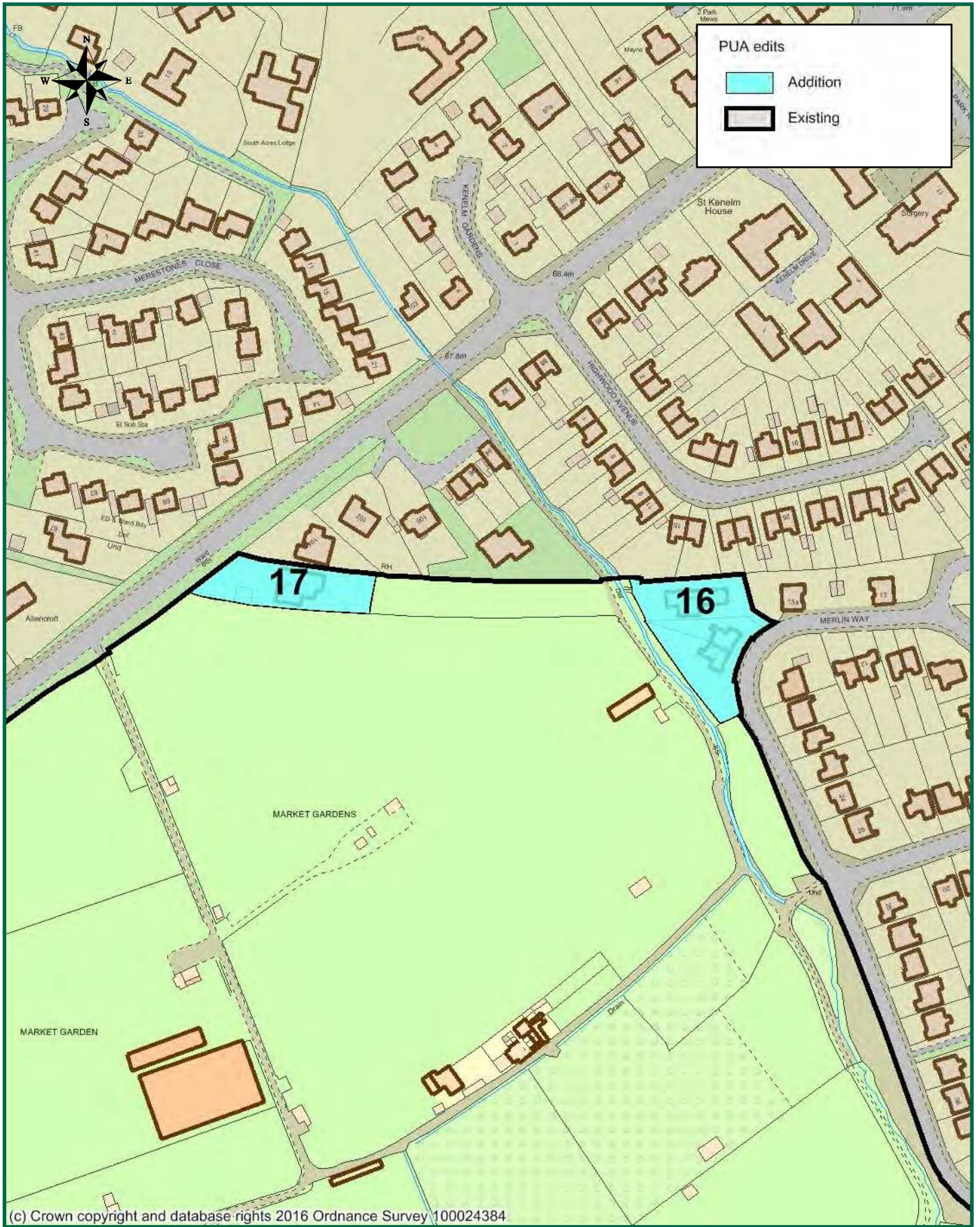
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Principal Urban Area amendments - Ref 15

06 October 2016





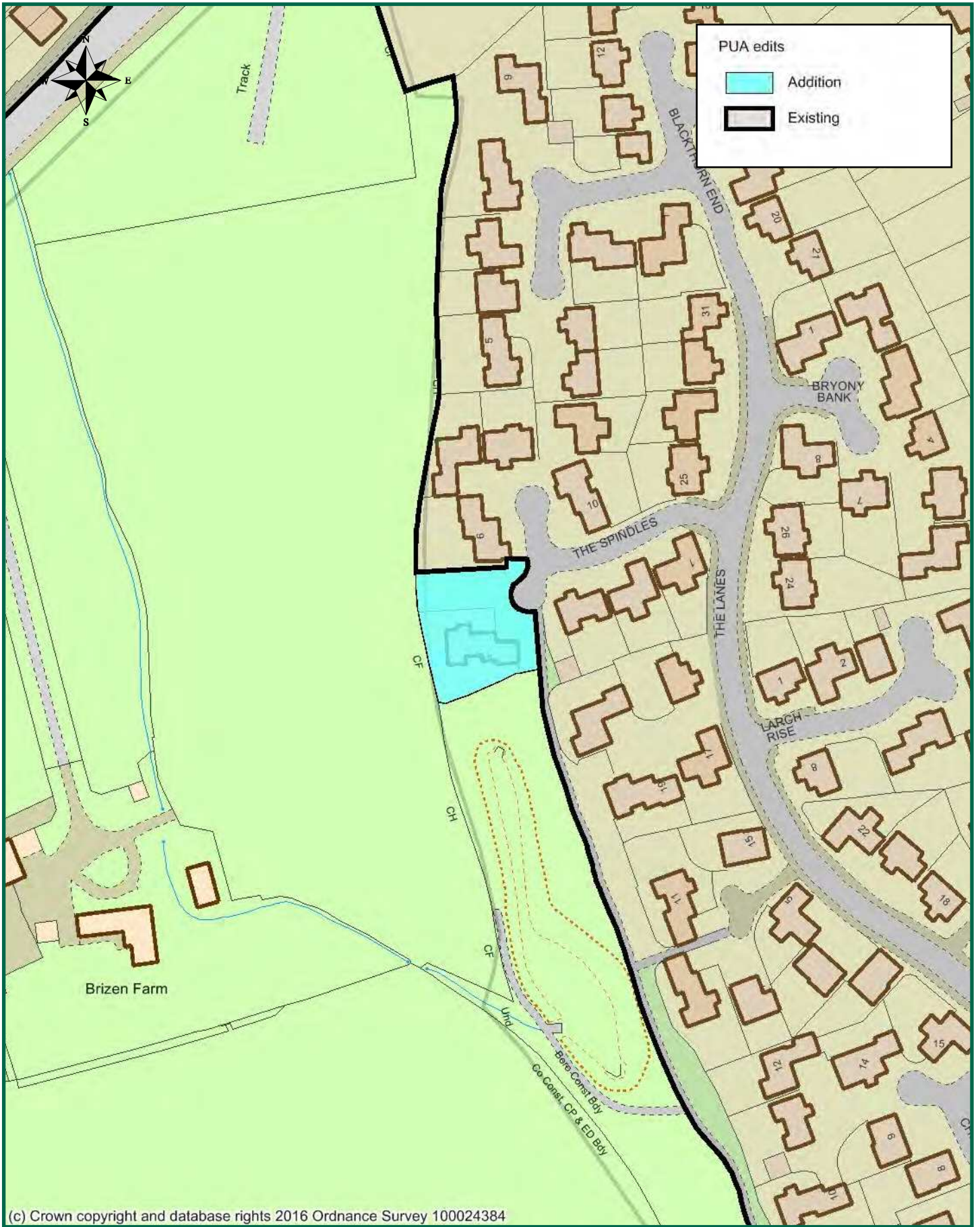


Principal Urban Area amendments - Ref 16 & 17

06 October 2016







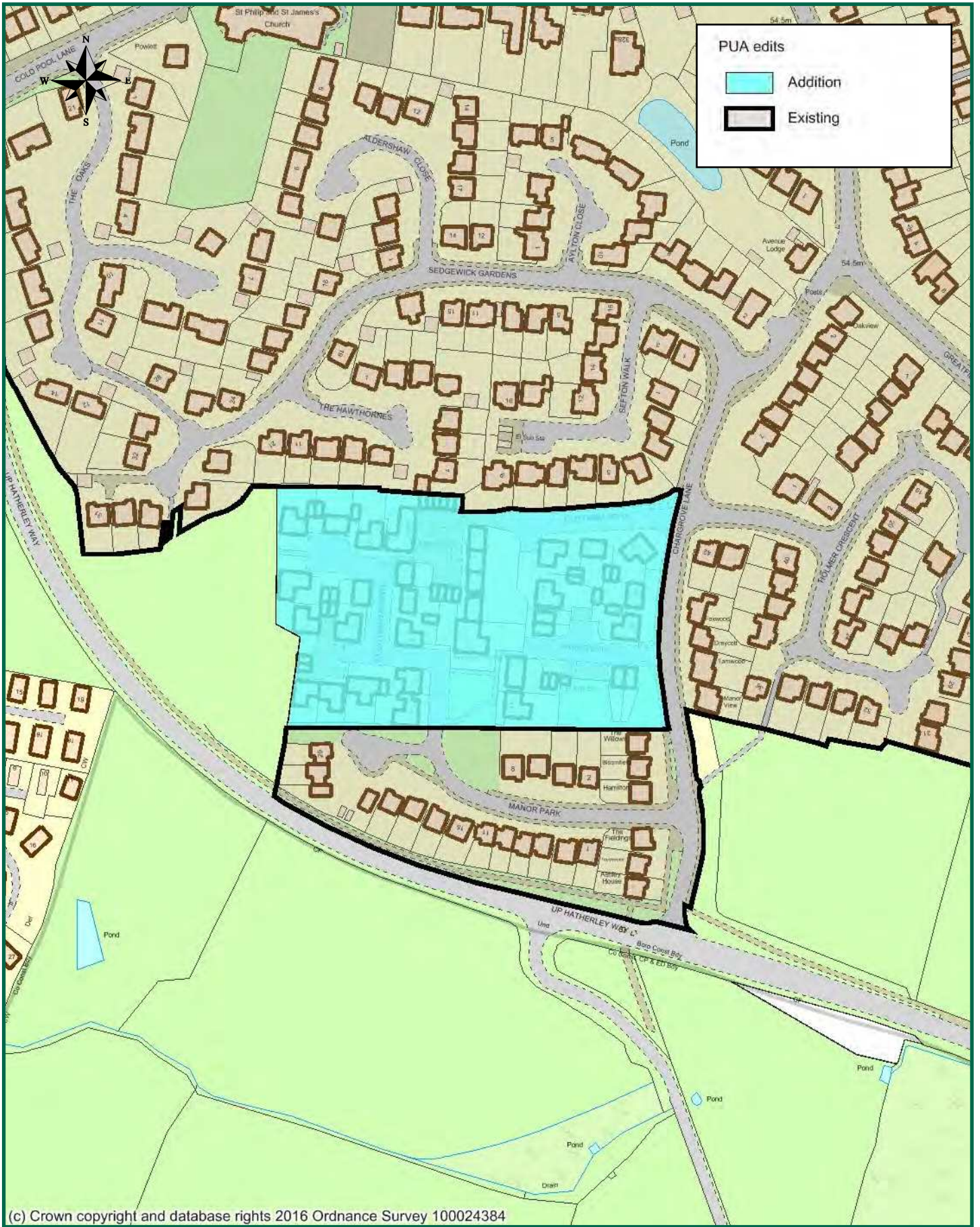
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Principal Urban Area amendments - Ref 18

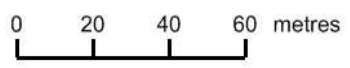
06 October 2016







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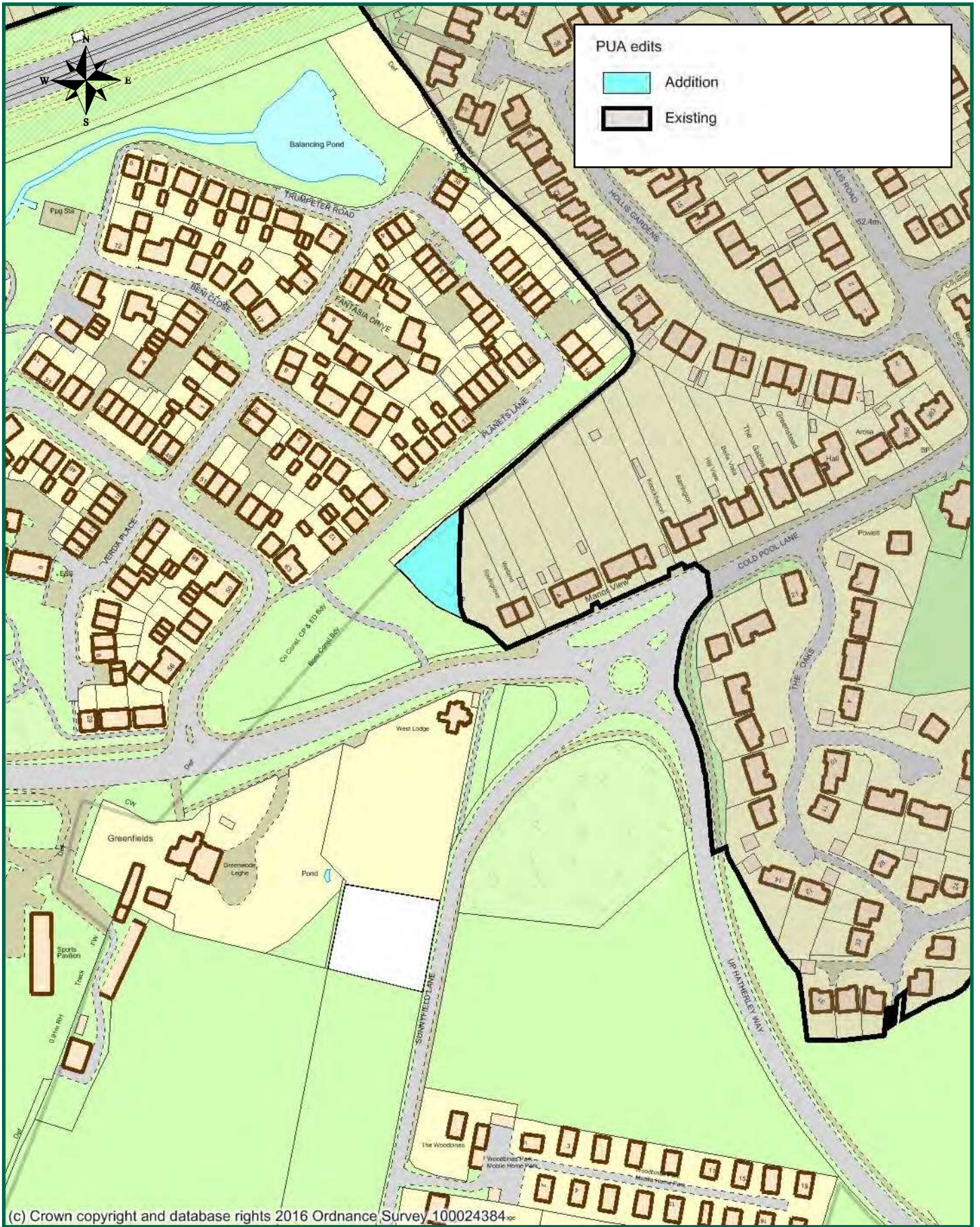


Principal Urban Area amendments - Ref 19

06 October 2016





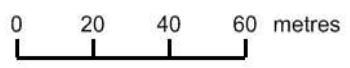


06 October 2016

Principal Urban Area amendments - Ref 20





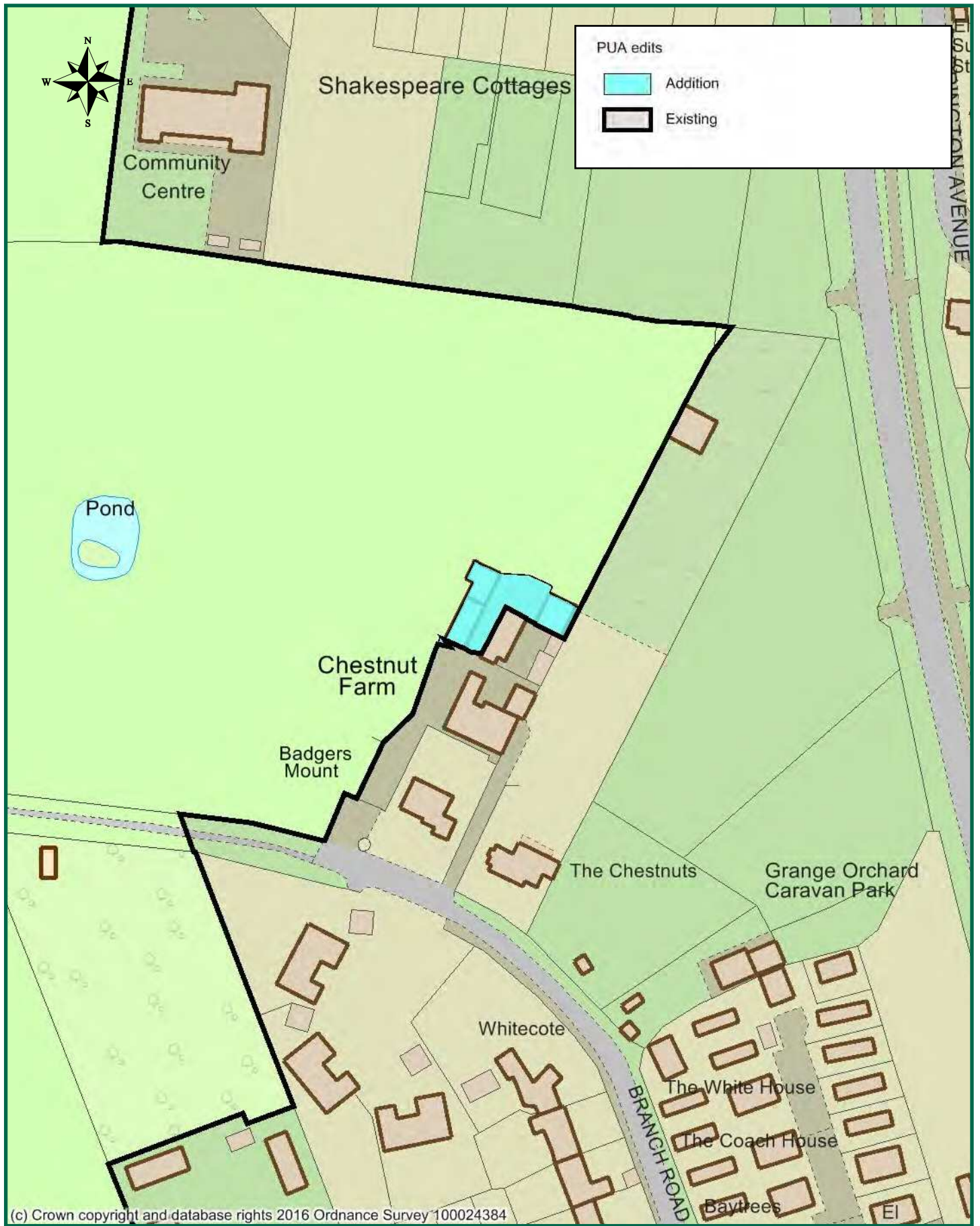


06 October 2016

Principal Urban Area amendments - Ref 21







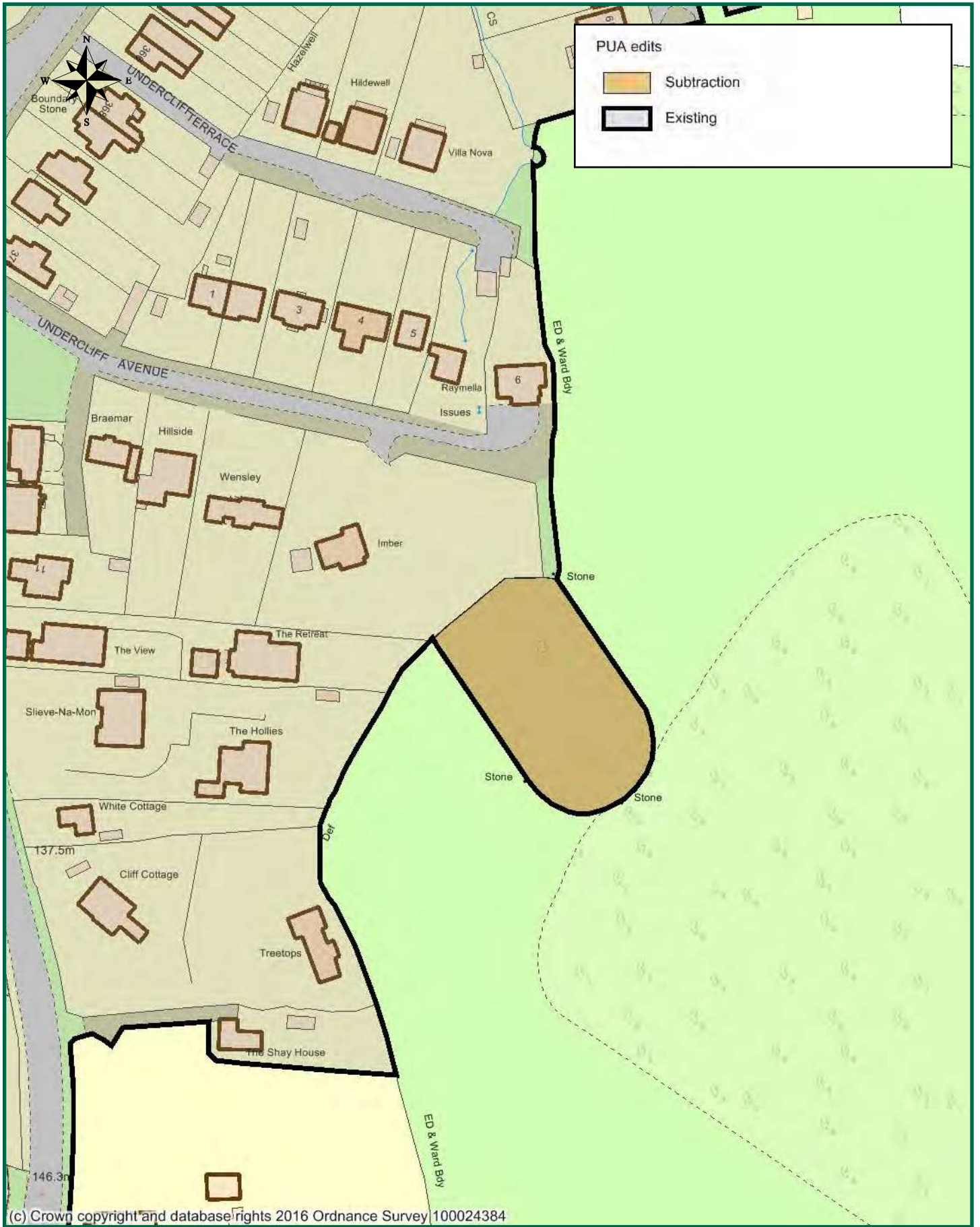
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Principal Urban Area amendments - Ref 22

06 October 2016





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Principal Urban Area amendments - Ref 23

06 October 2016



**Cheltenham Borough Council**  
**Cabinet– 6<sup>th</sup> December 2016**  
**Garden Waste Charges 2017-2018**

<b>Accountable member</b>	<b>Councillor Chris Coleman , Deputy Leader of the Council and Cabinet Member Clean and Green Environment</b>
<b>Accountable officer</b>	<b>Martin Stacy, Lead Commissioner – Housing Services</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Executive summary</b>	<p>The Authority’s garden waste collection service began in February 2011. Since 31st March 2013 the number of garden waste bins collected under the scheme has seen a gross increase of around 1,500 bins/year. Retention rates have remained high at around 95%, reflecting general satisfaction with the service; with the result that net take-up has been between 800-1000 bins/year. The actual total number of bins collected has increased from 12,781 as at 31st March 2013 to 16,189 as at 30th September 2016.</p> <p>Since February 2011, the charge for collecting garden waste has increased on only two occasions: from £36/year to £37/year in February 2014, and from £37/year to £38/year in February 2015. Since the start, the Authority has offered a £2/year discount for existing customers who renew their subscription ahead of their annual renewal date (a ‘prompt payment’ discount) as well as a £2 ‘spring offer’ discount for new bin applications, if customers subscribe between the period 1st February to 31st May.</p> <p>It is proposed that from February 2017, the Authority’s garden waste collection charge will be increased from £38/year to £42/year. At the same time, the Authority also proposes to increase the prompt payment discount, along with the spring offer discount, from £2/year to £3/year. This will mean that existing customers who renew their subscription ahead of their annual renewal date, and new customers who take advantage of the spring offer discount, will both see a £3/year rise in the cost of subscription per bin (if they also received the prompt payment or spring offers last year), whilst customers who do not take advantage of the discounts will see a £4/year rise in the cost of subscription per bin.</p>
<b>Recommendations</b>	<p><b>That Cabinet recommends:</b></p> <ol style="list-style-type: none"> <li><b>1. An increase in the garden waste collection charge from £38/year to £42/year.</b></li> <li><b>2. An increase in the prompt payment discount from £2 to £3 for households renewing their subscription ahead of their annual</b></li> </ol>



renewal date.

- 3. An increase in the spring offer discount from £2 to £3 for new customers who subscribe to the garden waste collection service during the period 1<sup>st</sup> February 2017 to 31<sup>st</sup> May 2017.**

<b>Financial implications</b>	As detailed within the report.  <b>Contact officer: Paul Jones, Head of Finance paul.jones@cheltenham.gov.uk, 01242 775154</b>
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**Legal implications**

The Council is permitted to charge for the collection (but not disposal) of garden waste by paragraph 4(2) of Schedule 1 to the Controlled Waste (England and Wales) Regulations 2012.

Section 45(3)(b) of the Environmental Protection Act 1990 further provides that any charge must be “reasonable” and thus any increase should not be contrary to this requirement. The Act does not define “reasonable” but the usual meaning is that the charges should be comparable with those levied by other authorities and service providers. Section 2.4 of this report is noted in this regard. Under Section 45(3)(a) of the Environmental Protection Act 1990 the duty to collect garden waste and ability to charge for such collection is dependent on the Council being specifically requested to collect the waste. Accordingly, the renewal process referred to in the Executive Summary should - and does - involve customers actively seeking a new subscription rather than automatically renewing for another year at the increased charge.

With regard to the consultation referred to in Section 4 of this report, it should be in accordance with the duties imposed by section 3(2) of the Local Government Act 1999 (as updated by revised Best Value Guidance Statutory Guidance of March 2015) and the Equality Act 2010 (as subsequently interpreted by case law and guidance). There is no need to undertake separate consultations in respect of both duties but any consultation exercise must fulfil the following requirements for the respective duties:

Best Value guidance states that consultation should take place “at all stages of the commissioning cycle.” Thus it is entirely appropriate for the Council to consult with regard to potential changes to the wider waste and recycling service. In practical terms the consultation should be sufficient to reach the consultees specified in the guidance i.e. “representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions. Authorities should include local voluntary and community organisations and small businesses in such consultation.”

In terms of the Equality Act 2010 the Council has to bear in mind its wider Public Sector Equality Duty (PSED) when proposing service changes i.e. the duty to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this (Equality) Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.” (‘protected characteristics’ are: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.)

Again, in practical terms, the PSED requires any consultation regarding service change to be at the earliest opportunity, with persons possessing a protected characteristic who may be affected, be clear who it may affect and how, and give them the opportunity to express their views. Cabinet should be satisfied that the consultation exercise meets the requirements detailed in paragraphs 4 and 5 above.

**Contact officer: Linden Dunham, Chartered Legal Executive (Commercial), [linden.dunham@tewkesbury.gov.uk](mailto:linden.dunham@tewkesbury.gov.uk), 01684 272065**

<b>HR implications (including learning and organisational development)</b>	None as a direct result of this report.
<b>Key risks</b>	<b>Please refer to Appendix 1 of this report</b>
<b>Corporate and community plan Implications</b>	The garden waste collection service supports the Authority's corporate outcome: Cheltenham's environmental quality and heritage is protected, maintained and enhanced.
<b>Environmental and climate change implications</b>	The Authority's garden waste collection service supports the environment by potentially diverting organic waste from landfill, thereby saving the cost of landfill tax and the associated production of methane and leachate. Residents who choose not to participate in the scheme can use the council's household recycling site at the Swindon Road Depot or the county council site at Wingmore Farm
<b>Property/Asset Implications</b>	None as a direct result of this report. <b>Contact officer: David Roberts@cheltenham.gov.uk</b>



## 1. Background

- 1.1 The Authority's garden waste collection service began in February 2011. Since 31<sup>st</sup> March 2013 the number of garden waste bins collected under the scheme has seen a gross increase of around 1,500 bins/year. Retention rates have remained high at around 95%, reflecting general satisfaction with the service; with the result that net take-up has been between 800-1000 bins/year. The actual total number of bins collected has increased from 12,781 as at 31<sup>st</sup> March 2013 to 16,189 as at 30<sup>th</sup> September 2016.
- 1.2 Since February 2011, the charge for collecting garden waste has increased on only two occasions: from £36/year to £37/year in February 2014, and from £37/year to £38/year in February 2015. Since the start, the Authority has offered a £2/year discount for existing customers who renew their subscription ahead of their annual renewal date (a 'prompt payment' discount) as well as a £2 'spring offer' discount for new bin applications, if customers subscribe between the period 1<sup>st</sup> February to 31<sup>st</sup> May.
- 1.3 It is proposed that from February 2017, the Authority's garden waste collection charge will be increased from £38/year to £42/year. At the same time, the Authority also proposes to increase the prompt payment discount, along with the spring offer discount, from £2/year to £3/year. This will mean that existing customers who renew their subscription ahead of their annual renewal date, and new customers who take advantage of the spring offer discount, will both see a £3/year rise in the cost of subscription per bin (if they also received the prompt payment or spring offers last year) whilst customers who do not take advantage of the discounts will see a £4/year rise in the cost of subscription per bin.

## 2. Reasons for recommendations

- 2.1 The Budget Strategy that was approved by Cabinet on 11<sup>th</sup> October 2016 identified a projected funding gap for the period 2016/17 to 2019/20 of £4.1 million. Detailed within the strategy was the proposal for garden waste collection service charges to be increased. Paragraph 6.15 of the Medium Term Financial Strategy (the MTFS) has estimated that the additional income generated for this service as a result of the increased charges will reduce the funding gap by approximately £40,000/year.
- 2.2 Also detailed within the MTFS are the estimated additional costs associated with implementing a new waste and recycling service for the Borough (see paragraphs 4.16 and 4.17 of the MTFS). As the current fleet of recycling vehicles reach the end of their usable life in 2017, Ubico and the Joint Waste Team were asked to undertake an appraisal of the recycling collection service options available to the Authority from 2017/18 onwards. The current vehicles used for recycling collection are not available in the future, which has effectively meant that the 'do nothing' option is not an option. The report that has been put to Cabinet entitled, Waste and Recycling Service Redesign, and also dated 6<sup>th</sup> December 2016 details the preferred option to be implemented, which includes an enhanced fortnightly kerbside sort recycling service (with OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) being collected as part of the service).
- 2.3 Due to the necessity to replace the recycling vehicles there is an additional structural cost arising of £146,500 which has been built into the base budget in 2017/18. It should be noted however that the £146,500 is a best estimate - and given that this is an estimate, based on a number of assumptions, actual costs could exceed projected costs. It is therefore considered that should any income generated from the garden waste collection service exceed the estimated £40,000 additional income identified within the MTFS, then it will be used to support either any potential overspend associated with the implementation of our new waste and recycling service, or any other overspend in the waste and recycling budget.
- 2.4 Finally, the proposed increase in charges for the garden waste collection service, if approved, will bring this Authority closer in line with our neighbouring Authority, Tewkesbury Borough Council,

which also currently charges £42/year for their garden waste collection service (albeit without any discounts).

**3. Alternative options considered**

**3.1** That the Authority does not increase the charges for the garden waste collection service. This has been rejected on the basis that there is a requirement to support the funding required for the enhanced fortnightly kerbside sort recycling service as identified within the Authority’s Budget Strategy. Any potential windfall that is generated could also be used to support the implementation of the proposed new waste and recycling service or other costs associated with the delivery of the waste and recycling service.

**4. Consultation and feedback**

**4.1** The Authority has recently undertaken a consultation exercise with Cheltenham residents to understand which type of waste and recycling service they would prefer to receive. As part of this consultation exercise we also asked how they would prefer to pay for their new waste and recycling service. Of the four options provided: closing the Household Recycling Centre; increasing charges for garden waste collection; closing the recycling banks; or increasing the Authority’s other fees and charges, a significant proportion of residents who took part in the consultation (i.e. 1913 out of 3092 – 62%) chose increasing the garden waste charges as their first or second preferred option. Whilst this does show a preference for increasing garden waste collection charges over some of the other options given, it should be noted that it is not known whether those who took part in this consultation were also users of the garden waste collection service.

**4.2** The proposed increase in charge for the collection of garden waste is supported by our client officer within the Joint Waste Team, and is broadly supported by the Council’s Customer Services Manager, although a preference was given for the increase to be limited to £41/year, with the discount retained at £39/year. In practice, the outcome is unlikely to be any different as it is expected that most customers will look to take advantage of the £3/year discount, thereby ensuring that the charge for the majority of customers will be £39/year.

**5. Performance management – monitoring and review**

**5.1** Performance in terms of take-up and income generated will continue to be monitored quarterly as part of the CBC-Ubico performance monitoring arrangements. Outcomes will be used to inform the thinking on any possible changes to the charges in the future.

<b>Report author</b>	<b>Contact officer: Martin Stacy,</b> <b>martin.stacy@cheltenham.gov.uk,</b> <b>01242 775214</b>
<b>Appendices</b>	1. Risk Assessment
<b>Background information</b>	None

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the proposed increase in charge to the garden waste collection service is not agreed, then the Authority may be unable to meet its requirement to generate an additional £40,000/year to support its funding gap, as detailed in its Budget Strategy.	Martin Stacy	4.11.16	2	5	10	Reduce	Cabinet approves the proposed increase in charge for the garden waste collection service	6.12.16	Martin Stacy	
	If the increase in charge to the garden waste collection service is increased, then take up of the service may reduce, resulting in less income for the Authority.	Martin Stacy	4.11.16	2	2	4	Accept	A reduction in the demand for the service has been taken into account in assessing the £40,000 additional income that it is anticipated will be generated as a result of the increased charges.	6.12.16	Martin Stacy	
<b>Explanatory notes</b>											
<b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)											
<b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)											
<b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close											





## Cheltenham Borough Council

Cabinet –6<sup>th</sup> December 2016

### Waste & Recycling Service Redesign and Routes Optimisation

<b>Accountable member</b>	<b>CLlr Chris Coleman, Cabinet Member - Clean &amp; Green Environment</b>
<b>Accountable officer</b>	<b>Martin Stacy, Lead Commissioner Housing Services</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key/Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	In 2011 the Council introduced new refuse and recycling collection services in Cheltenham which resulted in recycling performance increasing and waste to landfill decreasing. The vehicles which were purchased to support that change are now approaching the end of their usable life and so there is another opportunity to improve the services as part of the new vehicle purchase. This report sets out the work which has been completed to assess and shortlist the service options available and the consultation work completed to gauge residents support. The report recommends Option 2a be approved by Cabinet for implementation in 2017.
<b>Recommendations</b>	<p><b>That Cabinet approves;</b></p> <ul style="list-style-type: none"> <li><b>a) Option 2a (Option A as shown in 2<sup>nd</sup> consultation) with routes optimisation be approved and a recommendation be given to Full Council for formal approval of the associated budget required for implementation</b></li> <li><b>b) Subject to Full Council approval of the finances to support option 2a, an order be placed for new recycling collection vehicles</b></li> <li><b>c) A Cabinet Member Working Group be set-up to oversee Phase II (implementation) of the project</b></li> <li><b>d) That the Cabinet Member in consultation with the Cabinet Member Working Group be given delegated authority to approve the additional recyclables to be collected i.e. cartons, textiles, batteries or small waste electricals (WEEE) subject to being within the new service budget</b></li> </ul>

<b>Financial implications</b>	<p>The Medium Term Financial Strategy (MTFS), approved by Cabinet in October 2016, estimated additional costs associated with implementing a new waste and recycling service for the Borough (see paragraphs 4.16 and 4.17 of the MTFS). Due to the necessity to replace the recycling vehicles there is an additional structural cost arising of £146,500 which has been built into the provisional base budget in 2017/18.</p> <p>Consideration of how to offset these additional costs over the course of the MTFS will be considered by the Cabinet and may include increasing green waste charges and reviewing the effectiveness of the bring sites and household recycling centre.</p> <p><b>Contact officer: Paul Jones</b> <b>paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
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<p><b>Legal implications</b></p>	<p>Section 13 of The Waste (England and Wales) Regulations 2011 (amended 2012) require the Council to collect waste paper, metal, plastic or glass by way of separate collection where</p> <p>“13(4)(a) it is necessary to ensure that waste undergoes recovery operations...and to facilitate or improve recovery;</p> <p>and</p> <p>(b) is technically, environmentally and economically practicable.”</p> <p>Option 2(a) fulfils the requirements of paragraph 13(4)(a) of the Regulations as it will lead to an increase of nearly 2% of recycling performance and will also lead to an increase in the type of recyclables collected (as detailed in para 5.1 of this report).</p> <p>The modelling and analysis described in paragraphs 2 -5 of the report establish that option 2a is technically, environmentally and economically practicable. With regard to the latter criteria the Council should be confident that it can fund the selected option up to the level of the worst case cost (£305,426)</p> <p>The Council has duties to consult under both section 3(2) of the Local Government Act 1999 (as updated by revised Best Value Guidance Statutory Guidance of March 2015) and the Equality Act 2010 (as subsequently interpreted by case law and guidance). There is no need to undertake separate consultations in respect of both duties but any consultation exercise must fulfil the following requirements for the respective duties:</p> <p>Best Value guidance states that consultation should take place “at all stages of the commissioning cycle.” Thus it is entirely correct for the Council to consult in the manner described in paragraph 8 of this report, in both seeking views on the waste and recycling service and then the modelled options. In practical terms the consultation should be sufficient to reach the consultees specified in the guidance i.e. “representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions. Authorities should include local voluntary and community organisations and small businesses in such consultation.”</p> <p>In terms of the Equality Act 2010 the Council has to bear in mind its wider Public Sector Equality Duty (PSED) when proposing service changes i.e. the duty to</p> <p>“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this (Equality) Act;</p> <p>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”</p> <p>“protected characteristics” are:</p> <p>age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.</p>
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	<p>Again, in practical terms, the PSED requires any consultation regarding service change to be at the earliest opportunity, with persons possessing a protected characteristic who may be affected, be clear who it may affect and how, and give them the opportunity to express their views.</p> <p>The Council should be satisfied that the consultation exercises meet the requirements discussed in sub-paragraphs above.</p> <p>The procurement of the new vehicles will be carried out in accordance with the Council's own Contract Procedure rules, and, given the likely value of the fleet, the Public Contracts Regulations 2015.</p> <p><b>Contact officer: Linden Dunham</b></p> <p><b>Linden.dunham@teWKesbury.gov.uk, 01684 272065</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>Having reviewed the recommendations within this report, as the service, and way in which waste and recyclables are collected are not changing significantly under Option 2a, there are no HR implications which need to be highlighted</p> <p><b>Contact officer: Deborah Bainbridge</b> <b>Deborah.Bainbridge@cotswold.gov.uk, 01285 623148</b></p>
<p><b>Key risks</b></p>	<p><b>The current risks are shown at Appendix 1 of this report.</b></p>
<p><b>Corporate and community plan Implications</b></p>	<p>The new waste and recycling service would contribute to the Councils 'Cheltenham's environmental quality and heritage is protected, maintained and enhanced' outcome.</p>
<p><b>Environmental and climate change implications</b></p>	<p>Each of the 3 shortlisted service options (2a, 5b &amp; 8a) shows an anticipated increase in recycling performance and waste diversion from landfill.</p> <p>In order to manage the large current and planned increases in housing developments across Cheltenham, the authority intends to undertake a collection rounds route optimisation no-matter which option is selected which will involve collection day changes for a proportion of households. This will have the benefit of not only managing the collections from the increased numbers of properties to service in the short and medium term and the associated additional costs, but will also ensure that the waste and recycling rounds are operating efficiently therefore better managing the amount of fuel being used.</p> <p>Environmental performance will be an important consideration in the purchase of any new recycling collection vehicles.</p> <p><b>Contact officer: Gill Morris</b></p> <p><b>Gill.morris@cheltenham.gov.uk 01242 264229</b></p>
<p><b>Property/Asset Implications</b></p>	<p>There are no property or asset implications associated with this report.</p> <p><b>Contact officer: David Roberts</b></p> <p><b>David.roberts@cheltenham.gov.uk 01242 264151</b></p>

## 1. Background

1.1 Cheltenham Borough Council (CBC) revised its waste and recycling collection service in 2011 and this resulted in refuse collections moving to: a fortnightly frequency, food waste being collected separately on a weekly basis, a charge made to residents for the fortnightly collection of garden waste, and plastic bottles & kitchen card being added to the range of materials collected for recycling by way of a kerbside sort method on a fortnightly basis.

1.2 New recycling collection vehicles were purchased in 2010 to support this service change and these are now approaching the end of their useable life, with the majority reaching their 7 year anniversary in July 2017. It is now therefore the appropriate time to review the service options again in preparation for purchasing replacement vehicles and potentially making changes to the service.

1.3 The changes made in 2011 resulted in the authority achieving a 46% combined recycling rate which was higher than anticipated (42%) and has resulted in additional operational strain being put on the existing kerbside recycling service fleet.

1.4 There have also been a number of large scale property developments during the last 5 years which have increased the total property numbers and diluted the efficiency of the collection services. With more development to come, a routes optimisation exercise has to be undertaken which will have the benefit in limiting the amount of budget growth required. This exercise will result in collection day changes for a large part of the borough – so, no-matter which service option is supported collection day changes will be needed in order to limit the budgetary growth required, so far as is possible.

1.5 In addition, the current types of vehicle used for the kerbside sort recycling collections are 18 tonne Terberg – “Kerbsiders”. However, these types of vehicle are no longer in production. Ubico Ltd (Ubico) have experienced difficulties over the past couple of years in sourcing replacements when there is downtime with the current fleet i.e. vehicle servicing or breakdowns, so even if the recycling service stays broadly the same, then the costs are likely to change as a result of having to procure an alternative type of recycling collection vehicle.

1.6 Earlier this year Ubico and the Joint Waste Team (JWT) were asked to undertake an appraisal of the recycling collection service options available CBC from next year (2017), when the current fleet of recycling vehicles reach the end of their usable life.

1.7 In addition, the Council is keen to improve its recycling rate, increase the amount of residual waste diverted from landfill and, so far as possible, improve the recycling service for residents with as a minimum enhancement - the addition of mixed plastics and heavy cardboard being collected from the kerbside.

1.8 However, with continuing pressures on the authority’s budget, any changes to the service need to strike the right balance between improvement and affordability.

1.9 In order to gauge residents opinion, two separate consultation exercises have been completed and the results are presented within this report and shown at Appendix 7 & 8.

## **2. Service Options**

2.1 The project team started off by considering all of the possible service options which totalled 20 and are shown under ‘Original & Shortlisted Service Options’ at Appendix 2.

2.2 It would have been impractical to model all 20 options, so these were then individually critiqued which saw the list reduced to 7 which are shown highlighted in green at Appendix 2.

2.3 Ubico, using the assumptions shown at Appendix 3, completed high level modelling on these 7 options and on 19 April, it was agreed, in consultation with the lead member, Councillor Chris Coleman that options 2a, 5b and 8a would go forward for in-depth modelling.



### 3. In-Depth Modelling

3.1 In consultation with the lead member those out of the 7 shortlisted options which didn't strike the appropriate balance between cost and performance were discounted. The project team was left with the following options to have further in-depth modelling work completed on them:

Option 2a (option A shown in 2<sup>nd</sup> consultation)

- Weekly food waste collection, with fortnightly chargeable garden waste, fortnightly refuse and with the addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) being added to the fortnightly kerbside sort recycling collections. Opportunity for other smaller quantity materials to also be collected i.e. Textiles, Cartons, Batteries or Small Waste Electricals.

Option 5b (option B shown in 2<sup>nd</sup> consultation)

- Weekly food waste collection, with fortnightly chargeable garden waste, three weekly refuse and with the addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) being added to the kerbside sort recycling collections on a weekly collection frequency. Opportunity for other smaller quantity materials to also be collected i.e. Textiles, Cartons, Batteries or Small Waste Electricals.

Option 8a (option C shown in 2<sup>nd</sup> consultation)

- Weekly food waste collection, with fortnightly chargeable garden waste, fortnightly refuse and with the addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) being added to the fortnightly kerbside recycling collection service on a co-mingled collection basis. Opportunity for other smaller quantity materials to also be collected i.e. Cartons and Foil.

3.2 Ubico undertook in-depth modelling on the three options to establish the likely cost and performance of each based on assumptions around fuel prices, recycling material values, gate fees associated with using a Materials Recycling Facility (MRF) for co-mingled recyclate and the potential costs of procuring new vehicles and containers. In addition to the three options (2a, 5b & 8a), Ubico also tested option 8b:

Option 8b

- Weekly food waste collection, with fortnightly chargeable garden waste, three weekly refuse and with the addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) being added to the fortnightly kerbside recycling collection service on a co-mingled collection basis.

3.3 Recycling materials under options 2a & 5b would be sorted at the kerbside and collected by way of Resource Recovery Vehicles (RRV) similar to the type used in the Forest of Dean as shown below;



3.4 Recycling materials under options 8a & 8b would be mixed together (with the exception of glass bottles and jars) and collected by standard Rear Compaction Vehicles (RCV) similar to the type used for refuse collections in Cheltenham as shown below;



#### 4. Independent Review of In-Depth Modelling

4.1 Once Ubico had completed the in-depth modelling stage of the now 4 options, the Project Board commissioned an independent review to test the modelling and soundness of the assumptions used, verify the anticipated resources required for each option, and ultimately compare the likely costs against known information from within the waste management industry.

4.2 Bruce Carpenter from the Somerset Waste Partnership (SWP) undertook this task. Bruce has extensive knowledge and experience (35 years) within the waste management industry and, after running the Somerset Collection Contract under secondment for four years has undertaken similar reviews for Tewkesbury Borough Council and Gloucester City Council and is currently supporting West Oxfordshire District Council in a similar capacity.

4.3 Bruce used the assumptions made and background data including property numbers in Cheltenham and the current rates of pay for the resources supplied by Ubico, together with a range of industry information including recycling material values, likely capture rates, costs of new vehicles and containers, and included the costs of communicating change.

4.4 This was modelled to estimate a cost and performance range for each of options (2a, 5b, 8a & 8b) and can be seen at Appendix 4, with a summary shown below;

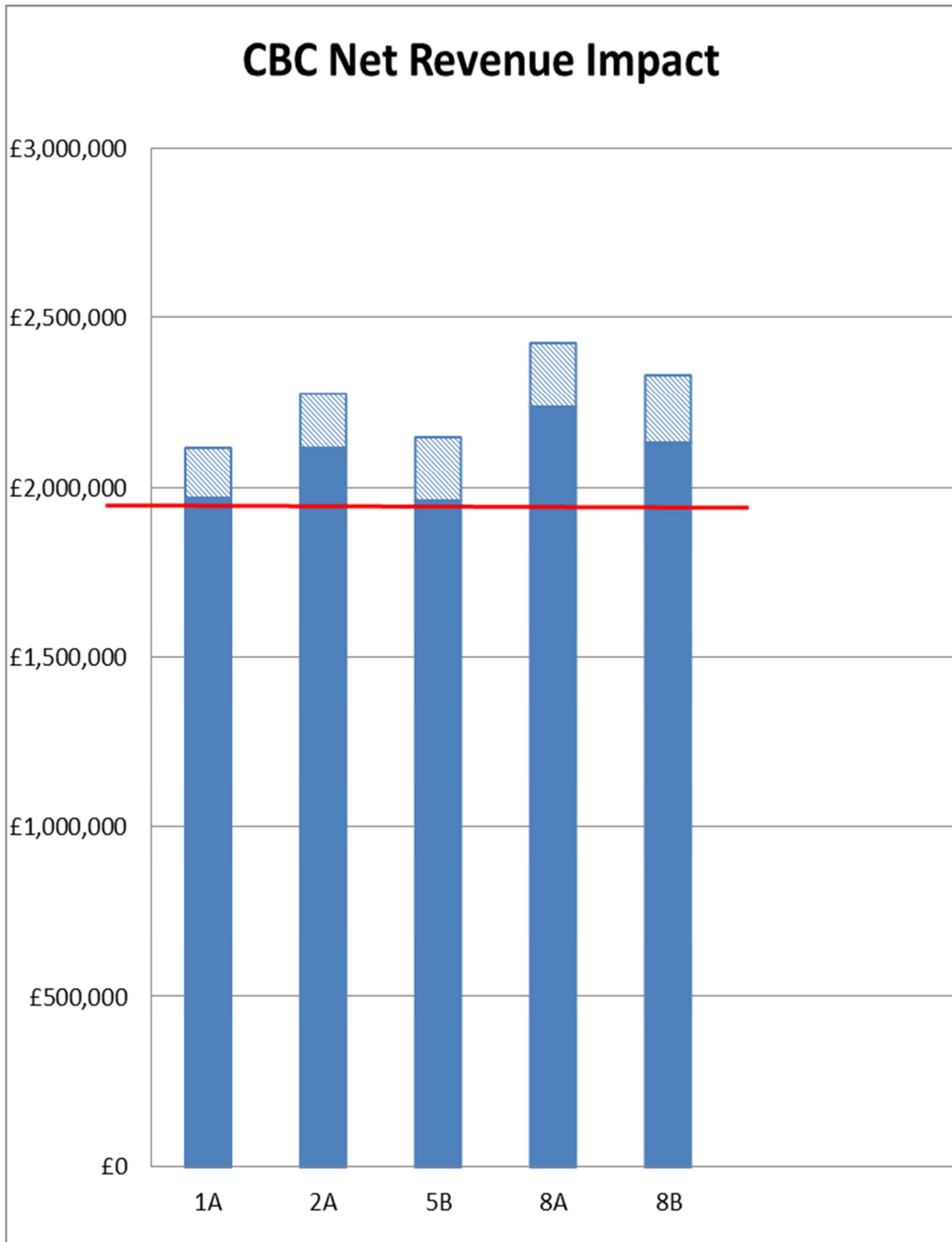
Options	1A	2A	5B	8A	8B
	AS IS	Enhanced Fortnightly Recycling (#OCC, PTT & other streams)	Enhanced Weekly recycling (including #), 3 weekly refuse	Dual Stream Co-mingled (including #)	Dual stream Co-mingled (including #) with 3 weekly refuse
Anticipated Performance	<b>45.34%</b>	<b>47.21%</b>	<b>52.03%</b>	<b>48.65%</b>	<b>51.44%</b>
Best case estimate of cost	£ 1,972,000	£ 2,118,535	£ 1,963,542	£ 2,239,403	£ 2,136,246
Potential variance range due to assumptions	£ 148,201	£ 158,891	£ 186,168	£ 187,132	£ 197,271
Worst case estimate of cost	£ 2,120,201	£ 2,277,426	£ 2,149,710	£ 2,426,535	£ 2,333,517

4.5 The 'AS IS' option is included for the benefit of comparing the current service costs to the four options however, given that the current vehicles used for recycling collection are not available in the future, option 1a is in effect the standstill position and shows the anticipated cost range for the current service using new vehicles;

4.6 As detailed in the assumptions, each option allows for known property development over the next 3-5 years within Cheltenham and is based on a collection round optimisation including day changes.

*# OCC = Brown Cardboard, PTT = Plastic Pots, Tubs & Trays, Other Streams = Items which could also be collected but which haven't yet been confirmed such as Textiles, Shoes, Cartons, Batteries or Small Waste Electricals (WEEE)*





- The red line shows the current costs of the waste and recycling service
- The solid blue bars show the lower cost threshold of each option
- The hatched blue bars show the upper cost threshold of each option and takes account of the uncontrolled factors such as material values and fuel prices

## 5. Modelling and Independent Review Conclusions

5.1 Following the in-depth modelling undertaken by Ubico and the independent review completed

by Bruce Carpenter, the following conclusions were drawn:

Option	
<p><b>Option 2a – (A)</b></p> <ul style="list-style-type: none"> <li>• Weekly food waste collection</li> <li>• Fortnightly chargeable garden waste</li> <li>• <b>Fortnightly refuse</b></li> <li>• <b>Fortnightly kerbside sort</b> recycling collections.</li> <li>• Addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) plus other recyclables yet to be confirmed.</li> </ul>	<ul style="list-style-type: none"> <li>• Using new recycling vehicles which have greater capacity, there should be the opportunity available to collect other smaller quantity recycling materials such as textiles, cartons and batteries.</li> <li>• This option should deliver a small recycling performance increase of nearly 2% and will cost an estimated £146,535 more in the best case and £305,426 more in the worst case to deliver.</li> </ul>
<p><b>Option 5b – (B)</b></p> <ul style="list-style-type: none"> <li>• Weekly food waste collection</li> <li>• Fortnightly chargeable garden waste</li> <li>• <b>Three weekly refuse</b></li> <li>• <b>Weekly kerbside sort</b> recycling collections.</li> <li>• Addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) plus other recyclables yet to be confirmed.</li> </ul>	<ul style="list-style-type: none"> <li>• Using new recycling vehicles which have greater capacity, there should be the opportunity available to collect other smaller quantity recycling materials such as textiles, cartons and batteries.</li> <li>• This option should deliver the largest recycling performance increase of nearly 7% and will cost an estimated £8,458 less in the best case and £177,710 more in the worst case to deliver.</li> <li>• The likely costs of this option under the worst case scenario are only marginally more expensive than the best case costs of options 8a &amp; 8b however, there would likely be some opposition to three weekly refuse collections from certain residents.</li> </ul>
<p><b>Option 8a – (C)</b></p> <ul style="list-style-type: none"> <li>• Weekly food waste collection</li> <li>• Fortnightly chargeable garden waste,</li> <li>• <b>Fortnightly refuse</b></li> <li>• <b>Fortnightly kerbside co-minged recycling collection service</b></li> <li>• Addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays plus other recyclables yet to be confirmed.</li> </ul>	<ul style="list-style-type: none"> <li>• This is likely to be the most expensive option and should only deliver a small recycling performance increase of just over 3%. The costs are estimated to be £267,403 more in the best case and £454,535 more in the worst case to deliver.</li> <li>• The additional cost is primarily associated with the authority losing any income from material value and having to pay a gate fee at a MRF, and the cost of changing from a kerbside box to procuring and delivering new wheeled bins for all households.</li> </ul>
<p><b>Option 8b</b></p> <ul style="list-style-type: none"> <li>• weekly food waste collection,</li> <li>• fortnightly chargeable garden</li> </ul>	<ul style="list-style-type: none"> <li>• This option should deliver a significant recycling performance increase of just over 6% and will cost an estimated £164,246</li> </ul>

<p>waste</p> <ul style="list-style-type: none"> <li>• <b>three weekly refuse</b></li> <li>• <b>Fortnightly kerbside co-mingled</b> recycling collection service</li> <li>• addition of OCC (brown corrugated) cardboard and PTT (plastic – pots, tubs and trays) plus other recyclables yet to be confirmed being added to the fortnightly kerbside recycling collection service on a co-mingled collection basis.</li> </ul>	<p>more in the best case and £361,517 more in the worst case to deliver.</p> <ul style="list-style-type: none"> <li>• The additional cost is primarily associated with the authority losing any income from material value and having to pay a gate fee at a MRF, and the cost of changing from a kerbside box to procuring and delivering new wheeled bins for all households.</li> <li>• There would likely be some opposition to three weekly refuse collections from certain residents.</li> </ul>
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5.2 Other more rural authorities have changed their waste collection service recently and to afford the increased budget required, have removed/reduced the bring site service - for example weekly recycling has been offered in the Forest of Dean and the savings on reducing the number of bring sites has gone towards the additional costs. FoD consulted the public and there was support to close the bring sites with the improved service offered at the kerbside however, the net costs of the FoD bring site service were far more than the Cheltenham service principally because of the greater distances involved. A brief review of the current CBC bring site service, together with what happens elsewhere in the County is attached at Appendix 5.

5.3 As part of the 2<sup>nd</sup> Consultation exercise as shown at Appendix 8, although the anticipated savings from removing the bring site service would be smaller in Cheltenham, the authority has included it as an option to go towards funding any service improvements at the kerbside.

## 6. Recycling Material Commodities

6.1 Recycling material commodities (paper, glass, cardboard, cans and plastics) play an important part in generating income which the Council receives directly and which goes towards offsetting some of the costs of collection.

6.2 Under options 2a & 5b the Council would still continue to receive recycling material income however under option 8a, all income would be retained by the MRF.

6.3 Commodity prices fluctuate and to show how they've been affected over time the JWT presented a report to the Joint Waste Committee (JWC) in October this year as shown at Appendix 6.

## 7. Swindon Road Household Recycling Centre

7.1 Household Recycling Centres (HRC) are traditionally operated by County Council's throughout the UK.

7.2 The Swindon Road HRC is one of only two sites where a district/borough authority owns/operates independently of the County Council – the other being in Wellingborough although that facility is far smaller with a net annual cost of approximately £100,000.

7.3 The Cheltenham facility is well used by residents and achieves over 70% combined recycling and composting performance per annum, which counts towards the authorities overall performance.

7.4 However, the facility is a discretionary service and is a net cost to the authority to provide of



approximately £400,000 per annum.

7.5 In order to finance a change to a co-mingled recycling collection service (option 8a) it would have been necessary to make significant savings elsewhere. To gauge public appetite, the option of permanently closing the Swindon Road HRC was included as part of the 2<sup>nd</sup> consultation.

## 8. Consultation and feedback

8.1 In July this year, the Council ran a first consultation exercise to learn the views of residents on the waste and recycling service being received and opinion on areas of potential improvement, the results of which can be found at Appendix 7.

8.2 In summary, the Council received c1,900 responses and the results showed that recycling in Cheltenham is popular amongst residents with the majority welcoming the ability to recycle a greater selection of materials from home in the future. It also gave a clear indication of the areas where people were happy with and those which could be improved.

8.3 Having tested options 2a, 5b, 8a & 8b by way of the in-depth and independent modelling, and discounted option 8b because it didn't strike the appropriate balance between cost and performance, options 2a, 5b & 8a were put forward and residents were invited to choose their preferred option for waste and recycling collections, as part of the second consultation which ran during October and November, the results of which are shown at Appendix 8.

8.4 For clarity option 2a is shown as option A, option 5b is shown as option B and option 8a is shown as option C.

8.5 The Council received c3200 responses and the results show that the majority of residents favour option 2a (option A as shown in consultation) as being the preferred waste and recycling service option for Cheltenham and that there is little support in permanently closing the Swindon Road HRC.

#Both consultations used a dedicated page on the Councils website together with paper copies being available at Council and County Council buildings. The consultations were heavily publicised using the Gloucestershire Echo, Council website, and through Facebook and Twitter.

## 9. Conclusions

9.1 The Project Board & Team made up of officers from the Council, Ubico and the JWT have used a methodical approach in reviewing the waste and recycling service options available, shortlisting those options, independently testing them and then consulting with residents.

9.2 These actions have enabled the Project Board & Team, in consultation with the Cabinet Member, to conclude that Option 2a (option A in the 2<sup>nd</sup> consultation) is the recommended waste and recycling service for Cheltenham from 2017.

9.3 Shown at Appendix 9 is a Community Impact Assessment based on option 2a (option A in the 2<sup>nd</sup> consultation).

9.4 Even if the recommendation on the new service model isn't approved, then a waste and recycling collection rounds route optimisation exercise will have to be undertaken to manage the significant property development currently underway and planned for the next 3-5 years.

## 10. Performance management – monitoring and review

10.1 Once introduced, the new service will be monitored by the JWT with opportunity for Council officers and the Cabinet Lead to review as part of the imbedded contract monitoring and

management processes already undertaken.

## 11. Reasons for recommendations

11.1 The pre-requisite for the waste and recycling service redesign is to introduce improvements which strike the correct balance between affordability and performance and as a minimum aspiration, to introduce mixed plastics and heavy cardboard recycling at the kerbside.

11.2 Option 2a (A in the 2nd consultation), is affordable based on the Councils current financial constraints and allows for the introduction of mixed plastics and heavy cardboard, with the opportunity to introduce some other smaller volume materials as well.

11.3 It allows the opportunity to improve performance and doesn't require the removal of other well used services i.e. the Swindon Road HRC to fund it.

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<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Original &amp; Shortlisted Service Options</li> <li>3. Modelling Assumptions used by Ubico</li> <li>4. Independent Modelling Results</li> <li>5. Cost of providing recycling banks in Cheltenham Borough</li> <li>6. Recycling Material Commodity Values</li> <li>7. 1<sup>st</sup> Consultation Exercise</li> <li>8. 2<sup>nd</sup> Consultation Exercise</li> <li>9. Community Impact Assessment</li> </ol>

## Risk Assessment

## Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
R001	If the implementation of the new waste and recycling service is delayed then there will be additional costs associated with the hire of vehicles to compensate for the deteriorating fleet.	Martin Stacy	20.4.16	3	4	12	Reduce	<p>Cabinet and Council approval of new service proposals will trigger the implementation phase of the project.</p> <p>Cabinet Member Working Group will oversee implementation by the Project Board.</p> <p>Project Board will monitor the procurement, build and delivery timeline to ensure that it meets the September 2017 service launch aspiration and provide monthly progress reports to the Council's senior leadership team.</p>	Sept 17	Steve Read / Scott Williams	
R002	If availability of suitable new recycling vehicles is outside of project implementation timescale, then	Martin Stacy	18.05.16	3	4	12	Reduce	<p>Maintain awareness of delivery times for Romaquip and follow development of Terberg vehicle.</p> <p>Enquiries to Colin White Services (CWS) and look into whether</p>	Sept 17	Scott Williams / Beth Boughton	



	the project might be delayed - Romaquip quote 12 month lead in time - Terberg do not have a similar model on the market yet.							CWS vehicles can be obtained short term if needed  Commence tender process upon approval by Council.  Build in delivery date for vehicles in tender specification and include a penalty clause for late delivery.			
R003	If Ubico does not have the capacity to resource phase 2 of the project then implementation may be delayed or not completed satisfactorily.	Martin Stacy	03.03.16	4	2	8	Reduce	Ubico to advise / give early warning of issues to Project Team  Phase 2 project plan to be agreed shortly which will identify pinch points and pieces of work which may require increased resourcing.	Sept 17	Beth Boughton	
R004	If vehicles for preferred option are more expensive than assumed this could distort the conclusions supporting the recommended best option.	Martin Stacy	04.08.16	4	2	8	Reduce	Modelling has been independently verified using industry specific information including vehicle costs. Maintain dialogue with manufacturers, early warning, place into budget and seek to identify savings/income generation opportunities within waste and recycling service if required	Mar 17	Steve Read / Scott Williams / Paul Jones / Beth Boughton	

R005	If the service costs more than anticipated and budgeted, then there will be an overspend against the revenue budget. The modelling has provided a lowest cost best estimate and a highest cost best estimate. For the purpose of building the additional budget into the MTFS, the lowest budgeted cost under option 2a has been used.	Martin Stacy	16.11.16	3	2	6	Reduce	The project team have used Ubico's experience of the current Cheltenham services to do the modelling which has then been independently verified against industry specific factors to arrive at the anticipated cost. The project team will keep a close eye on the delivery and revenue budget requirements as part of the implementation and any anticipated variances will be reported to the Cabinet Lead and Section 151 officer. A further review of garden waste charges could be undertaken along with looking at potential savings from the bring sites and household recycling centre services in addition to increasing service related fees and charges subject to relevant approvals.	Sept 17	Steve Read / Scott Williams / Paul Jones / Beth Boughton	

**Original & Shortlisted Service Options**

**Appendix 2**

OPTION			A	B
	<b>Recycling</b>	<b>Food</b>	<b>Refuse</b>	
1	Current Service Fortnightly - Paper, Cans, Glass, Plastic Bottles & Kitchen Card	Weekly	Fortnightly	3 Weekly
2	Current Service Fortnightly with the addition of Mixed Plastics and Cardboard	Weekly	Fortnightly	3 Weekly
3	Current Service Fortnightly with the addition of Mixed Plastics, Cardboard & other recyclables (Cartons, Textiles, Batteries & Small WEEE)	Weekly	Fortnightly	3 Weekly
4	Current Service Weekly - Paper, Cans, Glass, Plastic Bottles & Kitchen Card	Weekly	Fortnightly	3 Weekly
5	Current Service Weekly with the addition of Mixed Plastics and Cardboard	Weekly	Fortnightly	3 Weekly
6	Current Service Weekly with the addition of Mixed Plastics, Cardboard & other recyclables (Cartons, Textiles, Batteries & Small WEEE)	Weekly	Fortnightly	3 Weekly
7	Co-mingled Fortnightly including Glass	Weekly	Fortnightly	3 Weekly
8	Co-mingled Fortnightly with Glass collected separately	Weekly	Fortnightly	3 Weekly
9	Co-mingled Weekly including Glass	Weekly	Fortnightly	3 Weekly
10	Co-mingled Weekly with Glass collected separately	Weekly	Fortnightly	3 Weekly

Shortlisted Options to Model  
 Discounted Options following initial review



Option	Rationale
1a	Current Service to give baseline based on model used
2a	Add mixed plastics & cardboard - no other changes - to give indication of (presumed) extra cost in isolation of other factors
3b	Very enhanced kerbside recycling (still fortnightly) with three weekly refuse to balance (presumed) extra cost and/or provide savings
5b	Enhanced kerbside recycling weekly but with three weekly refuse to balance (presumed) extra cost and/or savings
6b	Very enhanced kerbside recycling weekly but with three weekly refuse to balance (presumed) extra cost
8a	Co-mingled alternating week model - Glass out method on basis of Waste Regulations compliance
8b	Co-mingled fortnightly with refuse 3 weekly - Glass out method on basis of Waste Regulations compliance

**Modelling Assumptions used by Ubico**

1. Fuel prices based on £1.15 per litre
2. Current CBC depot location used
3. Current tipping locations used – for separate food waste collections it has been modelled on tipping directly at An-digestion
4. All vehicles purchased from new
5. Weights of collection rounds gained from June and July 2015
6. Pick rates gained from crew finishing times in June and July 2015
7. Based on Ubico terms and conditions for staff – includes NI and Ubico Super
8. Includes over time for bank holidays and agency cover for holidays and sickness – based on working 8 Saturdays and 35 days agency cover per person
9. Operatives uniform costs included – based on £400 per person – gained from Ubico CDC
10. Spare vehicles not included
11. Cost of vehicles depreciating over a period of 7 years
12. Does include MRF disposal fees
13. Does include income
14. Does not take into consideration the bin delivery service, bring sites and CA site
15. Does include purchase and distribution of receptacles
16. Does take into consideration communications and monitoring costs of a scheme change
17. Does take into consideration the following housing developments:
  - Circa Cheltenham/Tommy Taylors Road
  - Guinevere Road
  - Gabell Road and Delancey Crescent
  - Old Farm Drive
  - Festival Way
  - Starvehall Farm/New Barn Lane
  - Saxon Quarter
  - Shurdington Road development, Leckhampton
18. Does not take into consideration proposed North East Cheltenham development
19. For the semi comingled recycling options, pick rates based on what the current refuse crews pick rates are
20. For the semi comingled options, yields based on the Tewkesbury pick rates
21. Kerbside sort options based on using either Romaquip or Terberg 12 tonne Resource Recovery Vehicles
22. For the kerbside sort options yields of new materials based on the Cotswolds data
23. For the weekly recycling options, food waste to be collected by the recycling crews
24. For the enhanced kerbside sort recycling system with 3 weekly refuse, modelling was based on consultation with Somerset Waste Partnership and what they have found out in their trials and also on what Eunomia have found – This area needs further investigation to properly quantify resources required. A lot of councils who have looked at this option have undertaken trials

Independent Modelling Results

Appendix 4

OPTION	KERBSIDE SORT					Comingled	
	1A AS IS	2A Enhanced KS	5B Weekly recycling, 3 weekly refuse	8A Dual Stream	8B Dual stream with 3 weekly refuse		
Service Configuration	Existing Kerbsider service	Enhanced KS service using RRVs	Enhanced KS service, 3 weekly refuse	FN Comingled recycling with separate glass, AWC refuse	FN Comingled recycling with separate glass, 3 weekly refuse		
<b>Recycling</b>							
Paper							
Cardboard							
Mixed cans							
Plastic bottles							
PTT							
Textiles							
Others: SWEEE, batteries, cartons, foil etc							
Glass							
Food							
Refuse	180	180	180	180	180		
<b>Garden Waste</b>	<b>CHARGED</b>	<b>CHARGED</b>	<b>CHARGED</b>	<b>CHARGED</b>	<b>CHARGED</b>		
<b>Front line vehicle configuration</b>	Dry recycling	Kerbsider	RRV	RRV	S/B RCV	S/B RCV	
	Food	FWV/Kerbsider	RRV/FWV	RRV	FWV	FWV	
	Refuse	RCV	RCV	RCV	RCV	RCV	
	Garden	RCV	RCV	RCV	RCV	RCV	
<b>UBICO Collection costs 2017/18</b>							
Refuse	£ 809,532	£ 809,532	£ 635,932	£ 809,532	£ 635,932		
Food	£ 330,260	£ 458,863	£ 38,016	£ 458,863	£ 458,863		
Garden - just overhead	£ 50,031	£ 50,031	£ 50,031	£ 50,031	£ 50,031		
Recycling	£ 1,374,510	£ 1,462,414	£ 2,016,899	£ 1,040,648	£ 1,073,330		
Bring sites	£ 130,000	£ 130,000	£ 130,000	£ 130,000	£ 130,000		
<b>Collections Sub-Total</b>	<b>£ 2,728,155</b>	<b>£ 2,694,333</b>	<b>£ 2,910,840</b>	<b>£ 2,489,074</b>	<b>£ 2,341,154</b>		
Other services (clinical, bulky etc)							
MRF gate fees	£ 19,920	£ 19,920	£ 19,920	£ 229,740	£ 24,000		
Materials handling costs	£ 172,200	£ 172,200	£ 172,200	£ 40,200	£ 4,000		
Annualised container cost (over 10 years)	£ -	£ -	£ -	£ 107,638	£ 10,000		
Communications	£ -	£ -	£ -	£ -	£ -		
Additional client support (on-going)	£ -	£ -	£ -	£ 25,000	£ -		
Material Value	-£ 201,200	-£ 401,320	-£ 441,302	-£ 521,766	-£ 65,345		
Recycling Credits	-£ 364,800	-£ 416,752	-£ 466,144	-£ 542,960	-£ 485,324		
Landfill avoidance incentive	-£ 77,000	-£ 77,000	-£ 77,000	-£ 100,000	-£ 77,000		
Garden waste revenue	£ -	£ -	£ -	£ -	£ -		
<b>CBC Net Revenue impact</b>	<b>£ 2,085,155</b>	<b>£ 1,991,381</b>	<b>£ 2,118,514</b>	<b>£ 1,923,272</b>	<b>£ 2,095,570</b>		
Variance from existing	-£ 93,774	£ 33,359	-£ 161,883	£ 153,828	£ 8,421		
Cost index	0.96	1.02	0.92	1.07	1.00		
<b>WDA Additional Revenue impacts</b>	£ -	-£ 52,038	-£ 262,116	-£ 151,136	-£ 303,851		
<b>Total whole system cost</b>	<b>£ 1,991,381</b>	<b>£ 2,066,476</b>	<b>£ 1,661,156</b>	<b>£ 2,087,847</b>	<b>£ 1,789,725</b>		
<b>Capital items/One off costs</b>							
Vehicles	£ 2,090,407	£ 2,486,407	£ 2,708,047	£ 2,266,407	£ 2,160,047		
New Containers inc. delivery	£ -	£ -	£ -	£ 1,076,375	£ 1,076,375		
Communications	£ -	£ 27,250	£ 54,500	£ 27,250	£ 54,500		
Additional client support (year 1)	£ -	£ -	£ 25,000	£ -	£ 25,000		
<b>Total capital/one off costs</b>	<b>£ 2,090,407</b>	<b>£ 2,513,657</b>	<b>£ 2,762,547</b>	<b>£ 3,370,032</b>	<b>£ 3,290,922</b>		
<b>PERFORMANCE</b>							
<b>Annual Material Tonnages</b>	<b>CBC 15/16</b>						
<b>Refuse</b>	<b>20624</b>	<b>20624</b>	<b>19742</b>	<b>17047</b>	<b>18714</b>	<b>16988</b>	
CA Residual	2163	2163	2163	2163	2163	2163	
Litter	2889	2889	2889	2889	2889	2889	
<b>Food</b>	<b>2747</b>	<b>2747</b>	<b>2747</b>	<b>3173</b>	<b>2747</b>	<b>3173</b>	
<b>Garden</b>	<b>4639</b>	<b>4639</b>	<b>4639</b>	<b>4639</b>	<b>4639</b>	<b>4639</b>	
CA Green	2298	2298	2298	2298	2298	2298	
<b>Dry recycling</b>	<b>6296</b>	<b>6296</b>	<b>7178</b>	<b>8550</b>	<b>8207</b>	<b>8612</b>	
<b>Bring sites</b>	<b>1146</b>	<b>1146</b>	<b>1146</b>	<b>1146</b>	<b>460</b>	<b>460</b>	
3rd parties	222	222	222	222	222	222	
CA Recycling	3370	3370	3370	3370	3370	3370	
Reuse	576	576	576	576	576	576	
<b>Total waste arisings</b>	<b>46970</b>	<b>46970</b>	<b>46970</b>	<b>46073</b>	<b>46284</b>	<b>45390</b>	
<b>Recycling rate</b>	<b>45.3%</b>	<b>45.3%</b>	<b>47.2%</b>	<b>52.0%</b>	<b>48.7%</b>	<b>51.4%</b>	

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## Cost of providing recycling banks in Cheltenham Borough

## Appendix 5

Tonnage and cost figures in this appendix are provisional but are believed to be correct.

### CBC - Current Service

There are 13 sites in the Borough, all located in Council or Supermarket Car Parks.

The banks are all provided and serviced by Ubico except for textiles (Devizes Textiles) and foil (Oakley Resource Centre). No supermarkets or other organisations are providing bring banks (a small number of “rogue” unauthorized textile banks have recently been removed).

The range of materials collected is standard across all sites except for the High St. Car Park which is smaller and only contains banks for Textiles and Glass/Cans. At the other 12 sites the materials are:-

- Paper
- Cans
- Glass
- Mixed Plastic
- Card
- Textiles
- Foil (some sites only)

The banks are serviced by Ubico using two, driver only, skip vehicles. These are fully deployed on this service. On this basis the only efficient options would be to either reduce the number of sites by half or cease the service provided by Ubico altogether.

The *gross* annual cost of providing the service is £130K pa, most of which is due to running the vehicles (JWC estimate approx. £100k pa) and handling of material and a small amount of overhead. The materials marketing is undertaken as part of the role of the JWT and not split out, however in reality there is no extra cost as the material from kerbside collection is already / will be marketed.

Total tonnage was 978T in 2015/16.

The income from sale of materials is around £50K at current prices and income from Recycling Credits is around £55K. It should be noted that the banks are probably heavily used by small businesses as a free outlet and, technically, Recycling Credits should only be paid on household material. However the difficulty of accounting for household versus commercial sourced material is accepted by the County Council and Credits are paid on the full amount.

It is reasonable to assume that a proportion of this material would not switch to the kerbside should banks be withdrawn, thus reducing the overall income to CBC and also adversely affecting the CBC recycling rate. If, say, 50% of material from the banks was from commercial sources and was not diverted to the kerbside service, the CBC recycling rate would reduce by around 1.1% (all else being equal).

**The net cost of the service is around £25Kpa or £25K/T which is highly cost effective.**

## **Other Gloucestershire Authorities**

### **FoDDC**

A key aim of the FoDDC Review in 2015 was to provide cardboard and plastic bottle collection from the kerbside. In order to achieve this, consideration was given to removing bring banks across the District to make savings to implement the kerbside collection.

Banks at FoDDC fell into two main categories:-

- 5 sites with very large 26 yard banks for cardboard and plastics bottles only. These were at a net cost of £121k per annum.
- 34 sites with 1100ltr recycling banks for plastic bottles, paper, glass, cans, serving "difficult to access" properties. These are serviced at a net cost of £132k per annum.

FoDDC resolved to remove the large banks as part of the new service model as cardboard and plastic bottles would be collected at the kerbside. The 34 smaller sites are remaining.

The saving from withdrawing the large recycling banks is a factor in facilitating the new weekly recycling service without extra cost. Other offsetting factors include additional income from sale of material (at FoDDC's risk), additional Recycling Credits and the food waste supply agreement.

### **Stroud**

Stroud are understood to have reduced the number of bring sites in recent years with a further tranche of removals as part of their new service model commencing in November 2016. Further details are awaited.

### **Gloucester City**

Gloucester City operate four large bring sites for card and mixed plastic only at major supermarkets at a net cost of around £50Kpa. While not able to provide a definitive position, JWT understands that GCC are not intending to make any changes to bring banks as part of their current service review.

### **Cotswold**

Cotswold reviewed their bring banks provision at the end of 2015 and, following consultation with members, have decided to withdraw from a number of smaller sites which are infrequently used and increase the range of materials at the larger sites. These changes, once implemented will mean that there are still over 20 bring sites in operation. Bring sites will be considered again as part of the Cotswold service review commencing in 2017/2018.

### **Tewkesbury**

Prior to 2010 TBC collected glass, cans and plastic bottles across around 55 sites (community centres, pubs etc) and cardboard at 5 large supermarket / council car park sites. Material was delivered to Printwaste.

When the current service was introduced in 2010 the majority of banks were removed, leaving just 5 council operated sites with co-mingled banks for (1) plastics, glass, cartons and cans and (2) flattened card and paper. These are serviced by the recycling collection RCVs and the collections are scheduled in with the recycling collections in those areas. The detail of the total saving from 2010 is being researched.

### **Conclusion**


CBC bring site provision is quite comprehensive compared to other partners and sites are well used, bringing in around 1000T of material per annum.

The service is efficient in terms of cost per tonne recycled but runs at a relatively small deficit (£25kpa) at current income levels. If material prices recover in the future the service could break even or better.

Assuming the bank service was completely withdrawn, and only 50% of material from the banks was diverted to the kerbside service, the CBC recycling rate would reduce by around 1.1% (all else being equal).



## Recycling Material Commodity Values

	<b>Overview of Market Conditions for Recyclable Materials</b>
<b>Committee</b>	Gloucestershire Joint Waste Committee
<b>Committee Date</b>	<b>4 October 2016</b>
<b>Decision?</b>	No
<b>Responsible Officers</b>	Steve Read, Head of Service, Gloucestershire Joint Waste Team ( <a href="tel:01823625707">01823 625707</a> ; <a href="mailto:steve.read@gloucestershire.gov.uk">steve.read@gloucestershire.gov.uk</a> );
<b>Main Consultees</b>	None
<b>Purpose of Report</b>	To present an overview of trading conditions in the recyclable materials market
<b>Recommendations</b>	<b><i>It is recommended that the Committee:</i></b> Notes the contents of the report
<b>Resource Implications</b>	None

## 1. Background

- 1.1 At the Joint Waste Committee (JWC) meeting on 21st June 2016, members requested a briefing paper explaining the recycling materials commodity market, particularly with regard to market price variations over time.
- 1.2 The purpose of this report is to present an overview of how recycling commodities are managed by each of the JWC partner authorities, explain the role of macro-economic and industry-specific factors and detail how commodity prices have risen and fallen over recent years.
- 1.3 It is important to note that income received from sale of materials and (separately, from recycling credits paid by Gloucestershire County Council to collection authorities) cover only a fraction of the costs of collecting the material. Household recycling in the UK has developed as result of targets, statutory duty and financial instruments (principally Landfill Tax). Recycling Services remain a significant net cost to collection authorities.
- 1.4 Each of the partner authorities has its own arrangements for managing recycling commodities as presented below;

Partner	Contractual Arrangements	Income	Benefits/Risks
Cheltenham Borough Council	Has contracts in place directly with recycling material re-processors	Receives income directly	Able to secure high end of available prices but takes risk of market variations
Cotswold District Council	Has a contract in place with a single recycling materials broker	Receives income directly	Able to secure good prices but takes risk of market variations
Forest of Dean District Council	Biffa markets materials on behalf of the council in consultation with JWT officers	Receives income via Biffa	Able to secure high end of available prices but takes risk of market variations (Note: Biffa takes all income for textiles and WEEE under the new

			service / contract extension arrangements)
Tewkesbury Borough Council	Co-mingled materials are delivered to the Grundon Materials Recycling Facility (MRF) and TBC pay a gate fee per tonne for processing. Grundons market the material derived	Income retained by MRF to offset some of the processing costs	Market and quality risk is taken by the contractor. The new contract currently out to tender will involve a risk/reward sharing formula to vary the gate fee according to market price variations
Gloucestershire County Council	Has new contracts in place directly with recycling material re-processors	Receives income directly	Able to secure high end of available prices but takes risk of market variations.

- 1.5 In summary, Cheltenham Borough Council, Cotswold District Council and Forest of Dean District Council have contracts in place with recycling re-processors/recycling material handlers (brokers) or their contactor and receive income derived from the recycling materials.
- 1.6 Tewkesbury Borough Council pays a gate fee to deliver into a Materials Recycling Facility (MRF), so the value of the material goes to offset some of the MRF operator’s costs. This meant that the contractor took the full risk of variations in materials prices. This was no longer sustainable for them and therefore the contract will not be extended and is now out to tender.
- 1.7 Under Gloucestershire County Council’s recently expired Household Recyclable Centre (HRC) contract with Kier, the contractor was responsible for marketing recyclable material brought to HRCs and retained all income to offset their costs. This also meant that the contractor took the full risk of variations in materials prices. This was no longer sustainable for them and Kier sought to negotiate a contract extension on the basis of a higher contract price to recoup loss of income. JWT undertook an options appraisal and the decision was taken by the County Council to join Ubico to enable them to provide the service.



- 1.8 Ubico took over the contract on 7th August 2016 on the basis that this would provide a net saving in overall service cost, albeit the JWT now arranges the contracts with off-takers and GCC retains all income. This exposes the County Council to both upside and downside risks. The level of risk was accepted by GCC after a sensitivity analysis of market variations.

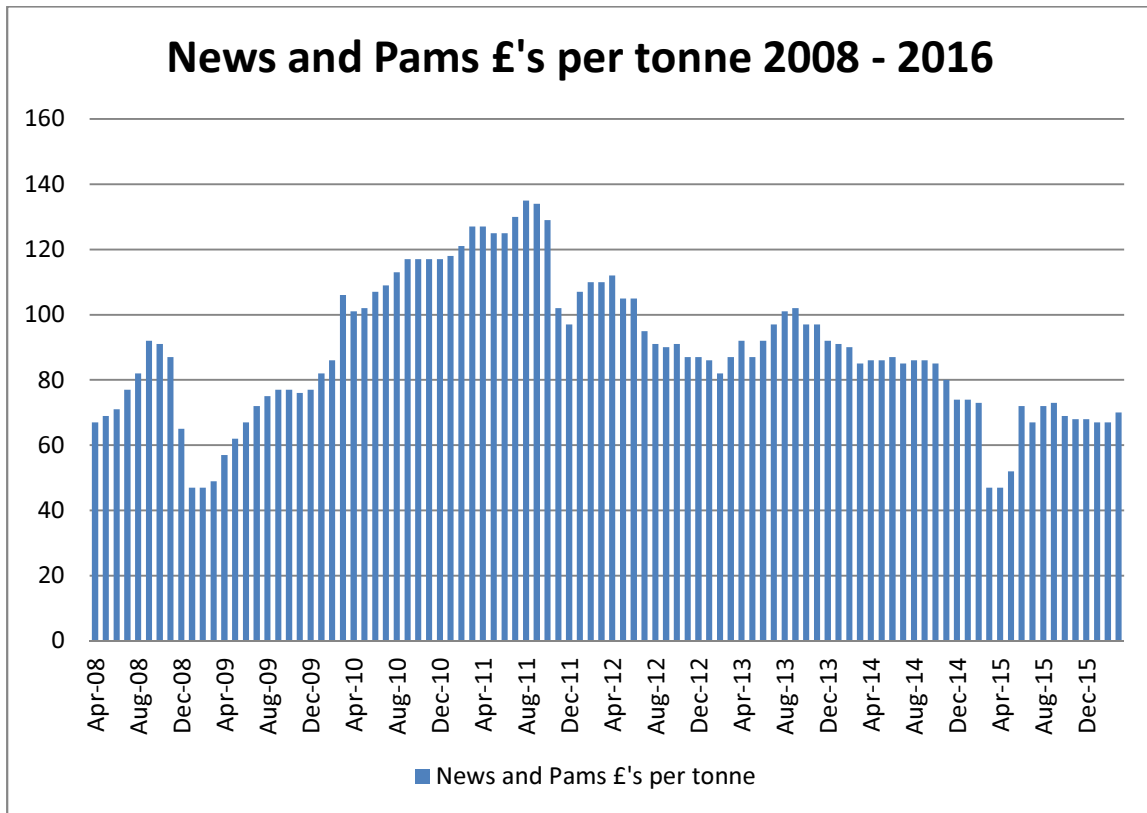
## 2. Macro-economic and Industry-specific Drivers

- 2.1 The market for recyclable materials has seen high growth in volumes over the last 20 years as recycling schemes have been rolled out in the household and commercial sectors. There have been a number of “bubbles” when rising demand outstripped supply resulting in high prices followed by a rapid slump in prices as supply came into balance with demand. An early example occurred in the paper market in the late 1990s. This was not as a result of changes in the global economy but down to instability in an immature market.
- 2.2 A relatively stable period followed but since 2008, the recycling commodity market was affected by the global slowdown and the value of some material has not recovered to pre 2008 levels.
- 2.3 The recycling industry is to a degree an indicator of how the economy is doing as the supply and demand depend on the consumption of goods, and the willingness to invest in new processes and facilities which could stimulate demand and provide new outlets for secondary materials.
- 2.4 Commodity prices recovered slightly after 2008 but then fell in 2012 and again in 2013 by about 10%, although they were still generally higher than immediately before the crash. Recent trends have been towards less volatility but remaining lower than the heady days of the mid 2000s when a number of businesses built their business model around sustained buoyancy.
- 2.5 It should be noted that each of the materials predominantly has its own separate market and may be affected by industry specific issues so prices may rise and fall due to both macro and industry-specific factors. An example of the latter occurred in February 2015 when one of the three large newspaper mills in the UK (Aylesford, Kent) went into receivership without warning. This was in itself a reflection of reduced demand for newsprint, part of the declining role of printed media in society. The resultant glut of recycled newspapers and magazines caused a drop in prices and also allowed the two remaining UK mills to be more picky about which material they took in. This also illustrated that kerbside sorted material has higher security of offtake as cleaner kerbside sorted material was taken in preference to much ex-MRF material. A further industry-specific example occurred in the cardboard sector at the end of 2015 when a number of smaller and middle-sized mills in China bought less or nothing at all as they were waiting for import licences.
- 2.6 Exports to China have firmed up again as a result of the licensing arrangements being resolved. In the UK Smurfit Kappa opened a new lightweight board manufacturing machine at Snodland, Kent in February this year. These have had a positive impact on demand and contributed to the price of brown cardboard improving in 2016.

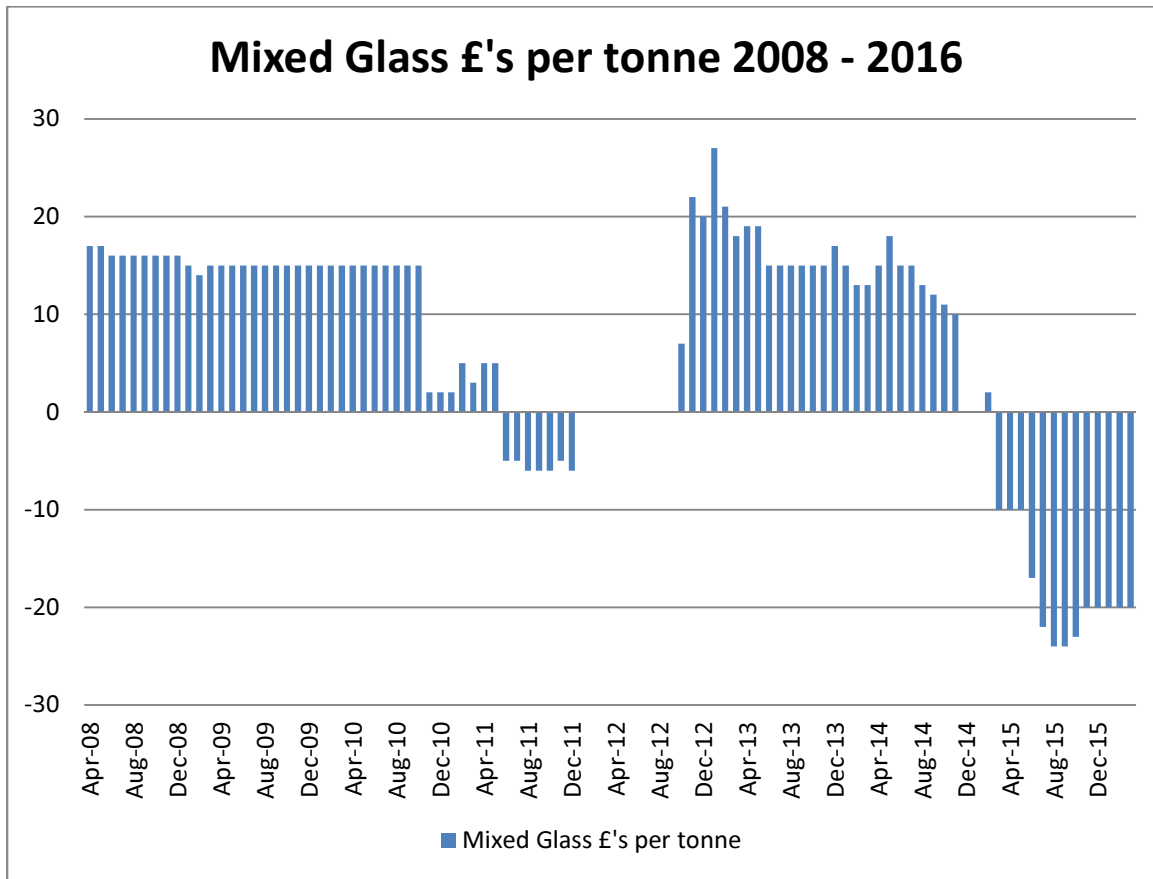
- 2.7 However the outlook for mixed fibre grades is less positive. Mixed paper usually consists of grey board, and lower grade papers after newspapers, magazines, pamphlets and office grade paper have been largely removed. Again the quality of the material is a factor: the higher the level of contamination, the more pre-processing is needed to clean it up, which adds cost to the manufacturing process, so prices are lower accordingly. Another factor which the recovered paper / cardboard sector is having to take on board is moisture content. Unsurprisingly re-processors do not wish to pay for water and several exporters to China are now imposing penalty charges on material that is wet. More stringent tests are being imposed and buyers are adopting a stricter approach.
- 2.8 The Vote to leave the EU has weakened the pound which has made exports from the UK more attractive. Early signs are that this has had a positive impact on commodity prices. The long term impact on aspects such as confidence to invest in new and replacement plant in the UK is, of course, still to be determined.
- 2.9 Whilst not having the ability to directly affect the market, authorities stand the best chance in being able to secure competitive prices and having guaranteed outlets for materials collected by providing good quality recycling materials.

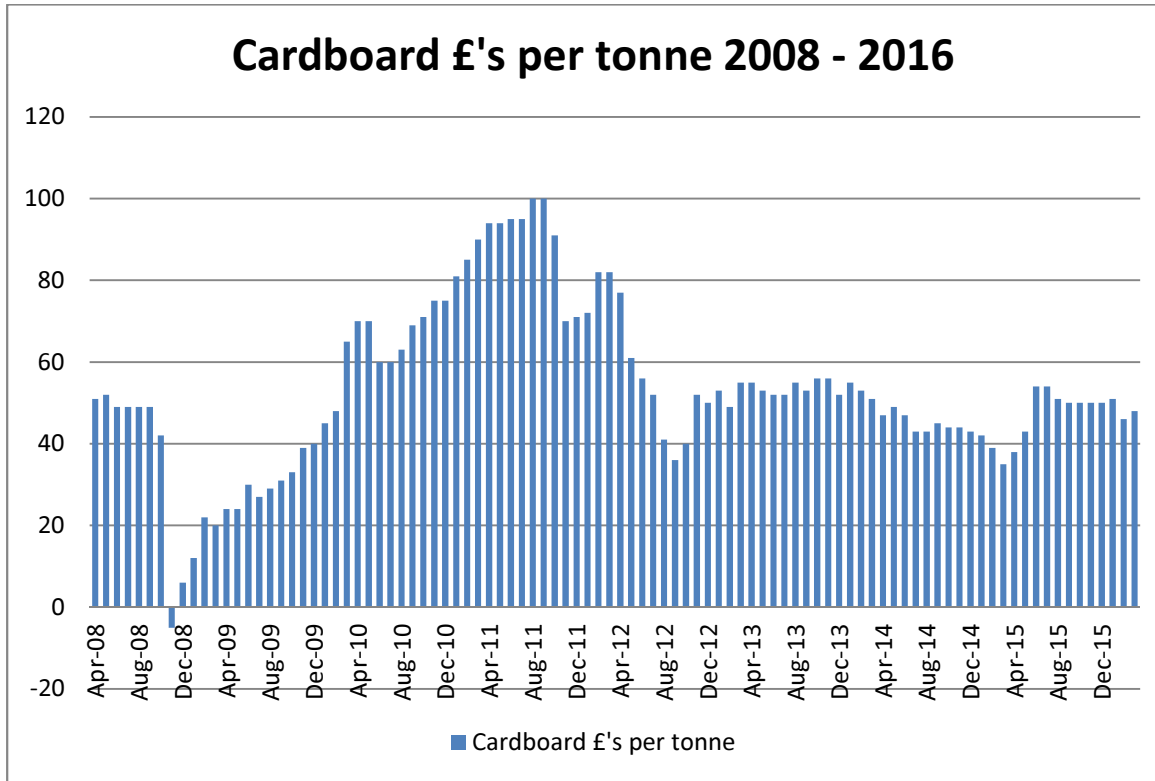
### **3. Material Specific Trends**

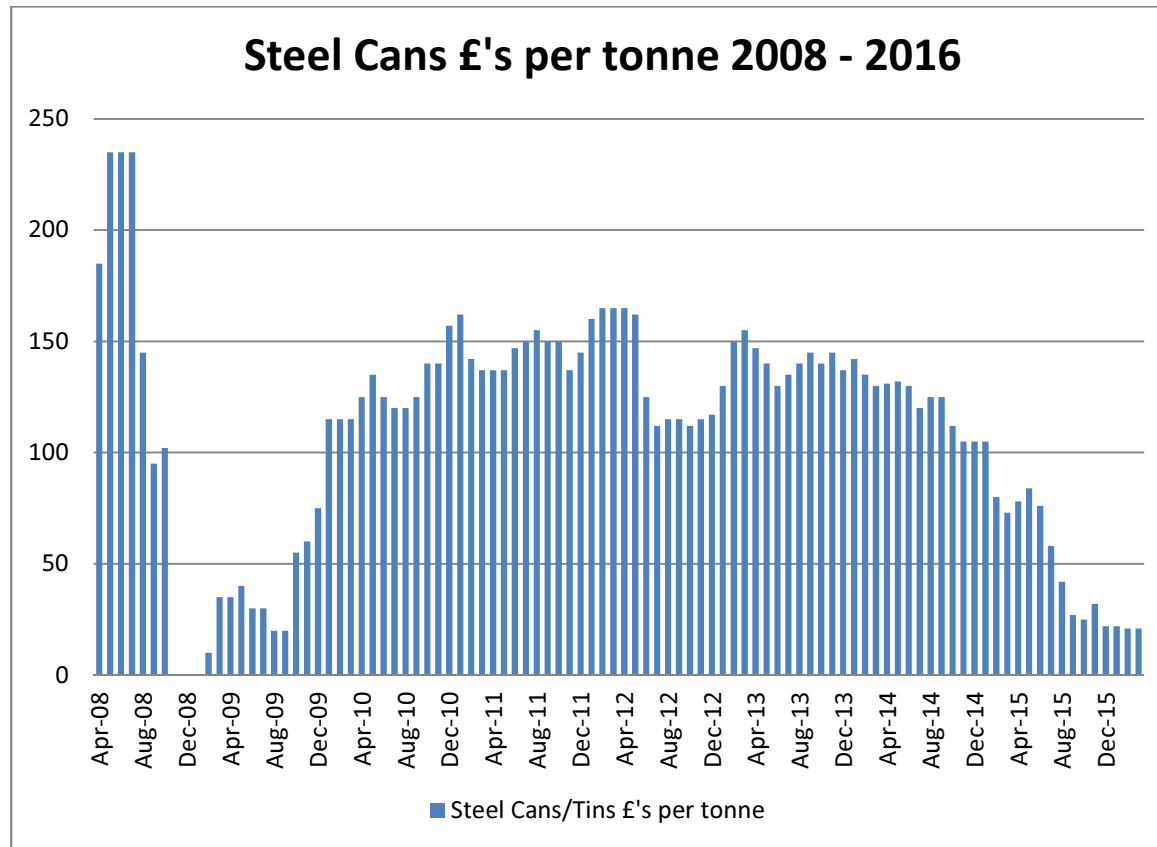
- 3.1 The graphs below show how prices have varied on a product by product basis during the period April 2008 to March 2016. In the main, the prices have an upper and lower threshold and re-processors use this as a guide when offering prices to the market. We have taken mid-point where there is an upper and lower threshold.



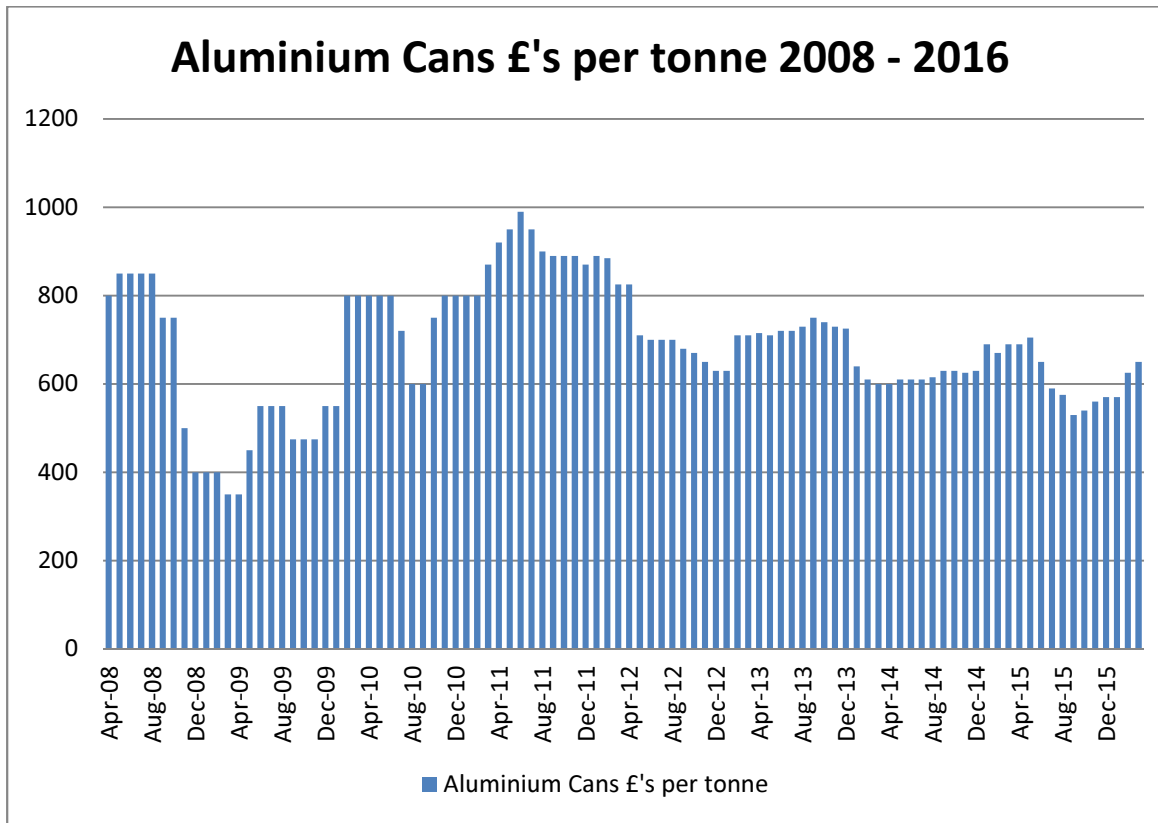


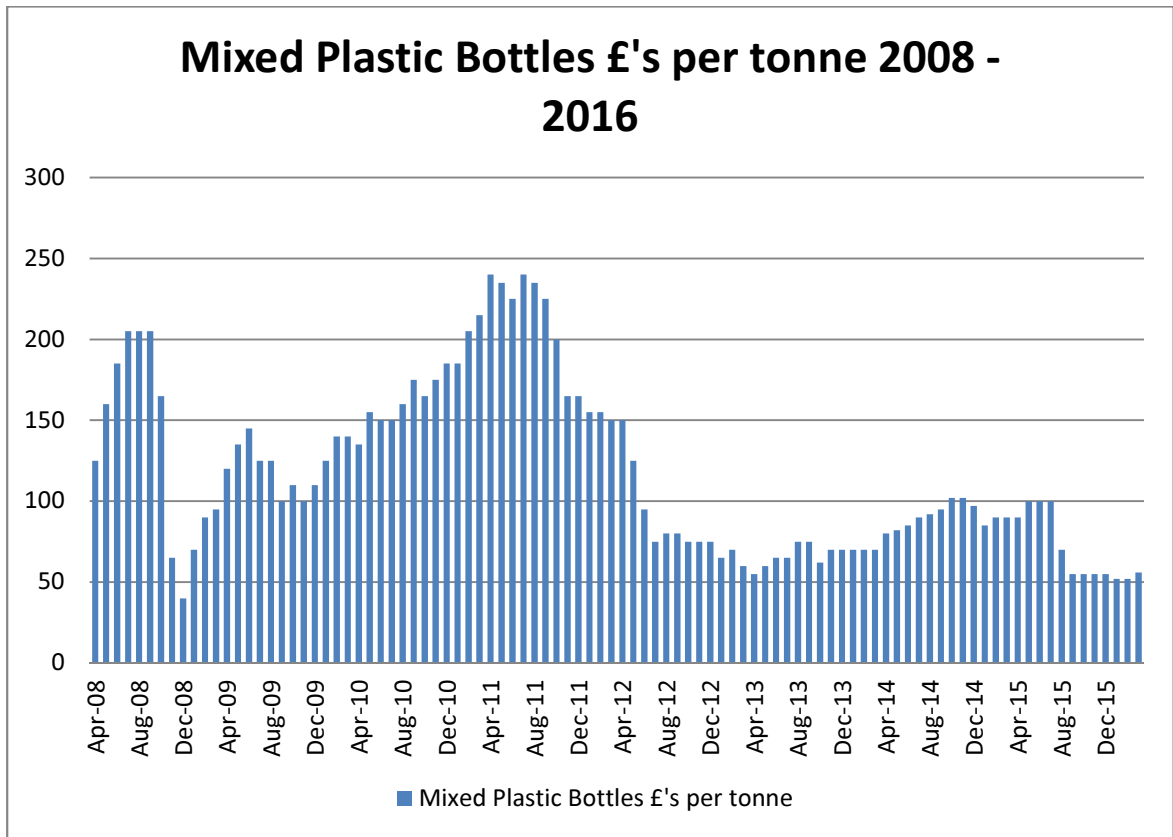












Appendix 1 – Published Commodity Prices 2008/9 to 2015/16 (source = letsrecycle.com)

Lets Recycle Commodity Prices												
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
<b>2008/09</b>												
News and Pams £'s per tonne	65 - 70	67 - 72	70 - 72	75 - 80	80 - 85	85 - 100	85 - 98	80 - 95	60 - 70	45 - 50	45 - 50	47 - 52
Mixed Glass £'s per tonne	15 - 20	15 - 20	14 - 19	14 - 18	13 - 21	13 - 20	13 - 19	13 - 19	13 - 19	13 - 18	13 - 16	13 - 17
Cardboard £'s per tonne	48 - 55	50 - 55	48 - 50	48 - 50	48 - 50	48 - 50	40 - 45	0 - 10	5 - 8	10 - 15	20 - 25	15 - 25
Steel Cans/Tins £'s per tonne	185	235	235	235	145	95	95 - 110	0	0	0	10	25 - 45
Aluminium Cans £'s per tonne	800	850	850	850	850	750	750	500	400	400	400	350
Mixed Plastic Bottles £'s per tonne	100 - 155	130 - 200	140 - 230	180 - 230	180 - 230	180 - 230	150 - 180	40 - 90	40	40 - 100	60 - 120	70 - 120
<b>2009/10</b>												
News and Pams £'s per tonne	55 - 60	60 - 65	65 - 70	70 - 75	70 - 80	75 - 80	75 - 80	72 - 80	75 - 80	80 - 85	85 - 87	103 - 110
Mixed Glass £'s per tonne	13 - 17	13 - 17	13 - 17	13 - 17	13 - 18	13 - 18	13 - 18	13 - 18	13 - 18	13 - 18	13 - 18	13 - 18
Cardboard £'s per tonne	22 - 27	22 - 27	23 - 38	25 - 30	27 - 32	29 - 34	30 - 36	37 - 42	38 - 43	40 - 50	42 - 55	60 - 70
Steel Cans/Tins £'s per tonne	25 - 45	30 - 50	20 - 40	20 - 40	10 - 30	10 - 30	40 - 70	45 - 75	70 - 80	100 - 130	100 - 130	100 - 130
Aluminium Cans £'s per tonne	350	450	550	550	550	475	475	475	550	550	800	800
Mixed Plastic Bottles £'s per tonne	90 - 150	110 - 160	130 - 160	100 - 150	100 - 150	70 - 130	80 - 140	60 - 140	80 - 140	100 - 150	120 - 160	120 - 160
<b>2010/11</b>												
News and Pams £'s per tonne	98 - 105	98 - 106	105 - 110	107 - 112	112 - 115	115 - 120	115 - 120	115 - 120	115 - 120	116 - 122	119 - 125	125 - 130
Mixed Glass £'s per tonne	13 - 18	13 - 18	13 - 18	13 - 18	13 - 18	13 - 16	13 - 16	0 - 5	0 - 5	0 - 5	0 - 10	0 - 7
Cardboard £'s per tonne	65 - 75	65 - 75	55 - 65	55 - 65	60 - 67	65 - 73	67 - 75	70 - 80	70 - 80	75 - 87	80 - 90	85 - 95
Steel Cans/Tins £'s per tonne	110 - 140	120 - 150	110 - 140	110 - 130	110 - 130	110 - 140	130 - 150	130 - 150	150 - 165	150 - 175	130 - 155	125 - 150
Aluminium Cans £'s per tonne	800	800	800	720	600	600	750	800	800	800	800	870
Mixed Plastic Bottles £'s per tonne	110 - 160	130 - 180	130 - 170	130 - 170	140 - 180	160 - 190	150 - 180	160 - 190	160 - 210	160 - 210	180 - 230	190 - 240
<b>2011/12</b>												
News and Pams £'s per tonne	125 - 130	120 - 130	120 - 130	125 - 135	130 - 140	129 - 139	123 - 135	100 - 105	95 - 100	105 - 110	105 - 115	105 - 115
Mixed Glass £'s per tonne	0 - 10	0 - 10	-5	-5	-6	-6	-6	-5	-6	0	0	0
Cardboard £'s per tonne	88 - 100	88 - 100	90 - 100	90 - 101	95 - 105	95 - 105	88 - 95	65 - 75	67 - 75	70 - 75	80 - 85	80 - 85
Steel Cans/Tins £'s per tonne	125 - 150	120 - 155	130 - 165	135 - 165	135 - 175	130 - 170	135 - 165	120 - 155	130 - 160	145 - 175	150 - 180	165
Aluminium Cans £'s per tonne	920	950	990	950	900	890	890	890	870	890	885	825
Mixed Plastic Bottles £'s per tonne	210 - 270	200 - 270	180 - 270	210 - 270	200 - 270	180 - 270	160 - 240	120 - 210	120 - 210	110 - 200	110 - 200	110 - 190
<b>2012/13</b>												
News and Pams £'s per tonne	110 - 115	100 - 110	100 - 110	90 - 100	86 - 96	85 - 95	87 - 95	85 - 90	85 - 90	82 - 90	80 - 85	85 - 90
Mixed Glass £'s per tonne	0	0	0	0	0	0	5 - 10	10 - 35	5 - 35	20 - 35	15 - 28	12 - 25
Cardboard £'s per tonne	75 - 80	58 - 65	53 - 60	50 - 55	35 - 48	30 - 43	35 - 45	45 - 60	45 - 55	48 - 58	38 - 60	48 - 62
Steel Cans/Tins £'s per tonne	165	150 - 175	110 - 140	100 - 125	105 - 125	105 - 125	105 - 120	110 - 120	110 - 125	125 - 135	145 - 155	150 - 160
Aluminium Cans £'s per tonne	825	710	700	700	700	680	670	650	630	630	710	710
Mixed Plastic Bottles £'s per tonne	110 - 190	80 - 170	50 - 140	30 - 120	30 - 130	30 - 130	25 - 125	25 - 125	25 - 125	15 - 115	20 - 120	20 - 100
<b>2013/14</b>												
News and Pams £'s per tonne	90 - 95	85 - 90	90 - 95	95 - 100	98 - 103	100 - 105	95 - 100	95 - 100	90 - 95	90 - 93	88 - 93	83 - 88
Mixed Glass £'s per tonne	12 - 27	9 - 30	5 - 25	5 - 26	5 - 25	5 - 25	5 - 25	5 - 25	8 - 27	5 - 25	4 - 23	2 - 24
Cardboard £'s per tonne	45 - 65	47 - 60	45 - 60	47 - 60	50 - 60	45 - 62	45 - 68	43 - 70	40 - 65	45 - 65	45 - 61	45 - 57
Steel Cans/Tins £'s per tonne	140 - 155	135 - 145	125 - 135	130 - 140	135 - 145	140 - 150	135 - 145	140 - 150	130 - 145	135 - 150	130 - 140	125 - 135
Aluminium Cans £'s per tonne	715	710	720	720	730	750	740	730	725	640	610	600
Mixed Plastic Bottles £'s per tonne	20 - 90	30 - 90	30 - 100	30 - 100	40 - 110	30 - 100	30 - 95	40 - 100	40 - 100	40 - 100	40 - 100	40 - 100
<b>2014/15</b>												
News and Pams £'s per tonne	83 - 90	83 - 90	85 - 90	80 - 90	82 - 90	82 - 90	80 - 90	75 - 85	69 - 80	69 - 79	69 - 77	45 - 50
Mixed Glass £'s per tonne	2 - 28	8 - 28	5 - 25	5 - 25	5 - 22	5 - 20	5 - 18	5 - 15	-10 - 10	0	-15 - 10	-30 - 10
Cardboard £'s per tonne	38 - 57	43 - 56	42 - 53	35 - 52	34 - 52	35 - 55	33 - 55	36 - 53	33 - 53	35 - 50	32 - 47	25 - 45
Steel Cans/Tins £'s per tonne	125 - 137	125 - 139	125 - 135	115 - 125	120 - 130	120 - 130	105 - 120	100 - 110	100 - 110	100 - 110	75 - 85	68 - 78
Aluminium Cans £'s per tonne	600	610	610	610	615	630	630	625	630	690	670	690
Mixed Plastic Bottles £'s per tonne	50 - 110	50 - 115	50 - 120	55 - 125	60 - 125	65 - 125	70 - 135	70 - 135	65 - 130	65 - 105	70 - 110	70 - 110
<b>2015/16</b>												
News and Pams £'s per tonne	45 - 50	50 - 55	70 - 75	65 - 75	68 - 79	68 - 79	64 - 74	64 - 72	65 - 72	65 - 70	65 - 70	68 - 73
Mixed Glass £'s per tonne	-30 - 10	-30 - 10	-25 - 10	-30 - 15	-33 - 15	-33 - 15	-35 - 11	-31 - 9	-30 - 10	-30 - 10	-31 - 10	-31 - 10
Cardboard £'s per tonne	28 - 48	32 - 54	46 - 60	46 - 60	45 - 57	45 - 56	45 - 55	45 - 55	46 - 56	47 - 55	40 - 52	43 - 54
Steel Cans/Tins £'s per tonne	73 - 83	78 - 90	70 - 82	52 - 65	35 - 50	20 - 35	20 - 30	30 - 35	15 - 30	15 - 30	15 - 27	15 - 27
Aluminium Cans £'s per tonne	690	705	650	590	575	530	540	560	570	570	625	650
Mixed Plastic Bottles £'s per tonne	70 - 110	80 - 120	80 - 120	80 - 120	50 - 90	35 - 75	35 - 75	35 - 75	35 - 75	30 - 75	30 - 75	35 - 80

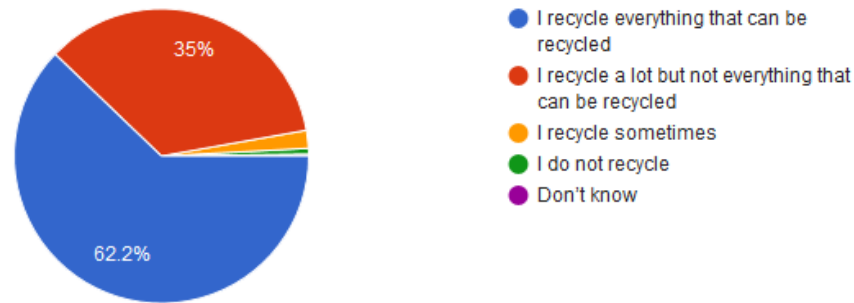


QUESTIONS RESPONSES 1893

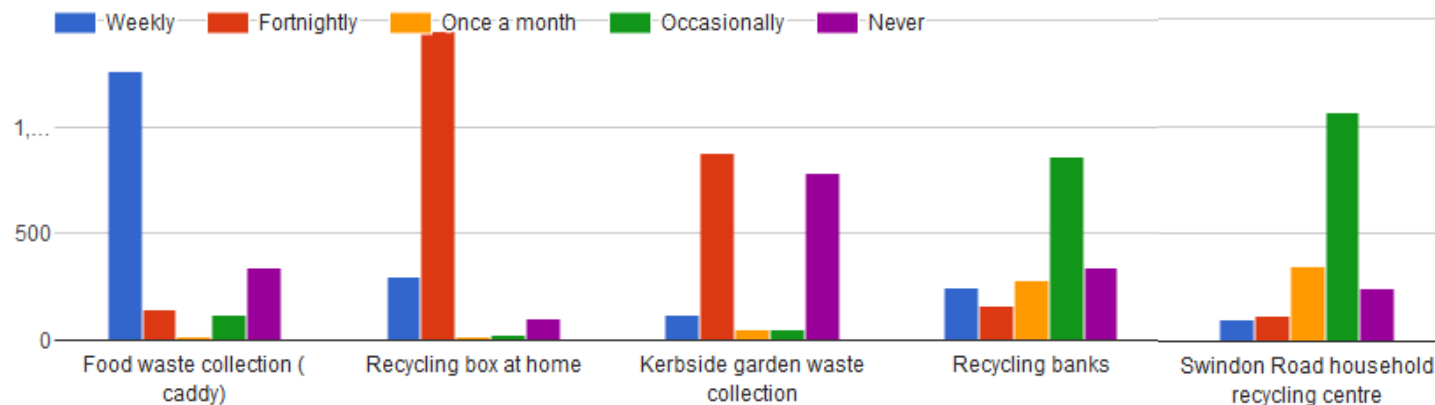
Part 1: Your current services

Which of these statements best describes how much you recycle?

(1887 responses)



If you do recycle, which services do you use and how often?

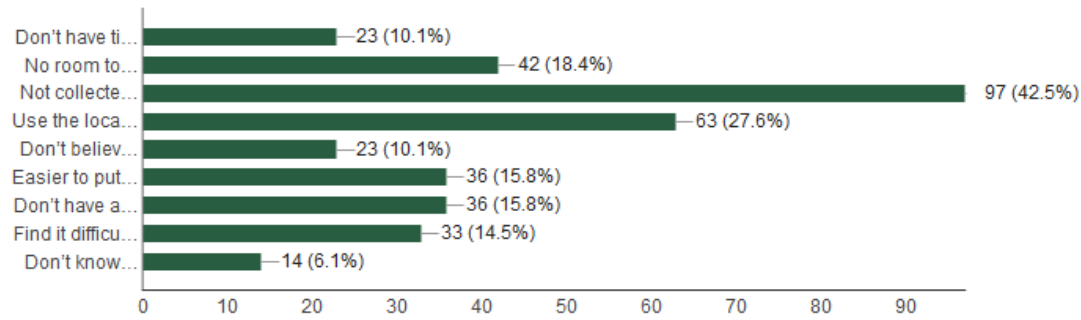


Don't have time to sort materials.  
 No room to store box.  
 Not collected frequently enough.  
 Use the local recycling bank sites/household recycling centre.  
 Don't believe that items are recycled.

<i>Easier to put in my wheeled bin.</i>
<i>Don't have a box.</i>
<i>Find it difficult to take my box to the kerbside.</i>
<i>Don't know when my collections are due.</i>

**If you DO NOT use the home recycling box service regularly, please advise the reason(s) why (tick all that apply)**

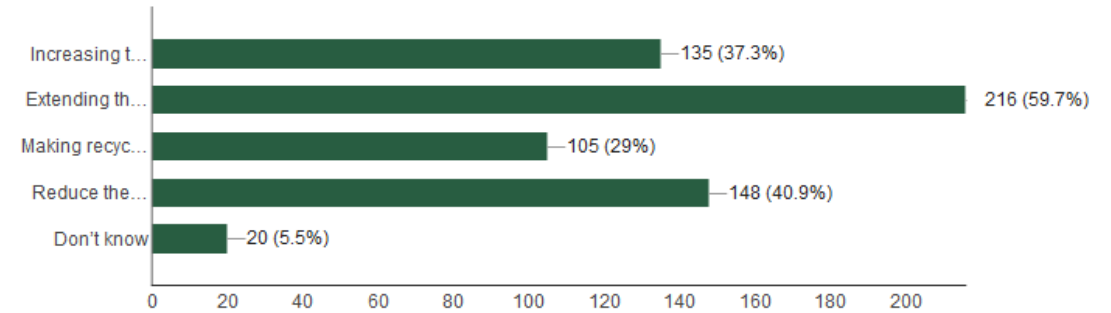
(228 responses)



<i>Increasing the frequency of the recycling service.</i>
<i>Extending the range of materials collected at the kerbside.</i>
<i>Making recycling at home easier to do.</i>
<i>Reduce the need to separate recyclables.</i>
<i>Don't know.</i>

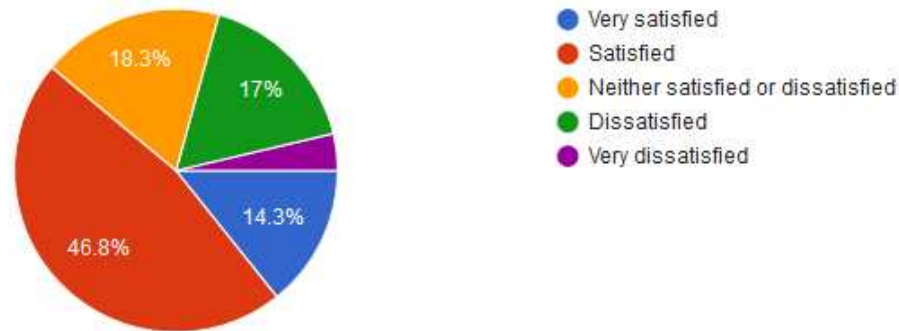
**If you DO NOT currently recycle or only rarely use the kerbside service, what would make you take part? (tick all that apply)**

(362 responses)



**Overall how satisfied or dissatisfied are you with the waste (rubbish/non-recyclables) collections provided to you at home?**

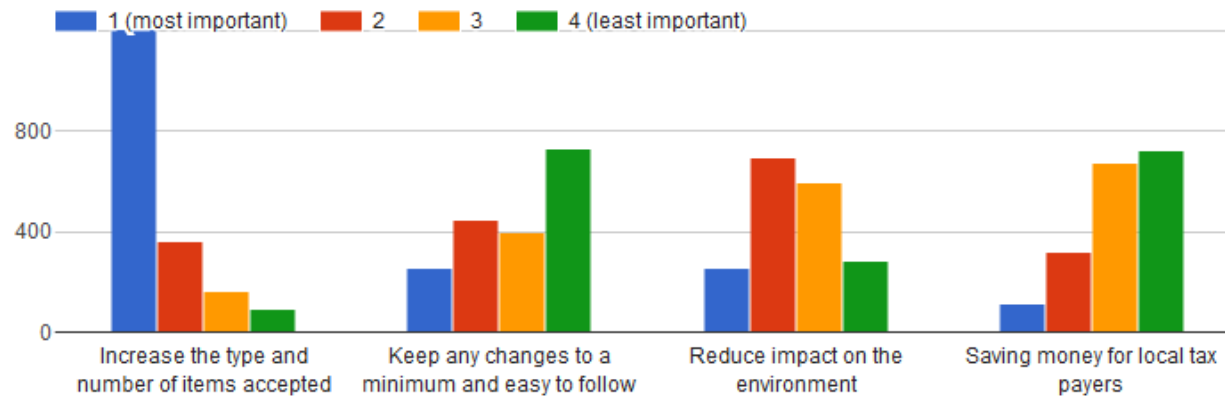
(1873 responses)





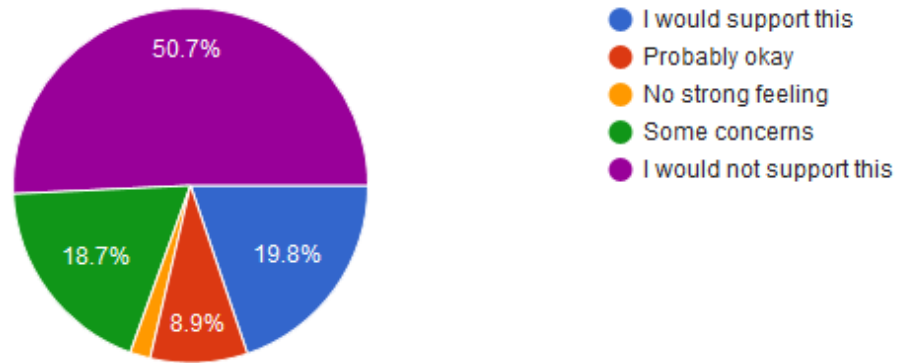
Part 2: Service improvements

When the council makes changes to its waste and recycling service, what do you think is most important? Please rank in order – 1 being most important and 4 being least important



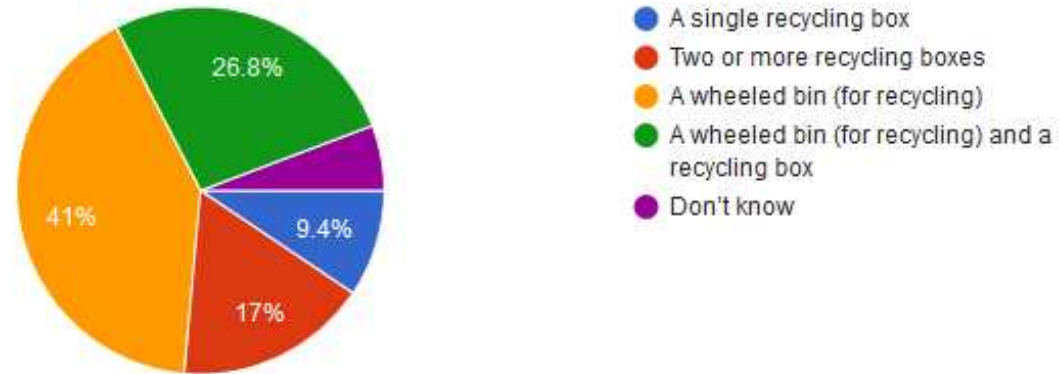
If we could increase the range of materials to include mixed plastic and brown cardboard, this should result in householders having less waste (rubbish/non-recyclables). If these services were offered, how would you feel about a three weekly waste collection?

(1884 responses)



### If we were able to offer an expanded recycling service what types of recycling container(s) would you have space for, in addition to your current green wheeled bin?

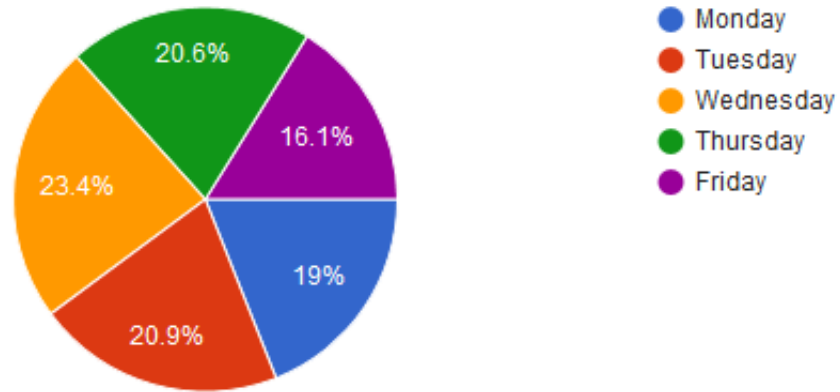
(1859 responses)



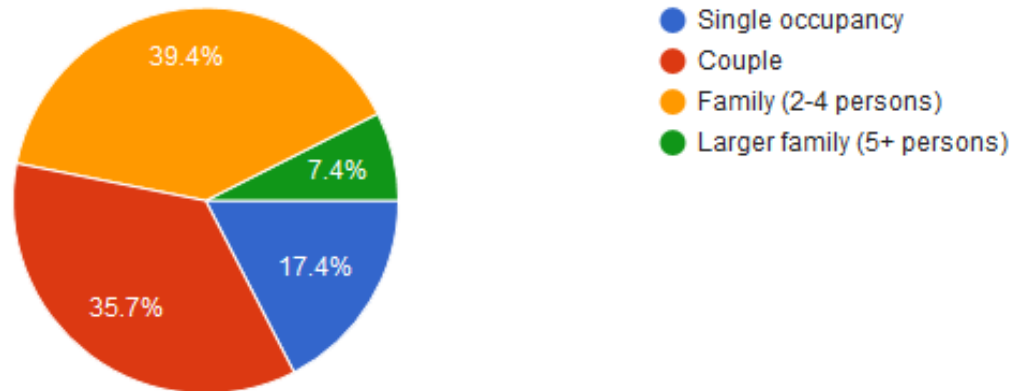


### Part 3: You and your household

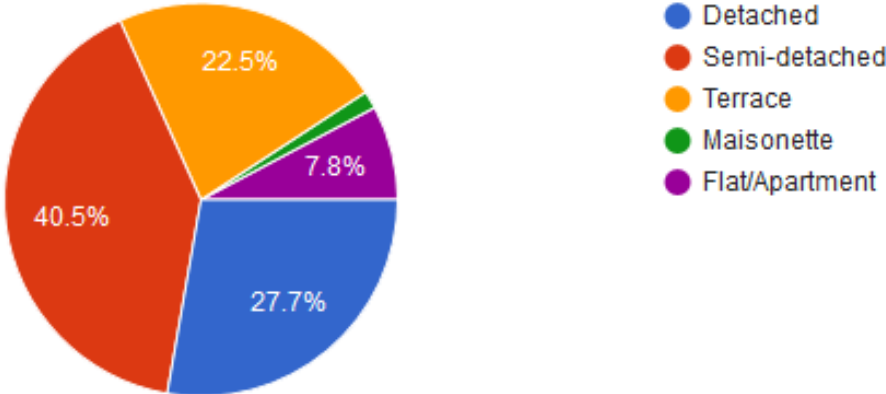
What day do you have your waste collection? (1869 responses)



Which option best describes your household? (1866 responses)



### What type of property do you live in? (1867 responses)



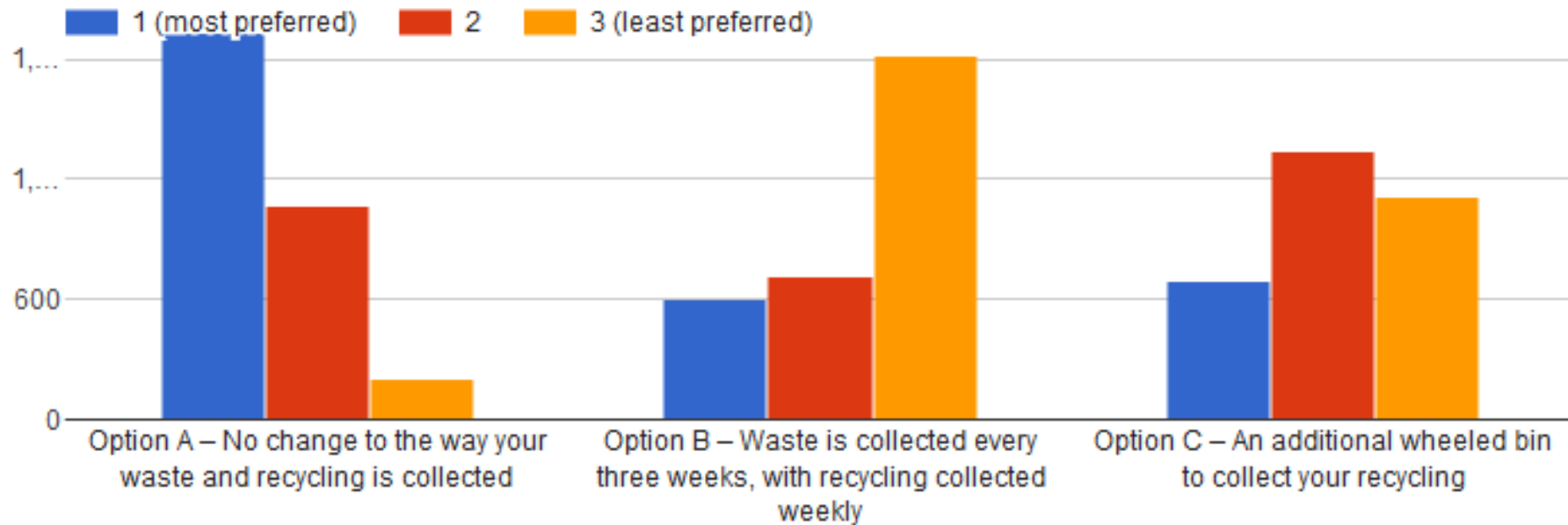
Waste and recycling service options survey – final summary of results

QUESTIONS

RESPONSES

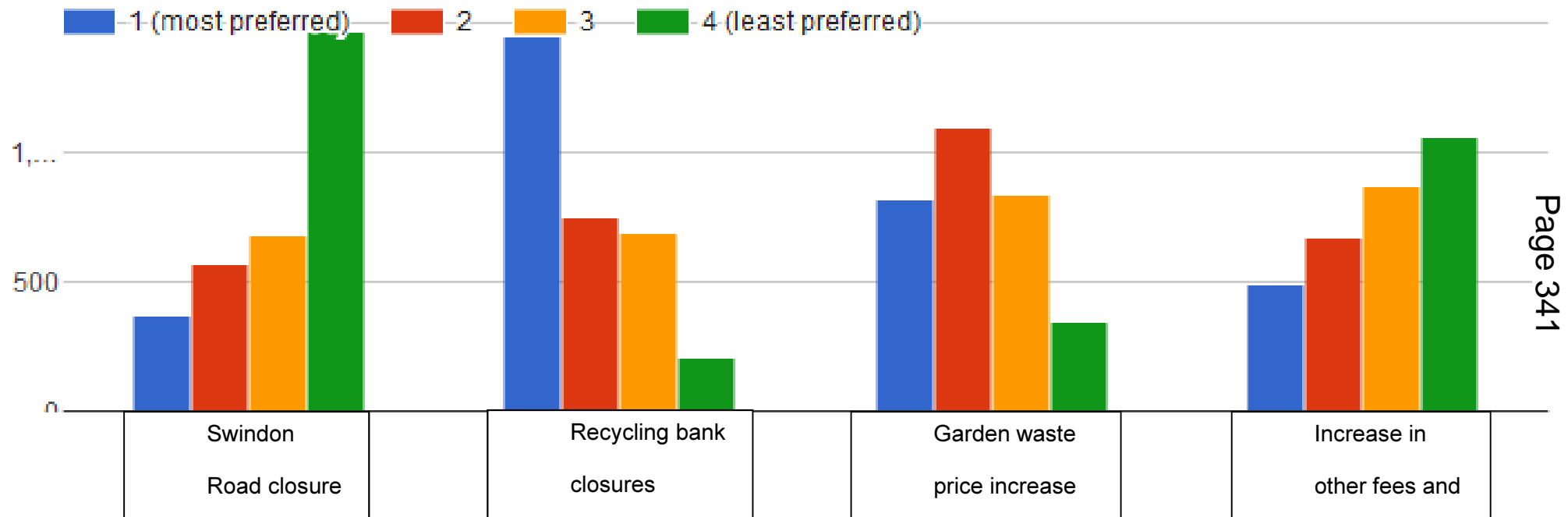
3,228

Which of the three options do you prefer? Please rank in order of preference, with 1 being most preferred and 3 being least preferred

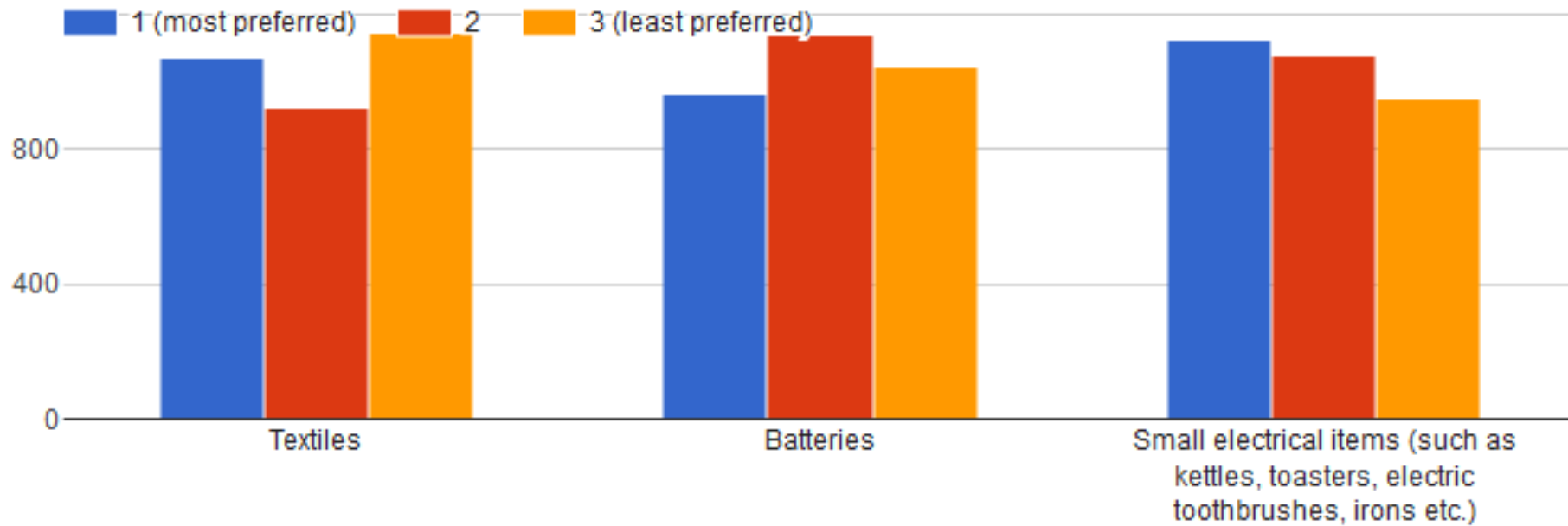




To pay for these options, which of the following would you support? Please rank in order of preference, with 1 being the most preferred and 4 being the least preferred



The range of recyclable items to be collected from outside your home will be increased to include all types of plastics (i.e. tubs, pots and trays) and heavy (i.e. brown) cardboard. Please rank in order of preference which other items you would like to see collected from the list below, with 1 being the most preferred and 3 being the least preferred



## Community impact assessments – for services, policies and projects

### What is a community impact assessment?

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

### Background

<b>Name of service / policy / project and date</b>	<b>Waste &amp; Recycling and Route Optimisation</b>
<b>Lead officer</b>	<b>Martin Stacy</b>
<b>Other people involved in completing this form</b>	<b>Sanjay Mistry Scott Williams Karen Watson</b>



## Step 1 - About the service / policy / project

<p><b>What is the aim of the service / policy / project and what outcomes is it contributing to</b></p>	<p>The project has the following priority action: ENV 2 - We will deliver CBC's commitments contained within the Joint Waste Committee plan</p> <p>The objectives of the Project are to:</p> <ul style="list-style-type: none"> <li>• Identify and evaluate options for future kerbside waste and recycling collection service</li> <li>• Delivery of a Member/Public consultation on the shortlisted options</li> <li>• Provide a recommendation as to a preferred delivery model</li> <li>• Implementation of the preferred delivery model</li> <li>• Ensure that the change process is managed effectively</li> <li>• Delivery of an effective communication strategy to support the change process</li> <li>• Alleviate current and future pressures on vehicle replacement</li> <li>• Delivery of optimised route redesign and implementation</li> </ul> <p>The project contributes to the Councils 'Cheltenham's environmental quality and heritage is protected, maintained and enhanced' outcome.</p>
<p><b>Who are the primary customers of the service / policy / project and how do they / will they benefit</b></p>	<p>The primary customers of the Waste and Recycling service are the residents residing in the borough of Cheltenham.</p> <p>There are also businesses which operate in the borough that utilise the waste collection service, but this activity is outside the scope of this project.</p> <p>If the recommendations of the project are accepted and implemented they should see improved recycling opportunities and an increase in performance for the authority.</p>
<p><b>How and where is the service / policy / project implemented</b></p>	<p>The projects objectives will be delivered to residents within the borough of Cheltenham, by a project team consisting of CBC, UBICO and JWC officers.</p>
<p><b>What potential barriers might already exist to achieving these outcomes</b></p>	<p>Residents not taking advantage of the improved recycling services and thereby not contributed to any improvement in performance.</p>

## Step 2 – What do you know already about your existing / potential customers

<p><b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance</b></p>	<p>The project has undertaken two stakeholder consultation exercises.</p> <p>The objective of the first exercise was to ascertain views of the current service and identify opportunities for improvement.</p>
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<p><b>information</b></p>	<p>The second exercise essentially provided participants with an option to select from three different services that had been shortlisted. Each option was presented with its advantages and disadvantages as well as their financial implications.</p>
<p><b>What does it tell you about who uses your service / policy and those that don't?</b></p>	<p>The first consultation exercise evidenced that there is a split between those residents who are keen recyclers, those who participate infrequently and those that don't recycle at all. The exercise highlighted the issues contributing to the varying levels of recycling habits, showing in particular an appetite for recycling more if more recyclable material was collected from the kerbside.</p> <p>The geographical spread of the second consultation responses had evidenced that the exercise was representative of the entire borough.</p>
<p><b>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</b></p>	<p>There is an overwhelming lack of support for moving to a three weekly refuse collection change.</p> <p>Participants were also very against the closure of the Swindon Road HRC.</p> <p>There wasn't overwhelming support to move to a co-mingled recycling service.</p>
<p><b>If not, who do you have plans to consult with about the service / policy / project?</b></p>	<p>N/A</p>

### Step 3 - Assessing community impact

How does your service / policy / project impact on different groups in the community?

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
People from black and minority ethnic groups				✓
Gender				✓
Gender Reassignment				✓
Older people / children and young people	Assisted collection service.			
People with disabilities and mental health challenges	Assisted collection service.			
Religion or belief				✓
Lesbian, Gay and Bi-sexual people				✓
Marriage and Civil Partnership				✓
Pregnancy & Maternity				✓
Other groups or communities				✓



### Step 4 - what are the differences

<b>Are any groups affected in different ways to others as a result of the service / policy / project?</b>	The improved service will be available to all residents.
<b>Does your service / policy / project either directly or indirectly discriminate?</b>	No
<b>If yes, what can be done to improve this?</b>	N/A
<b>Are there any other ways in which the service / project can help support priority communities in Cheltenham?</b>	The Councils waste policy provides assistance to those who are in need of additional support to manage their waste and recycling.

### Step 5 – taking things forward

<b>What are the key actions to be carried out and how will they be resourced and monitored?</b>	The primary key action is to implement the improved waste and recycling service. The implementation will be resourced with officer from CBC, JWT and UBICO. CBC will be responsible for the financial resourcing.
<b>Who will play a role in the decision-making process?</b>	Cllr Chris Coleman and the Cabinet Member Working Group. CBC
<b>What are your / the project’s learning and development needs?</b>	How to exploit different mediums to maximise the effectiveness of any consultation exercise.
<b>How will you capture these actions in your service / project planning?</b>	A dedicated project manager will utilise PRINCE2 based methodology to capture and manage project actions and overall time and budget management.



**Cheltenham Borough Council  
Cabinet – 6<sup>th</sup> December 2016  
Shopmobility Commissioning**

<b>Accountable member</b>	<b>Flo Clucas, Cabinet Member Healthy Lifestyles</b>
<b>Accountable officer</b>	<b>Townscape Manager</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Executive summary</b>	In September 2015, Cabinet resolved that the Shopmobility service be put to a commissioning process. This report summarises the results of early market engagement regarding the service and recommends moving to procurement.
<b>Recommendations</b>	<p><b>That Cabinet</b></p> <ol style="list-style-type: none"> <li><b>1. resolves to instigate the procurement of the Shopmobility Service; and</b></li> <li><b>2. approves a contribution equal to the value of the net savings generated in year's 1 to 5 be made into the budget strategy (support) reserve.</b></li> </ol>

<b>Financial implications</b>	<p>The 2016/17 net operational budget for the shop mobility service is £55,150. Section 2.2 to this report proposes that this saving, as reduced by any rental subsidy, will be phased over a period of 5 years. There would therefore be no financial impact on the council's budget until 2022/23, at which time an annual saving to the Medium Term Financial Strategy would be made.</p> <p><b>Contact officer: Sarah Didcote,</b> <b>sarah.didcote@cheltenham.gov.uk, 01242 264125</b></p>
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<p><b>Legal implications</b></p>	<p>The outsourcing of a service places a duty on the Council to consult with various groups, by virtue of Section 3(2) of the Local Government Act 1999 and the Revised Best Value Statutory Guidance of March 2015 and Section 149 of the Equalities Act 2010. The Council needs to take into account the results of consultations in its decision making process.</p> <p>In carrying out any procurement, the Council will need to follow its own Contract Rules as well as taking into account EU principles of transparency, equal treatment and proportionality. For the purposes of the Procurement Regulations 2015, the procurement will be covered by the “light touch regime”. It will also need to advertise and produce an Invitation to Tender including a suitable Specification, appropriate Selection and Evaluation Criteria, draft Contract Terms and Conditions and draft terms and conditions for the occupancy of premises. Transfer of staff, any existing contracts and equipment use and ownership will also need to be dealt with.</p> <p>With regard to the grant of a lease, although the Council has a statutory obligation to obtain the best rent when granting leases of 7 years or more, this does not apply to leases of less than 7 years (although the Council still has a general obligation to act reasonably and prudently). The offer of accommodation may increase the range of available bidders.</p> <p><b>Contact officer: Steve Isaac,</b> <b><a href="mailto:steve.isaac@tewkesbury.gov.uk">steve.isaac@tewkesbury.gov.uk</a>, 01684 272064</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>If a procurement exercise is authorised by Cabinet and subsequently a new provider of the Shopmobility Service appointed, there will be direct TUPE implications. The HR Business Partner will work closely with the service to ensure the required consultation process is followed, keeping the Trade Unions and employees fully informed.</p> <p><b>Contact officer: Carmel Togher, HR Business Partner</b></p> <p><b>Email: <a href="mailto:carmel.togher@cheltenham.gov.uk">carmel.togher@cheltenham.gov.uk</a></b></p> <p><b>Tel: 01242 775215</b></p>
<p><b>Key risks</b></p>	<p>R001 Any risks associated with Community Impact.</p> <p>R003 Financially disadvantaged groups may be affected if unable to access Shopmobility.</p> <p>R005 If the likely or actual effects of proposed changes in the service on persons who share protected characteristics are detrimental, then the Council will be in potential breach of its Public Sector Equalities Duty contained in Section 149 of the Equality Act 2010.</p> <p>R006 Should the service be closed then redundancy situation would apply for those staff unless they were able to be redeployed. There may be redundancy and pension liabilities.</p> <p>R007 There may be synergies between the service and other organisations in the town.</p>

<b>Corporate and community plan Implications</b>	<p>The report contributes to the following Corporate Outcomes and Priority Action:</p> <ul style="list-style-type: none"> <li>• Sustain and grow Cheltenham’s economic and cultural vitality</li> <li>• People live in strong, safe and healthy communities particularly <ul style="list-style-type: none"> <li>○ COM 10 - Commissioning review of Shopmobility</li> </ul> </li> <li>• Our council can continue to facilitate the delivery of our outcomes for both Cheltenham and its residents</li> </ul>
<b>Environmental and climate change implications</b>	No direct impacts.
<b>Property/Asset Implications</b>	<p>As CBC currently provides the shop mobility service no rental income is received. The proposed new arrangement presents an opportunity to negotiate and obtain a rent as part of the total offer made by prospective interested parties.</p> <p>The market rent for the property which based on current rents is £10,000-£12,000 pa.</p> <p>At present CBC is responsible for the property costs of repairs, utilities rates and insurance associated in running the Shopmobility service from the premises which amounts to £8,200 pa. The tenant will be liable and therefore responsible for these costs which therefore will be a cost saving to CBC.</p> <p><b>Contact officer: David Roberts@cheltenham.gov.uk</b></p>

## 1. Background

- 1.1 In September 2015 Cabinet considered a report on the future of Shopmobility, following receipt of notice to quit its then location in the Beechwood Arcade. The report included details of a consultation exercise into relocation options and the future of the service more generally. The results of the consultation exercise strongly supported continuation of a Shopmobility service in some form in the town.
- 1.2 Cabinet resolved to relocate the service to the Horse and Groom in St George’s Place (undertaken in November 2015) and to commence a commissioning process in January 2016. Commissioning was considered to be the best way to secure, long-term, the provision of the Shopmobility service.
- 1.3 The commissioning process has been underway for some months now, commencing with workshops – both internal and with the community – to establish what form a commissioned Shopmobility should take. These were followed by two Early Market Engagement exercises. The first in June did not generate any interest. However, a second exercise in September produced a response from one interested party.

## 2. Reasons for recommendations

- 2.1** An idea was put forward through Early Market Engagement that businesses could locate their existing business to the Horse and Groom, allowing direct management of Shopmobility alongside their existing business. The participant suggested that premises rental could be significantly subsidised and that the Council's funding of Shopmobility is phased out incrementally over a five year period – to zero at year five. This joint use of subsidised premises could be offered to all participants in a procurement exercise.
- 2.2** It is considered that the response to the Early Market Engagement, though limited, is sufficient to warrant moving to a formal procurement process. In considering the parameters of any commissioned outcome, there are a number of points to consider
- a.** If successful, commissioning could lead to base net budget savings in the service of £55,150 annually at year 5, based on the 2016-17 budget.
  - b.** The existing rental income receivable in respect of the Horse and Groom building is £10,000 - £12,000 per annum. If a commission proposal includes a variation in rental, this would need to be set against the savings generated from the commissioned service.
  - c.** It is recommended that a contribution equal to the value of the net savings generated in year's 1 to 5 be made into the budget strategy (support) reserve, deferring the possible saving to the Medium Term Financial Strategy until 2022/23. It is recommended that this be used to review and support the arrangements for the provision of the service at this time, if necessary.
  - d.** A permanent commission is suggested. There will be an on-going client-role.
- 2.3** Since the relocation of Shopmobility, two exercises have been undertaken in order to assess the level of spend in the town by clients hiring Shopmobility equipment. It is estimated that the spend is about £100,000 per annum, supporting the economy of the town.

### **3. Alternative options considered**

- 3.1** In considering options for the future of Shopmobility, there has been some discussion of whether Cheltenham BID might consider running the service. This is an option. However, Cheltenham BID is an independent limited company, albeit with Council representation on its board; any transfer to the BID would therefore need to be through the procurement process, which the BID is able to enter if interested.
- 3.2** The following other options have also been discussed:
- a.** discontinue the service altogether;
  - b.** continue as at present; or
  - c.** reduce the service

In the light of the September 2015 Cabinet decision to go down the commissioning route, these three options are considered premature pending the outcome of that process.

### **4. Consultation and feedback**

- 4.1** In July 2015 a Scrutiny Task Group reported on its investigation of Shopmobility. Included in its report were recommendations that there should continue to be a Shopmobility service in the town and that the Council should produce a strategy to seek alternative providers for the service, once established in its new location.
- 4.2** In September 2015, Cabinet received a full report on consultation undertaken in summer 2015. In



summary:

- a. The consultation ran between 6th August and 1st September. It was directly mailed to all registered users of the Shopmobility Service; a range of local charities and interest groups; local branches of relevant national charities; local business groups; and private businesses involved in provision of mobility aids. It was publicised through a press release and covered in the Echo. A questionnaire was available on the Council’s website and paper copies were available at Municipal Office’s receptions and the Shopmobility office.
- b. 143 responses received by the closing date.
- c. On the issues pertinent to this report:
  - Continuity All but two respondents considered that there should continue to be a Shopmobility service in the town.
  - Delivery The Borough Council was considered the best placed organisation to run the Shopmobility Service. However, there was a reasonable degree of confidence in either a charity or community group leading the operation. There was little support for a private company leading; nor a “tourism organisation”. There were few suggestions for other body’s which might be involved – two respondents suggested a business organisation such as the Chamber of Commerce.

4.3 Two workshops were held in spring 2016 in the lead-up to the early market engagement. They included the then cabinet member (Rowena Hay), Shopmobility staff and other officers working on the project. One workshop included Shopmobility users and other interested parties. The purpose of the workshops was to consider how to take the commissioning forward and to consider the nature of the service required. In summary, it was considered that the service should maintain current standards as a minimum and enhance them where feasible; it was also considered that there should be some direct “marketing” to likely client groups such as NHS orthopaedic patients.

**5. Performance management –monitoring and review**

5.1 It is proposed that the procurement exercise should identify a preference for a light-touch 5-year client role in order to ensure strategic Borough Council objectives. This could also provide a monitoring function, with an annual report to Cabinet.

<b>Report author</b>	<b>Contact officer: Wilf Tomaney, wilf.tomaney@cheltenham.gov.uk, 01242 264145</b>
<b>Appendices</b>	<ul style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Community Impact Assessment</li> </ul>
<b>Background information</b>	<ul style="list-style-type: none"> <li>1. Cabinet Report 14<sup>th</sup> July 2015 “Recommendations from the Scrutiny Task Group – Shopmobility”  <a href="https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=2271&amp;Ver=4">https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=2271&amp;Ver=4</a></li> <li>2. Cabinet Report 15<sup>th</sup> September 2015 “Shopmobility – Future Delivery”  <a href="https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=2425&amp;Ver=4">https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=166&amp;MId=2425&amp;Ver=4</a></li> </ul>

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
R001	Any risks associated with Community Impact.	WT	01/06/16	5	3	15	Reduce	Undertake Community Impact Assessments against preferred delivery models.  Community Impact Assessment undertaken on market engagement response.		WT	
R003	Financially disadvantaged groups may be affected if unable to access Shopmobility.	WT	02/07/15	4	3	12	Reduce	Service pricing structure to be reviewed as part of commissioning review.  Fee strategy to be included in tender specifications.		WT	
R005	If the likely or actual effects of proposed changes in the service on persons who share protected characteristics are detrimental, then the Council will be in potential breach of its Public Sector Equalities Duty contained in Section 149 of the Equality Act 2010.	WT	14/07/15	5	2	10	Reduce	Undertake Community Impact Assessments against preferred delivery models as part of the commissioning review.  Community Impact Assessment undertaken on market engagement response.		WT	
R006	Should the service be closed then redundancy situation would apply for those staff unless they were able to be	WT	14/07/15	2	2	4	Reduce	Commissioning review to factor TUPE regulations when selecting service delivery options.		WT	

	redeployed. There may be redundancy and pension liabilities.										
R007	There may be synergies between the service and other organisations in the town.	WT	03/09/15	1	4	4	Accept	<p>To be considered as part of the commissioning review.</p> <p>The Cheltenham Trust were approached to gauge interest, unfortunately service did not offer a sound business case for the Trust.</p> <p>Cheltenham BID to be contacted to see if any partnership opportunities exist.</p>		WT	

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6  
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close



### What is a community impact assessment?

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

### Background

<b>Name of service / policy / project and date</b>	<b>Shopmobility Commissioning Review</b>
<b>Lead officer</b>	<b>Wilf Tomaney</b>
<b>Other people involved in completing this form</b>	<b>Sanjay Mistry Claire Cook</b>

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### Step 1 - About the service / policy / project

<b>What is the aim of the service / policy / project and what outcomes is it contributing to</b>	<p>The project has the following priority action: COM 10 – Commissioning review of Shopmobility</p> <p>The objectives of the Project are to:</p> <ul style="list-style-type: none"> <li>• Identify and evaluate options for future Shopmobility service delivery</li> <li>• Provide a recommendation as to a preferred delivery model</li> <li>• Implementation of the preferred delivery model</li> <li>• Ensure that the change process is managed effectively</li> <li>• Delivery of an effective communication strategy to support the change process</li> </ul> <p>The project contributes to the following corporate outcomes:</p>
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	<ul style="list-style-type: none"> <li>• Sustain and grow Cheltenham's economic and cultural vitality</li> <li>• People live in strong, safe and healthy communities</li> <li>• Transform our council so it can continue to enable delivery our outcomes for Cheltenham and its residents</li> </ul>
<b>Who are the primary customers of the service / policy / project and how do they / will they benefit</b>	The primary customers of the Shopmobility service are the residents residing in the borough of Cheltenham and visitors with mobility difficulties.
<b>How and where is the service / policy / project implemented</b>	The service is currently delivered from 30 St Georges Place, Cheltenham. It is delivered by Cheltenham Borough Council.
<b>What potential barriers might already exist to achieving these outcomes</b>	<ul style="list-style-type: none"> <li>• The Council's budgetary constraints.</li> <li>• Falling patronage</li> <li>• No strategic direction or expertise</li> </ul>

## Step 2 – What do you know already about your existing / potential customers

<b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</b>	<ul style="list-style-type: none"> <li>• Declining use year on year.</li> <li>• Three year analysis of users shows registration address as follows <ul style="list-style-type: none"> <li>• 28% Cheltenham</li> <li>• 39% rest of Gloucestershire</li> <li>• 33% outside Gloucestershire</li> </ul> </li> <li>• Regular users tend to be Cheltenham based; one-time users largest proportion is from out of County; moderate users, largest proportion from rest of Glos.</li> <li>• Usage appears low compared to similar towns/cities (notably Worcester and Gloucester – anecdotal).</li> <li>• Comparative costs to clients are difficult to assess because of the variety of payment methods across the various providers nationally. A number of services are free to customers. Cheltenham looks to be on the high side of the norm for services which charge.</li> <li>• O&amp;S Shopmobility Task Group, Cheltenham Chamber of Commerce and Cheltenham Business Partnership want to see a continued service in the town.</li> <li>• The service receives positive responses for customers</li> </ul>
<b>What does it tell you about who uses your service / policy and those that don't?</b>	<ul style="list-style-type: none"> <li>• There is a small core of regular users who are very frequent users.</li> <li>• Users are roughly even split in terms of the three divisions used for analysis of the registration address. This suggests some value to tourism and to the town centre economy.</li> <li>• Primary users are people with a mobility disability, usually (but not exclusively) those without access to their own equipment. Many are late middle-age or elderly, though again, not exclusively.</li> </ul>
<b>What have you learnt about real barriers to your service from any consultation with customers and</b>	Consultation shows significant support for the continuation of the service. There is some support for increased fees to help the service survive.

<b>any stakeholder groups?</b>	There is a preference evident through consultation for continued provision of the service by CBC, however, a recognition that it could be provided by charities or the community.
<b>If not, who do you have plans to consult with about the service / policy / project?</b>	N/A

### Step 3 - Assessing community impact

How does your service / policy / project impact on different groups in the community?

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
People from black and minority ethnic groups				✓
Gender				✓
Gender Reassignment				✓
Older people / children and young people	Older people are a majority user of the service.	Service closure is likely to impact on accessibility to town centre for shopping, leisure and social contact.	Help to ensure future provision is located within the town.	
People with disabilities and mental health challenges	Primary user base.	Service closure is likely to impact on accessibility to town centre for shopping, leisure and social contact.	Help to ensure future provision is located within the town.	
Religion or belief				✓
Lesbian, Gay and Bi-sexual people				✓
Marriage and Civil Partnership				✓
Pregnancy & Maternity	Potential user of the service, but not a major target.		Help to ensure future provision is located within the town.	



Other groups or communities				✓
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#### Step 4 - what are the differences

Are any groups affected in different ways to others as a result of the service / policy / project?	Financially disadvantaged groups may be affected if unable to access Shopmobility. Users of public transport may be disadvantaged if Shopmobility is required to move away from town centre.
Does your service / policy / project either directly or indirectly discriminate?	No
If yes, what can be done to improve this?	N/A
Are there any other ways in which the service / project can help support priority communities in Cheltenham?	Any potential synergies between the service and other organisations in the town have been considered as part of the commissioning process.

#### Step 5 – taking things forward

What are the key actions to be carried out and how will they be resourced and monitored?	The primary key action is to undertake a procurement exercise to secure a service provider to take on the management and delivery of the Shopmobility service. The exercise will be resourced with officers from CBC, GOSS and One Legal.
Who will play a role in the decision-making process?	Cllr Flo Clucas and the Cabinet. CBC
What are your / the project's learning and development needs?	
How will you capture these actions in your service / project planning?	A dedicated project manager will utilise PRINCE2 based methodology to capture and manage project actions and overall time management.



## Cheltenham Borough Council

**Cabinet – 6 December 2016**

### **Acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA) Policy**

<b>Accountable member</b>	Cabinet Member Corporate Services, Councillor Roger Whyborn
<b>Accountable officer</b>	Pat Pratley, Head of Paid Service
<b>Ward(s) affected</b>	<b>All</b>
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>A new Policy and Procedures Document for the Acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA) has been drafted by the Counter Fraud Unit to provide transparency and guidance on the process.</p> <p>A Local Authority must be a paid up member of the National Anti-Fraud Network (NAFN) in order to make use of its single point of contact (SPoC) service in relation to communications data.</p> <p>The Council is a member, primarily to make use of other services provided by NAFN (credit referencing, DVLA checks, debtor tracing etc.) but given that officers could now utilise the RIPA SPoC service and obtain communications data, legislative guidance needs to be in place to govern the process.</p> <p>The policy details how RIPA controls the process by which the Council obtains communications data. This data does not include the content of the communications i.e. the actual email message, letter, text or telephone conversation merely details basic subscriber information and the frequency of communication.</p> <p>A Local Authority may only acquire communications data for the purpose of the prevention or detection of crime or the prevention of disorder.</p> <p>The draft Policy has been developed in consultation with other Gloucestershire authorities and West Oxfordshire District Council to provide continuity for the operation of the Counter Fraud Unit and shared Enforcement Officers.</p> <p>The draft policy was considered by Cheltenham Borough Council's Audit Committee on the 23 March 2016.</p>
<b>Recommendations</b>	<p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li><b>1. Consider and approve the new Policy and Procedures Document for the Acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA).</b></li> <li><b>2. Authorise the Counter Fraud Unit to make any future amendments to the policy to reflect legislative changes, in consultation with appropriate Officers, including the Cabinet Member and Leader of the Council, and with One Legal.</b></li> </ol>



<b>Financial implications</b>	<p>There are no direct financial implications as a result of this report. However, the adoption of this policy will help to support the prevention and detection of misuse of public funds and fraud therefore reducing potential financial loss to the council.</p> <p><b>Contact officer: Paul Jones, S151 Officer, Cheltenham BC</b></p> <p><a href="mailto:Paul.Jones@cheltenham.gov.uk">Paul.Jones@cheltenham.gov.uk</a></p>
<b>Legal implications</b>	<p>This report ensures that the Council complies with the legislation and guidance issued by the Home Office.</p> <p>The Council may where it is necessary and proportionate need to apply for communications data to assist with an investigation. RIPA provides a legal framework for the control and regulation of surveillance and information techniques which public authorities undertake as part of their duties.</p> <p>The Council's RIPA Policies will provide information and advice to those seeking authorisation and those officers granting authorisation. It will also provide the public with information about how the Council approaches the use of surveillance and communication data access</p> <p>Judicial approval will be required before an Authorisation is granted</p> <p><b>Contact officer: Donna Marks, One Legal</b></p> <p><a href="mailto:donna.marks@tewkesbury.gov.uk">donna.marks@tewkesbury.gov.uk</a> 01684 272068</p>
<b>HR implications (including learning and organisational development)</b>	<p>All Council employees who are employed within an enforcement role will need to be made aware of the policy.</p> <p>Regular training sessions will be provided to ensure that staff are fully conversant with The Regulation of Investigatory Powers Act 2000.</p> <p><b>Contact officer: Julie McCarthy, HR Manager (West)</b></p> <p><a href="mailto:Julie.McCarthy@cheltenham.gov.uk">Julie.McCarthy@cheltenham.gov.uk</a></p>
<b>Key risks</b>	<p>If the Council obtains communications data without due regard to RIPA, Ministry of Justice Codes of Practice and the CBC policy and procedural guidance then there are risks to an individual's rights, including any breach of Human Rights – right to privacy, and to the Council's reputation.</p>
<b>Corporate and community plan Implications</b>	<p>In administering its responsibilities; this Council has a duty to prevent fraud and corruption, whether it is attempted by someone outside or within the Council such as another organisation, a resident, an employee or Councillor. The Council is committed to an effective counter fraud and corruption culture, by promoting high ethical standards and encouraging the prevention and detection of fraudulent activities using robust enforcement techniques, thus supporting corporate and community plans.</p>
<b>Environmental and climate change implications</b>	<p>None directly arising from the report.</p>

<b>Property/Asset Implications</b>	None directly arising Page 363 of 363 <b>Contact officer: David Roberts, Head of Property Services</b> <a href="mailto:david.roberts@cheltenham.gov.uk">david.roberts@cheltenham.gov.uk</a>
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## 1. Background

- 1.1. The Council has a procedural guide for the application of RIPA in relation to directed surveillance which has been in place for some time and it should be noted that this document does not replace it. Any officer considering surveillance and the use of RIPA as part of an investigation should refer to the policy and follow the original guidance in the first instance.
- 1.2. This policy is an additional one which relates to the acquisition of communications data for intelligence purposes by the Council.
- 1.3. Since September 2014, Local Authorities can only access communications data via the National Anti-Fraud Network (NAFN). The Council is a member of NAFN, primarily to make use of other services provided by them (credit referencing, DVLA checks, debtor tracing etc.) but given that officers could now utilise the RIPA Single Point of Contact (SPoC) service and obtain communications data, guidance needs to be in place to govern the process.
- 1.4. This procedural guide is based on the requirements of The Regulation of Investigatory Powers Act 2000 (RIPA) and the Home Office Code of Practice on the Acquisition and Disclosure of Communications Data. If any of the Home Office Codes of Practice change, the appropriate guide will be updated, and the amended version placed on the internet / published accordingly. Regular training sessions will also be provided to ensure that staff members are fully conversant with the Act.
- 1.5. Part 1 Chapter 2 of RIPA controls the obtaining of communications data by Local Authority staff. This data does not include the content of the communications i.e. the actual email, message, letter, text or telephone conversation. Part 1 also introduces a statutory framework to regulate access to communications data by public bodies consistent with the Human Rights Act 1998. It explains the duties and responsibilities placed upon each party involved in these processes. In addition it puts safeguards in place to balance the rights of the individual against the needs of society, as a whole, to be protected from crime and other public safety risks. This thus reflects the requirements of Article 8 of the European Convention on Human Rights; the right to privacy.
- 1.6. This policy reflects the requirements of the legislation and the Home office Interception of Communications Code of Practice, issued January 2016, communications data available to Local Authorities.
- 1.7. The types of information that we are allowed to access fall into two categories and detailed with section 3.1 of the policy:
  - (i) Subscriber Information (RIPA S21(4)(c)) - Information about Communications Services Users:
  - (ii) Service Use Data (RIPA S 22(4)(b)) - Information about the use of Communications Services:
- 1.8. The Council is not allowed to access traffic data as detailed within section 3.2 of the policy.
- 1.9. There are two powers granted by S22 RIPA in respect of the acquisition of communications data from telecommunications and postal companies or 'Communications Service Providers'. These two powers are detailed within section 4 of the policy.
- 1.10. Procedure for Obtaining Communications Data: There is now only one method that officers can use to obtain communications data; by way of the NAFN secure website. To use this system applicants have to individually register on the NAFN website. A Designated Person will also

need to be registered to authorise the acquisition of communications data. Further information on this procedure is covered within section 5 of the policy. Page 364 guidance can be provided by the Counter Fraud Unit.

- 1.11. Roles and Responsibilities: The policy provides for the roles and responsibilities of those involved in the process. The Senior Responsible Officer (the Head of Paid Service) is accountable for the following:
- The integrity of the processes of acquiring communications data;
  - Compliance with the act and code of practice;
  - Oversight of the reporting of errors to IOCCO;
  - Engaging with IOCCO inspectors when they conduct inspections;
  - Overseeing the implementation of any post-inspection action plans.
- 1.12. Strategy and Policy Review: The Counter Fraud Unit will review and amend this policy as necessary to ensure that it continues to remain compliant and meets legislative requirements and the vision of the Council.

## 2. Reasons for Recommendations

- 2.1. It is essential that these powers are used for the proper purpose and in the correct way; these policies and guidance will ensure that that happens and that elected members are kept fully informed.
- 2.2. If authorisation is given for communications data to be obtained, a central record will be maintained and a report will be provided to Audit Committee.

## 3. Consultation

- 3.1. The Corporate Governance Group, the Counter Fraud Unit and officers involved in investigation and surveillance activities work have been consulted. Advice has also been sought from One Legal.
- 3.2. The Audit Committee considered the draft policy in March 2016. The Audit Committee made no changes to the document and unanimously endorsed it.
- 3.3. There will be reports to the Audit Committee on the use of RIPA.

<b>Report author</b>	<b>Emma Cathcart, Counter Fraud Team Leader</b> <a href="mailto:Emma.Cathcart@cotswold.gov.uk">Emma.Cathcart@cotswold.gov.uk</a> <b>01285 623356</b>
<b>Appendices</b>	1. Risk assessment 2. Acquisition of Communications Data (RIPA) Policy



The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
1	If the Council fails to put in place adequate policy and procedures in relation to the application of RIPA when obtaining communications data then there are risks to individuals rights and the Council's reputation.	Head of Paid Service	23.3.2016	4	2	8	Accept	Introduce a suitable policy and put in place effective management and guidance.	Ongoing	Counter Fraud Unit		
2	If the Council fails to promote intelligence gathering techniques such as acquiring communications data then the Council may not be able to robustly tackle the misuse of public funds	Head of Paid Service	14.11.2016	3	3	9	Accept	Promote awareness with Enforcement Officers throughout the Council.	Ongoing	Counter Fraud Unit		
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p><b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>												



Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

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Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

## 1. BACKGROUND

- 1.1. The Council has a procedural guide for the use of RIPA which has been in place for some time and it should be noted that this document does not replace it. Any officer considering the use of RIPA as part of an investigation should follow the original guidance in the first instance.
- 1.2. Since September 2014, Local Authorities can only access communications data via the National Anti-Fraud Network (NAFN):

**'NAFN is a not-for-profit, non-incorporated body formed by its members to provide services which support their work in the protection of the public purse. Established in 1997, NAFN was created as a centre of excellence to provide data and intelligence to its members. This includes assisting members in the provision of effective corporate and financial governance.'**

**NAFN works with its members and other stakeholders to enhance and expand its range of services. It maintains all data in a secure and confidential environment conforming to Government legislation and national best practice'**

*NAFN constitution*

- 1.3. Whilst it is not compulsory to join NAFN per se, a Local Authority must be a paid up member in order to make use of its single point of contact (SPoC) service in relation to communications data. The Council is a member, primarily to make use of other services provided by NAFN (credit referencing, DVLA checks, debtor tracing etc.) but given that Officers could now utilise the RIPA SPoC service and obtain communications data, guidance needs to be in place to govern the process.
- 1.4. This procedural guide is based on the requirements of The Regulation of Investigatory Powers Act 2000 (RIPA) and the Home Office Code of Practice on the Acquisition and Disclosure of Communication Data. The Council takes responsibility for ensuring its RIPA procedures are continuously improved and asks that any Officers with suggestions contact the RIPA Coordinator in the first instance. If any of the Home Office Codes of Practice change, the appropriate guide will be updated, and the amended version placed on the internet / published accordingly. Regular training sessions will also be provided to ensure that staff members are fully conversant with the Act.
- 1.5. Part 1 Chapter 2 of RIPA controls the obtaining of communications data by Local Authority staff. This data does not include the content of the communications i.e. the actual email message, letter, text or telephone conversation.
- 1.6. Part 1 also introduces a statutory framework to regulate access to communications data by Public Bodies consistent with the Human Rights Act 1998. It explains the duties and responsibilities placed upon each party involved in these processes. In addition it puts safeguards in place to balance the rights of the individual against the needs of society, as a whole, to be protected from crime and other public safety risks. This reflects the requirements of Article 8 of the European Convention on Human Rights; the right to privacy.

## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

- 1.7. Communications data obtained under RIPA will be a justifiable interference with an individual's human rights, as above, provided such conduct is authorised, is both necessary and proportionate, and is in accordance with the law.
- 1.8. Therefore no Officer of the Council should require or invite a postal or communications operator to disclose data through the use of any other statutory duty or by exercising an exemption to the principle of non-disclosure under the Data Protection Act 1998. Another statutory power may only be used if it explicitly provides for the obtaining of telecommunications data.
- 1.9. In terms of internal monitoring of communications data, emails, internet usage etc. it is important to recognise the interplay and overlap with the Council's ICT Policies and the Data Protection Act 1998 (to include the Codes of Practice). Under normal circumstances the Council's Policies should be adhered to as any such monitoring is permitted as per Contracts of Employment and Codes of Conduct. All electronic data held internally is deemed to be of a business nature and may therefore be accessed without further notice; RIPA authorisation is not therefore required. However, advice should be obtained if there are any significant implications which could impact a person's private life. In those circumstances it may be prudent to complete a Non-RIPA Authorisation Form to consider any human rights issues which must be retained on the central register.

## **2. DEFINITION OF COMMUNICATIONS DATA AND CATEGORISATION**

- 2.1. Communication data means any traffic or any information that is or has been sent over a communications system or postal system, together with information about the use of the system made by any person. In effect the term communications data embraces the "who, when and where" of a communication but not the content, not what was said or written. It can include the address on an envelope, the time and duration of a communication, the telephone number or e-mail address of the originator and recipient, unanswered call attempts and the location from which the communication was made. It includes the manner in which and by what method a person (or machine) communicates with another person (or machine), but excludes what they say or data they pass on, including text, audio and video. The content of such communications is covered by Interception of Communications Legislation.
- 2.2. An operator who provides a postal or telecommunications service is described as a Communications Service Provider (CSP).
- 2.3. Section 4 of the Data Retention and Investigatory Powers Act 2014 (DRIPA) clarifies that data access powers under RIPA are exercisable in respect of CSPs that are based outside of the United Kingdom, but provide services to the UK. Data retained under a Data Retention Notice under Section 1 of DRIPA can only be acquired in accordance with RIPA (or a Court Order).
- 2.4. RIPA defines communications data in three broad categories:
  - Section 21(4)(c) Information about Communications Service Users:

## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

This category is information held or obtained by a CSP about persons to whom communications services are provided. It mainly includes personal records supplied to the Communication Services Provider (CSP) by the customer/ subscriber. For example, their name and address, payment method, contact number etc.

- Section 21(4)(b) Information about the use of Communications Services:

This category is the data relating to the use made by a person of a communications service. It mainly includes everyday data collected by the CSP related to the customer's use of their communications system and which would be routinely available to the customer. For example, details of the dates and times they have made calls and which telephone numbers they have called.

- Section 21(4)(a) Information about Communications Data (Traffic Data):

This category is data that is or has been comprised in or attached to a communication for the purpose of its transmission. It mainly includes data generated by the Communications Service Provider (network data) relating to a customer's use of their communications system (that the customer may not be aware of), for example, cell site data and routing information.

### **3. COMMUNICATIONS DATA AVAILABLE TO LOCAL AUTHORITIES**

3.1. The types of information that the Council are allowed to access from a CSP fall into two categories:

- Subscriber Information (RIPA S21(4)(c)) - Information about Communications Services Users:

Name of the customer who is the subscriber for a telephone number, an email account, PO Box number, a Post Paid mailing stamp, or is entitled to post to a web space;

Account information such as address for billing, delivery or installation;

Subscriber account information such as bill paying arrangements, including details of payments and bank or credit/ debit card details;

Information about the provision of forwarding and redirection services;

Information about connection, disconnection and reconnection of services the customer subscribes to, including conference calling, call messaging, call waiting and call barring telecommunications services;

Information provided by the subscriber to the CSP such as demographic information or sign up data (other than passwords) such as contact telephone numbers;

Information about telephones or other devices provided by the CSP to the subscriber and associated codes, including manufacturer and model, Personal Unlocking Keys for mobile phones & serial numbers;



## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

Information that the CSP chooses to collect about the device being used by the customer;

Top-up details for pre-pay mobile phones including credit/ debit card, voucher/ e-top up details.

- Service Use Data (RIPA S 22(4)(b)) - Information about the use of Communications Services:

Periods during which the customer used the service;

Activity including itemised records of telephone numbers called, Internet connections, dates and times of calls, duration of calls, text messages sent and quantities of data uploaded or downloaded;

Information about use made of forwarding and redirection services;

Information about the use made of conference calling, call messaging, call waiting and call barring telecommunications services;

Information about the selection of preferential numbers or discount calls;

Records of postal items; such as records of registered, recorded or special delivery postal items and records of parcel consignment, delivery and collection.

### 3.2. The Council is not allowed to access:

- Traffic Data (RIPA S 22(4)(a)) - Information about the communications themselves:

Information identifying the sender and recipient of a communication (from data within the communication);

Information tracing the origin or destination of a communication including incoming call records;

Information identifying any location of any equipment making a communication, such as mobile phone cell site location;

Web browsing information such as the web sites visited (rather than the specific pages within that website) or servers used;

Routing information identifying equipment through which a communication has been transmitted (e.g. dynamic IP addresses, file transfer logs and email headers);

Addresses or markings, including sender or recipient, written on the outside of a postal item in transmission (such as a letter or parcel), that shows the items postal routing;

Online tracking of Communications, such as postal items.

### 3.3. Local Authority staff are only allowed to acquire and disclose communications data for the purpose of preventing or detecting crime or for preventing disorder. This

## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

purpose should only be used in relation to the specific (and often specialist) offences or conduct that the Council has been given the statutory function to investigate. For communications data, the offence does not have to carry a six month tariff as with directed surveillance.

- 3.4. Where a joint investigation is being conducted between the Council and another enforcement authority, such as the police, either authority may, where necessary and proportionate, acquire any communications data under RIPA to further the joint investigation.
- 3.5. The purpose of this policy is to provide guidance for obtaining communications data now that the Council is a member of NAFN. The knowledge and experience of the NAFN Single Points of Contact (SPoC's) is essential and these SPoC's should be used to obtain advice and assistance as and when required. Such a discussion is particularly helpful when the Applicant is unsure of the category of data that they are seeking or the Applicant wants to find out more about what additional information may be retained by the CSP. However, final approval of the request is made by an authorising member of staff; the Designated Person(s) within the Local Authority.

### **4. POWER TO OBTAIN COMMUNICATIONS DATA**

- 4.1. There are two powers granted by S22 RIPA in respect of the acquisition of communications data from telecommunications and postal companies or 'Communications Service Providers' (CSP's).
- 4.2. A notice under S22(4). In order to compel a CSP to obtain and disclose, or just disclose, communications data in their possession, a notice under S22(4) RIPA must be issued. The sole grounds to permit the issuing of a S22 notice by a Local Authority is for the purposes of 'preventing or detecting crime or of preventing disorder'. The issuing of such a notice is likely to be the main power utilised by a Local Authority, in those circumstances where the Council SPoC, being NAFN, liaises directly with the CSP.
- 4.3. An authorisation under S22(3). This power is to be used when a CSP cannot provide the information; there may be several reasons for this. An authorisation provides for persons within a public authority to engage in specific conduct, relating to a postal service or telecommunications system, to obtain communications data. Any designated person in a public authority may only authorise persons working in the same public authority to engage in specific conduct, such as requesting the data via secure auditable communications data acquisition systems. This will normally be the public authority's SPoC, though Local Authorities must now use NAFN.
- 4.4. Under S23A and S23B RIPA, judicial approval must also be granted for all Local Authority requests for communications data. This is outlined in more detail within this policy.

### **5. PROCEDURE FOR OBTAINING COMMUNICATIONS DATA**

- 5.1. There is now only one method that officers can use to obtain communications data; by way of the NAFN secure website. To use this system Applicants have to

## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

individually register on the NAFN website - [www.nafn.gov.uk](http://www.nafn.gov.uk). A Designated Person will also need to be registered to authorise the Applicants requests. A number of departments within the Council have contributed towards the NAFN annual membership fee, any Applicant therefore needs to confirm with their Line Manager that they are allowed to register. Should you have any queries, please contact the Counter Fraud Unit.

5.2. Please note, if your department is part of a shared service, the Local Authority on whose behalf the request is being made must be a member of NAFN and the request made via login details for that Council. Applicants and Designated Persons cannot make use of one Local Authority's membership to obtain any information on behalf of another. Login details will be necessary for each Local Authority that an individual is employed by or works on behalf of.

5.3. Once an Applicant is registered with NAFN, as with other RIPA requests, the Applicant must complete an application for the communications data. This request is completed online and is submitted electronically to the SPoC's at NAFN. On this form the Applicant must provide the following information:

- Name and designation of Applicant;
- Include a unique reference number and, where applicable, the operation name;
- The purpose for which the data is required, which can only be for the prevention and detection of crime or preventing disorder;
- Details of the communications data required;
- Describe whether the communications data relates to a victim, a witness, a complainant, a suspect, a vulnerable person or other person relevant to the investigation;
- Time period for which the data is required, including historic or future data;
- Why it is necessary to obtain the data, including the source of the communications data address and what is expected to be achieved from obtaining the data;
- Why it is proportionate for the data to be obtained, including why the intrusion benefits the investigation and whether the level of intrusion can be justified against the individual's right to privacy;
- Details of whether there is any meaningful collateral intrusion and why that intrusion is justified;
- Consider and describe any possible unintended consequences of the application;
- Time scale within which the data is required (this can only be the routine non-urgent timescale i.e. Grade 3, unless there is a high level of urgency for obtaining the data, such as when life is in danger);
- The Applicant also confirms that they undertake to inform the SPoC of any changes in circumstances that no longer justify the acquisition of the data.

5.4. As with all RIPA applications, a request for communications data should only be made after all other avenues have been considered. It is therefore appropriate that the Applicant should indicate any open source checks that they have made on the



Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

telephone numbers/ communications addresses already made to justify the principle of proportionality.

- 5.5. The Applicant is entitled to ask for historical data or may request future data, by which the CSP must provide details of, for example, all outgoing telephones or internet connections over a set future period of up to a month. Requests for such future data are considered to be more intrusive than requests for historical data.
- 5.6. It can be appropriate to obtain service use data at the same time as obtaining subscriber information, for example when the person who is the subject of the investigation is identified from high-grade intelligence to be using a specific number or service or when a mobile phone is lawfully seized. An application for subscriber information can be included in an application for service use data.
- 5.7. Once fully complete, the form can then be passed electronically to the appropriate NAFN accredited Single Point of Contact for Accessing Communications Data (SPoC). The accredited SPoC's at NAFN provide independent scrutiny of the applications so it is important that the Applicant consults with a NAFN SPoC throughout the authorisation process. The NAFN SPoC will advise the Applicant of any amendments necessary.
- 5.8. After the NAFN SPoC considers the application to be satisfactory, the appropriate Designated Person will then receive an email to say that there is an application form on the website for him or her to consider. The Designated Person completes the relevant part of the form to provide approval.
- 5.9. At this time, the RIPA Coordinator / Senior Responsible Officer should be made aware that a request has been made so that the central register can be updated.
- 5.10. The NAFN SPoC then uses the authorisation process to obtain the required communications data from the CSP database. The data is posted on the NAFN website and can only be accessed by the Applicant. If NAFN do not have direct access to the database of the relevant CSP, the NAFN SPoC will send a notice to the CSP in the usual way.
- 5.11. The majority of information related to public sector business, operations and services can be managed as OFFICIAL; in the case of communications data this should be managed as OFFICIAL – SENSITIVE which identifies it as being subject to a 'need to know' basis thus limiting access to it. This does not preclude the lawful disclosure of material when required but does make clear that the information obtained must be treated with care, and also stored and handled in accordance with the Council's duties under the Data Protection Act.
- 5.12. Using NAFN to obtain communications data has significant advantages in comparison to the previous method in that the time in which the data can be obtained is significantly reduced, costs are kept to a minimum because the charges made by the CSP's for providing the data are considerably less when using NAFN and it ensures consistency across Local Authorities.

Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

**6. COMMUNICATIONS DATA RELATING TO CERTAIN PROFESSIONALS**

- 6.1. Communications data is not subject to any form of professional privilege, since the fact that a communication has taken place does not disclose its contents. Clearly though the degree of interference with privacy may be higher where the communications data being sought relates to a person who is a member of a profession that handles privileged or otherwise confidential information (for example a medical doctor or lawyer). It may also be possible to infer an issue of sensitivity from the fact that someone has regular contact with someone like a lawyer or journalist.
- 6.2. Such situations do not preclude an application being made. Special consideration should be given to the issues of necessity and proportionality, drawing attention to any such circumstances that might lead to an unusual degree of intrusion or infringement of rights and freedoms, particularly privacy, and where it might be engaged, freedom of expression.
- 6.3. Applicants must clearly note in all cases when an application is made for the communications data of those known to be in such professions, including medical doctors, lawyers, journalists, Members of Parliament, or ministers of religion. That such an application has been made must be recorded, to include the profession, and, at the next inspection, such applications should be flagged to the Interception of Communications Commissioner's Office (IOCCO).
- 6.4. Issues surrounding the infringement of the right to freedom of expression may arise when a request is made for the communications data of a journalist. There is a strong public interest in the willingness of sources to provide information to journalists anonymously. If an application is intended to determine the source of journalistic information, there must be an overriding requirement for it to be in the public interest. Even if it is not intended to determine the source of journalistic information there is still a risk of collateral intrusion into legitimate journalistic sources, so particular care should be taken to properly consider the public interest in whether the intrusion is justified. This should include drawing attention to whether alternative evidence exists or whether there are alternative means to obtain the information. Identification of journalist sources can only be sought by using production orders under the Police and Criminal Evidence Act 1984 (PACE), which are not available to the Council. Judicial oversight does not apply where applications are made for the communications data of those known to be journalists, but where the application is not to determine the source of journalistic information, for example where the journalist is a victim of crime or is suspected of committing a crime unrelated to their occupation.
- 6.5. Communications data that may be considered to determine journalistic sources includes data relating to:
- Journalists' communications addresses;
  - Communications addresses of those persons suspected to be a source;
  - Communications addresses of persons suspected to be acting as intermediaries between the journalist and the suspected source.

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## **7. PREPAID MOBILE PHONES**

- 7.1. Unregistered prepaid mobile phones are common amongst criminals as it allows them to avoid detection more easily and it is thus possible that a subscriber check will identify a number as belonging to one of these devices. This does not necessarily prevent an investigating officer obtaining useful information.
- 7.2. The Applicant can ask for further information about the subscriber under section 21(4)(c) including top-up details, method of payment, bank account used or customer notes.
- 7.3. The Applicant should outline in their original application the further information that will be required if the phone turns out to be prepaid, so as to allow the widening of the data capture. This information could be requested in two stages: firstly asking for the subscriber details and then, if this turns out to be an unregistered prepaid phone, asking for the further information.
- 7.4. If the Designated Person approves the application it is recommended by IOCCO that he or she should approve the use of authorisations rather than the use of notices, whereby the authorisation should state that the SPoC is authorised to engage in any conduct to acquire information about the user that is covered by Section 21(4)(c). Under the legislation an authorisation does not have to be issued by the Designated Person so it can be issued by the SPoC.
- 7.5. The SPoC will then serve an appropriate authorisation on the relevant CSP. If further information is required the SPoC will need to serve another authorisation on the CSP requesting the additional information. It should be noted that each authorisation will bear the date that the Designated Person approved the original application. This streamlining process is more efficient than using notices, because otherwise a request for each additional notice would need to be referred to the Designated Person.
- 7.6. The information that is received can then be developed to try to obtain further information about the user of the phone. Solution Providers such as EasyPay, EPay etc. are the third parties involved in the transaction of credit placed on a mobile phone. If a Solution Provider is provided with the mobile telephone number, the transaction date and the transaction number, they are often able to provide the method of payment and the location of the top-up. Solution Providers are not CSPs and therefore they cannot be issued with a notice under RIPA; instead the data can be applied for under the Data Protection Act.

## **8. HOME OFFICE GUIDANCE**

- 8.1. The Home Office has provided guidance in relation to the acquisition of communications data namely 'Guidance for the layout of a Chapter II Application Form and; Guidance for Applicants and Designated Persons considering necessity and proportionality'.



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- 8.2. The guidance was produced jointly by the Home Office and the Data Communications Group (DCG) in conjunction with the IOCCO. The full document is available online should it be required.
- 8.3. The Home Office also produced a Code of Practice and various revisions have taken place. Relevant extracts are detailed below taking in to account the guidance and Code of Practice. The Council and those persons acting under RIPA must have regard to the Code of Practice on the Acquisition and Disclosure of Communications Data issued by the Home Office under the Act. The full document is available online.
- 8.4. **COMMUNICATIONS DATA:** An application, comments by the Single Point of Contact (SPoC), considerations of the Designated Person, authorisations and notices may be made in writing ('paper') or electronically ('database').
- 8.5. It may be appropriate for the section 'communications data' within the application form to include 'text boxes' to enable the applicant to set out the:
- Telephone number, email address, etc;
  - Where appropriate the 'between times/ dates' of the data set required;
  - Type of data required, for example subscription details, outgoing calls, incoming calls.
- 8.6. An application may contain several requests for various 'data sets' relating to a specific investigation or operation. However, consideration should be given as to how this may affect the efficiency of the public authority's processes and the impact of managing disclosure issues before, during and after a criminal trial.
- 8.7. **NECESSITY:** In order to justify the application is necessary the applicant needs as a minimum to consider three main points:
- The *event* under investigation, such as a crime or vulnerable missing person;
  - The *person*, such as a suspect, witness or missing person and how they are linked to the event;
  - The *communication data*, such as a telephone number or IP address, and how this data is related to the person and the event.
- 8.8. In essence, necessity should be a short explanation of a) the event, b) the person and c) the communications data and how these three link together. The application must establish a link between the three aspects to be able to demonstrate the acquisition of communications data is necessary for the statutory purpose specified.
- 8.9. Necessity does not entail explaining 'what will be achieved by acquiring the data' or 'why specific time periods have been requested' - these points are relevant to proportionality and should be covered in the relevant section to stop repetition.
- 8.10. **PROPORTIONALITY:** Applicants should include an outline of how obtaining the data will benefit the investigation or operation. If more than one item of data is being sought, the relevance of the additional data should be explained.

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- 8.11. This outline should include an explanation of how the level of intrusion is justified when taking into consideration the benefit the data will give to the investigation. This justification should include confirmation that relevant less intrusive investigations have already been undertaken where possible. For example the subscriber details of a phone number may be obtained from a phone book or other publically available source.
- 8.12. The relevance of any time periods requested must be explained, outlining how these periods are proportionate to the event under investigation. The two basic questions are:
- What are you looking for in the data to be acquired and;
  - If the data contains what you are looking for, what will be your next course of action.
- 8.13. An explanation as to how communications data will be used, once acquired, and how it will benefit the investigation or operation, will enable the Applicant to set out the basis of proportionality.
- 8.14. An explanation of the proportionality of the application should include a consideration of the rights (particularly to privacy and, in relevant cases, freedom of expression) of the individual and a balancing of these rights against the benefit to the investigation.
- 8.15. An examination of the proportionality of the application should also involve consideration of possible unintended consequences and, when relevant this should be noted. Unintended consequences of an application are outcomes that are not intended by the application. Unintended consequences are more likely in applications for the data of those professions with duties of confidentiality. For example, if a journalist is a victim of crime, applications for service use data related to that journalist's phone number as part of the criminal investigation may also return some phone numbers of that journalist's sources, with unintended impact on freedom of expression. Such an application may still be necessary and proportionate but the risk of unintended consequences should be considered.
- 8.16. **COLLATERAL INTRUSION:** Consideration of collateral intrusion forms part of the proportionality considerations and becomes increasingly relevant when applying for traffic data or service use data. Applications should include details of what collateral intrusion may occur and how the time periods requested impact on the collateral intrusion. When there are no meaningful collateral intrusion risks, such as when applying for subscriber details of the person under investigation, the absence of collateral intrusion should be noted.
- 8.17. The question to be asked is 'Will the data set to be acquired result in collateral intrusion to persons outside the line of enquiry the data is being obtained for?' For example itemised billing on the subject's family home will be likely to contain calls made by the family members.
- 8.18. Applicants should not write about a potential or hypothetical 'error' and if the Applicant cannot identify any meaningful collateral intrusion, that factor should be recorded in the application i.e. 'none identified'.

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- 8.19. **TIME SCALE:** Completion of this section within the application form assists the SPoC to prioritise the request.
- 8.20. DCG has an agreed Grading System that indicates to the CSP any urgent timescales, which is synchronised with the Urgent Oral Process (see Home Office Acquisition and Disclosure of Communications Data Code of Practice).
- 8.21. **ROLE OF THE SPOC:** The Home Office must accredit all SPoCs, and this involves attendance on a recognised training course, the passing of an examination and being issued with a SPoC Personal Identification Number. The SPoC ensures that only practical and lawful requests for communications data are undertaken.
- 8.22. All notices and authorisations for communications data must be channelled through SPoC at NAFN. This is in order to provide an efficient regime since the SPoC will deal with the CSP's on a regular basis.
- 8.23. The SPoC (in this case NAFN) will receive the application form and will advise Applicants and Designated Persons on the following:
- Whether the forms have been filled in correctly and are lawful;
  - Whether the data requested falls within Section 21(4) (a), (b) or (c) of the act;
  - Whether access to the communications data is reasonably practical for the CSP or whether the specific data required is inextricably linked to other data;
  - Whether there are likely to be any possible unintended consequences of the application;
  - The practicalities of accessing different types of communications data from different telecommunications or postal operators;
  - Whether data disclosed by a CSP fulfils the requirements of the notice;
- 8.24. The SPoC will assess the Application for Communications Data form and on it record the following:
- If the request is not reasonably practical for the SPoC the reason why this is so;
  - Whether the data falls into Section 21(4) (a), (b) or (c) of the act;
  - Whether a notice or authorisation is appropriate;
  - Any adverse cost implications to the CSP or the Local Authority;
  - Details of any data that is likely to be obtained in excess of the data requested;
  - Any other factors that the Designated Person should be aware of;
  - Description of the data to be acquired and, where relevant, specifying whether any historic or future data is required and the time periods sought;
  - Identifying the relevant CSP.
- 8.25. The SPoC will issue a Unique Reference Number for the form. The SPoC will draft the relevant notice or authorisation to be submitted for approval to the Designated Person. The SPOC will keep a chronological record of the processing of the



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application including any contacts made by him or her with the CSP's. He or she may also give a priority grading to the CSP depending on the urgency of the application.

- 8.26. NAFN employ a number of officers as SPoCs and they can be contacted directly at the NAFN Offices to discuss any issues.
- 8.27. If the Council needs to request information from a CSP that does not consist of communications data, it is good practice to use the NAFN SPoC to liaise with the CSP on such requests.
- 8.28. **CONSIDERATIONS OF THE SPOC:** If the application is being recorded within a database (or other electronic format), and is attributable to the applicant, a signature is not required.
- 8.29. An application, comments by the single point of contact (SPOC), considerations of the Designated Person, authorisations and notices may be made in writing ('paper') or electronically ('database').
- 8.30. The question 'Describe the communications data to be acquired specifying, where relevant, any historic or future date and/or time periods sought', is appropriate where the communications data sought by the Applicant may need refinement by the SPOC. For example incoming calls to a telephone number held by a CSP that does not keep a data set that can reveal such calls. The SPOC would state that several authorisations and notices will need to be undertaken with CSPs that can reveal calls instigating from the networks to the telephone number in question.
- 8.31. The Designated Person, having considered the comments of the SPoC, may decide the acquisition is not justified because of the significant resources required by the CSP to retrieve and disclose the data or it will be impractical for the public authority to undertake an analysis of the data.
- 8.32. It will also be appropriate for the SPoC to comment where the data sought by the Applicant will require the acquisition of excess data, specifically where it is not practicable for the CSP to edit or filter the data, for example a specific incoming call in a data set with outgoing calls and cell site contained in it. If the Designated Person considers this to be necessary and proportionate for the acquisition of the specific incoming call then the authorisation or notice must specifically include the acquisition of the outgoing call, incoming calls and cell site.
- 8.33. **APPROVAL BY THE DESIGNATED PERSON:** The SPoC will submit the Application for Communications Data Form, along with the relevant draft notice(s) or authorisation(s), to a Designated Person, who will make the decision about whether or not the application will be approved.
- 8.34. The Designated Person must be one of those officers, of a suitable rank, who are currently Authorised Officers under RIPA, so they are already able to approve surveillance or CHIS applications. In no cases may someone be both the Designated Person and the Applicant.

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- 8.35. Designated Persons must have current working knowledge of human rights principles, specifically those of necessity and proportionality, and how they apply to the acquisition of communications data.
- 8.36. Designated Persons must be independent from the operation or investigation when granting authorisations or giving notices relating to those operations. The Designated Person must not be directly responsible for the operation or investigation i.e. they should not have a strategic or tactical influence on the investigation. In effect the Designated Person should be far enough removed from the Applicant's line management chain, which will normally mean they are not within the same department or unit. The name of the Designated Person will be given to NAFN and any application requiring approval will be sent direct.
- 8.37. In circumstances where the Council is not able to call on the services of an independent Designated Person, the Senior Responsible Officer must inform IOCCO of the circumstances and reasons. This could include a small specialist investigation service within the Council, for example applications which relate to corporate fraud and/or internal investigations. The justification for using a non-independent Designated Person and their involvement in the investigation must be explicit in their recorded considerations. Any use of non-independent Designated Persons must be notified to IOCCO during any inspections. The submission to IOCCO of the notification of exemption form is considered to be sufficient for these purposes.
- 8.38. The Designated Person will consider the form and then complete the Designated Person's part of the Application Form to state whether they grant or refuse the application. On the form the Designated Person must record the following:
- Why he/she believes acquiring the communications data is necessary;
  - Why he/she believes the conduct involved in acquiring the communications data is proportionate;
  - If accessing the communications data involves a meaningful degree of collateral intrusion, why he/she believes that the request is still proportionate.
- 8.39. When considering proportionality the Designated Person should apply particular consideration to unintended consequences.
- 8.40. The decision of the Designated Person must be based on the information presented to them in the application. If the application is approved, the Designated Person can authorise the accessing of communications data by one of two methods as follows:
- By a notice under RIPA S 22(4), which is a notice given to the postal or telecommunications operator and requires that operator to collect or retrieve the data and provide it to the requesting authority that served the notice.
  - By an authorisation under RIPA S 22(3), which allows the authority to collect and retrieve the data itself. It is extremely unlikely that the Council will make use of this, as this is only intended to be used if the operator is incapable of complying with a notice, or if the requesting authority will retrieve the data using an on-line system.

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- 8.41. The Designated Person should specify the shortest time period for the data that is necessary in order to achieve the objective for which the data is sought.
- 8.42. The Designated Person shall endorse the draft notice or authorisation with the date, and if appropriate the time, at which he or she gives the notice or authorisation. This is the point at which the Designated Person approves the application.
- 8.43. If the Designated Person wishes for any advice they are able to obtain it from the NAFN SPoC.
- 8.44. At the time of giving a notice or granting an authorisation to obtain specific service use information, the Designated Person may also authorise the consequential acquisition of specific subscriber information relating to the service use data that is to be obtained. This must only be to the extent that is necessary and proportionate at that time, such as to identify with who a person has been in communication.
- 8.45. If the application is rejected either by the SPoC or the Designated Person, the SPoC will retain the form and inform the Applicant in writing and include the reasons for its rejection. The RIPA coordinator will also need to be informed of any rejected applications so that the central register can be updated.
- 8.46. Once the application has been authorised by the Designated Person the authorisation then needs to receive judicial approval from a magistrate. Further information is set out at within the section detailed 'Judicial Approval'.
- 8.47. **CONSIDERATIONS OF THE DESIGNATED PERSON:** The Designated Person must be able to show he or she has understood the need for the application and considered necessity and proportionality to a standard that will withstand scrutiny.
- 8.48. The Designated Person should tailor their comments to a specific application as this best demonstrates the application has been properly considered.
- 8.49. If the Designated Person having read the application considers the Applicant has met all requirements, then he or she should simply record that fact. In such cases a simple note by the Designated Person should be recorded.
- 8.50. There may be circumstances where the Designated Person having read the case set out by the Applicant and the considerations of the SPoC will want to comment why it is still necessary and proportionate to obtain the data despite excessive data being acquired.
- 8.51. If the Designated Person does not consider the case for obtaining the data has been met the application should be rejected and referred back to the SPoC and the Applicant.
- 8.52. A notice must include a unique reference number that also identifies the public authority. This can be a code or abbreviation.



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- 8.53. If the Designated Person is recording their considerations within a database (or other electronic format) and is attributable to the Designated Person, a signature is not required.
- 8.54. **NOTICES AND AUTHORISATIONS:** The NAFN SPoC will supply the Designated Person with a draft notice or authorisation. Where a notice needs to be issued, the NAFN SPoC will produce the notice on behalf of the Designated Person. All notices and authorisations should refer to data relating to a specific date or period of time. If the date is specified as 'current', the data should be provided by the CSP as at the date of the notice. The notice should give enough information to the CSP to allow them to comply. There is no need to produce a separate notice for each communications address, when these addresses all relate to the same CSP.
- 8.55. The notice is then served on the CSP by the relevant SPoC. The SPoC will give the notice a Unique Reference Number that cross-references it to the application that was granted.
- 8.56. The SPoC is responsible for all contacts between the Authority and the CSP.
- 8.57. Authorisations will mainly be utilised when carrying out the streamlining process for prepaid phones. The SPoC will generate the authorisation on behalf of the Designated Person. The NAFN SPoC will be able to obtain the communications data from the CSP database. Legally the authorisation does not need to be served on the CSP. However the CSP may require or be given an assurance that the conduct undertaken is lawful. That assurance may be given by disclosing details of the authorisation or by providing the actual authorisation.
- 8.58. Once the data is obtained, the SPoC will provide the data to the Applicant, but the SPoC can filter out any unnecessary information provided by the CSP. The SPoC will retain the original data obtained from the CSP (known as the 'golden copy') and provide a copy of it to the Applicant. This golden copy is capable of being provided to the CSP in the future, in order to enable a witness statement to be obtained in circumstances where the CSP no longer retains their original data. The Applicant should keep the data that they receive in a secure manner, in order to comply with Data Protection requirements.
- 8.59. The CSP must comply with the requirements of a notice, as long as it is reasonably practical for them to do so. Under S24 of RIPA, the CSP is entitled to recover the reasonable costs of making 'timely disclosure' of such data. Ordinarily the CSP should disclose the required communications data within ten working days of the notice being served on them, but if in specific circumstances where this would not be possible the Designated Person may specify a longer period of up to a month.
- 8.60. All notices and authorisations will only be valid for a month, but they may be renewed by the Designated Person for further periods of a month, at any time within the current life of the notice or authorisation. This should be set out by the Applicant in an addendum to the original application.

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- 8.61. If the need for the communications data ends, or obtaining the data is no longer proportionate, the Designated Person must cancel the notice using a cancellation form, before data is provided by the CSP. This cancellation notice is sent to the CSP.
- 8.62. In a similar manner an authorisation must be withdrawn and, if appropriate, the CSP should be advised of this withdrawal. In the NAFN system this is done via the website. However the notices (and authorisations) terminate when the CSP provides the requested data, so there is usually no need for a cancellation form to be completed.
- 8.63. All original documents will be retained as required by the business need and in accordance with the Council's data retention policies.
- 8.64. **JUDICIAL APPROVAL:** Once an application for the acquisition and use of communications data has been authorised by the Designated Person, the authorisation or notice then needs to receive judicial approval from a Magistrate. The Applicant will need to download the authorised version of the application form from the NAFN website along with the judicial approval forms and take these forms to the Magistrates' Court.
- 8.65. The Applicant will need to contact the Magistrates' Court to arrange an appointment for the application to be made. The Applicant will complete the judicial approval application form (Form JA1) and prepare a judicial approval order form (Form JA2) for signature by the Justice of the Peace (JP). The application form will contain a brief summary of the circumstances of the case.
- 8.66. The officer will provide the JP with a copy of the original RIPA authorisation or notice and the supporting documents setting out the case. This forms the basis of the application to the JP and should contain all information that is relied upon. The original RIPA authorisation should be shown to the JP but it will be retained by the Local Authority. The Court may wish to take a copy. The partially completed judicial application and order forms will be provided to the JP.
- 8.67. The hearing will be in private and will be heard by a single JP. The JP will read and consider the RIPA authorisation or notice and the judicial application and order forms. He or she may ask questions to clarify points or to require additional reassurance on particular matters.
- 8.68. The JP will consider whether he or she is satisfied that at the time the authorisation or notice was granted or renewed there were reasonable grounds for believing that the authorisation or notice was necessary and proportionate. They will also consider whether there continues to be reasonable grounds.
- 8.69. The forms and supporting papers must by themselves make the case. It is not sufficient for the officer to provide oral evidence where this is not reflected or supported in the papers provided. The JP may note on the form any additional information he or she has received during the hearing but the request should not be submitted in this manner.

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- 8.70. If more information is required to determine whether the authorisation or notice has met the tests then the JP will refuse the authorisation or notice. If an application is refused the Local Authority should consider whether they can reapply using additional information available that had not initially been included within the papers provided at the hearing.
- 8.71. The JP will record his or her decision on the judicial order form. This will be the official record of the JP's decision. Court staff will securely retain a copy of the RIPA authorisation and the judicial application and order forms.
- 8.72. The decisions that the JP can make are as follows:
- Approve the grant or renewal of the authorisation or notice;
  - Refuse to approve the grant or renewal of an authorisation or notice;
  - Refuse to approve the grant or renewal and quash the authorisation or notice.
- 8.73. If the JP refuses to grant or renew the authorisation or notice it will not take effect and the Local Authority may not use the technique in that case.
- 8.74. Where an application has been refused the Council may wish to consider the reasons for that refusal. For example, a technical error in the form may be remedied without the Council going through the internal authorisation process again. The officer may then wish to reapply for judicial approval once those steps have been taken. If the JP decides to quash the original authorisation or notice, the court must not exercise its power to quash that authorisation or notice unless the Applicant has had at least two business days from the date of the refusal in which to make representations.
- 8.75. The Council will need to obtain judicial approval for all initial RIPA authorisations or notices. In addition to the application form etc. officers will need to retain a copy of the judicial application and order forms after they have been signed by the JP. There is no requirement for the JP to consider either cancellations or internal reviews.
- 8.76. On rare occasions officers might have the need for out of hour's access to a JP so the officer will need to make the necessary arrangements with the Court staff. The officer will need to provide two partially completed judicial application and order forms so that one can be retained by the JP. The officer should provide the Court with a copy of the signed judicial application and order forms the next working day.
- 8.77. Where renewals are timetabled to fall outside of Court hours, for example during a holiday period, it is the investigating officer's responsibility to ensure that the renewal is completed ahead of the deadline. Out of hours procedures are for emergencies and should not be used because a renewal has not been processed in time.
- 8.78. Should judicial approval be granted, the officer will need to provide the judicial approval form to the NAFN SPoC.
- 8.79. **ERRORS:** Where any error occurs, in the giving of a notice or authorisation or as a consequence of any authorised conduct or any conduct undertaken to comply with a notice, a record should be kept. An error can only occur after the notice has been served on the CSP, so if it is discovered before this point it does not officially count as



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an error. There are two types of errors namely reportable errors and recordable errors:

- Reportable errors are ones where communications data is acquired wrongly and in this case a report must be made to the IOCCO, as this type of occurrence could have significant consequences for the individual whose details were wrongly disclosed. Reportable errors could include:

A notice being made for a purpose, or for a type of data, which the public authority cannot seek;

Human error, such as incorrect transposition of information where communications data is acquired;

Disclosure of the wrong information by a CSP when complying with a notice;

Disclosure or acquisition of data in excess of that required.

- Recordable errors are ones where an error has occurred but has been identified before the communications data has been acquired. The Local Authority must keep a record of these occurrences, but a report does not have to be made to the IOCCO. Recordable errors could include:

A notice which is impossible for a CSP to comply with;

Failure to review information already held, e.g. seeking data already acquired or obtained for the same investigation, or data for which the requirement to obtain it is known to be no longer valid;

Notices being sent out to the wrong CSP;

Human error, such as incorrect transposition of information where communications data is not acquired;

Notices being sent out to CSP's that were not produced by the Designated Person who authorised the application.

- 8.80. Where a telephone number has been ported to another CSP then this does not constitute an error. Where excess data is disclosed, if the material is not relevant to the investigation it should be destroyed once the report has been made to the IOCCO. This should include destroying copies contained as attachments in emails. If having reviewed the excess material it is intended to make use of it, the Applicant must make an addendum to the original application to set out the reasons for needing to use this excess data. The Designated Person will then decide whether it is necessary and proportionate for the excess data to be used in the investigation. The requirements of DPA and its data protection principles must be adhered to in relation to an excess data.
- 8.81. Any reportable error must be reported to the Senior Responsible Officer and then to the IOCCO within five working days. The report must contain the unique reference number of the notice and details of the error, plus an explanation how the error occurred, indicating whether any unintended collateral intrusion has taken place and

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providing an indication of the steps that will take place to prevent a reoccurrence. The 'reporting an error by accredited SPoC form' (CD5) should be used for this purpose.

- 8.82. If the report relates to an error made by a CSP the Authority must still report it, but should also inform the CSP to enable them to investigate the cause.
- 8.83. The records kept for recordable errors must include details of the error, explain how the error occurred and provide an indication of the steps that will take place to prevent a reoccurrence. These records must be available for inspection by IOCCO inspectors and must be regularly reviewed by the Senior Responsible Officer.
- 8.84. The most common cause of errors is the incorrect transposition of telephone numbers, email addresses and IP addresses. In the vast majority of cases these addresses are derived from addresses available to the Applicant in electronic form. Therefore all Applicants are required to electronically copy communications addresses into applications when the source is in electronic form (for example forensic reports relating to mobile phones or call data records etc.) Communications addresses acquired from other sources must be properly checked to reduce the scope for error.
- 8.85. In circumstances where a reportable error is deemed to be of a serious nature, IOCCO may investigate the circumstances that led to the error and assess the impact of the interference on the rights of the affected person. IOCCO may inform the affected individual, who may make a complaint to the Investigatory Powers Tribunal. The Tribunal has full powers to investigate and decide any case within its jurisdiction which includes the acquisition and disclosure of communications data.
- 8.86. **SENIOR RESPONSIBLE OFFICER:** The Senior Responsible Officer is responsible for the following:
- The integrity of the processes of acquiring communications data;
  - Compliance with the Act and Code of Practice;
  - Oversight of the reporting of errors to IOCCO;
  - Engaging with IOCCO inspectors when they conduct inspections;
  - Overseeing the implementation of any post-inspection action plans.
- 8.87. The Head of Paid Service is the Senior Responsible Officer with regard to the acquiring of communications data.
- 8.88. **CENTRAL RECORDS:** The Council must retain copies of all applications, authorisations, copies of notices and withdrawals of authorisations and cancellation of notices, cross-referenced against each associated document. This will be coordinated by the RIPA Coordination Officer who also holds copies of application for actual surveillance as per the Council's overarching RIPA policy. With the NAFN system, copies of the notices and authorisations are not routinely provided to the Designated Person, but print-offs of the completed online application forms will need to be provided to the RIPA Coordination Officer (consideration must be given to data sharing when dealing with internal investigations). Inspectors from the IOCCO will be able to obtain copies of all of these documents from NAFN.

Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

- 8.89. The Senior Responsible Officer will have access to all of these forms as and when required.
- 8.90. The Local Authority must also keep a record of the following:
- Number of applications submitted to the NAFN SPOC;
  - Number of applications submitted to the NAFN SPOC which were referred back to the applicant for amendment or declined by the SPOC;
  - The reason for any amendments being required or application being declined by the SPOC;
  - Number of applications that were approved by the Designated Person;
  - Number of applications that were referred back to the applicant or rejected by the Designated Person;
  - The reason for any referrals back or rejections;
  - Number of notices requiring disclosure of communications data;
  - Number of authorisations for conduct to acquire communications data;
  - The priority grading of the application for communications data. The Council will only use Grade 3; matters that are routine but where appropriate will include specific or time-critical issues such as bail, Court dates etc;
  - Whether any part of the application relates to a person who is member of a profession that handles privileged or otherwise confidential information (such as a medical doctor, lawyer, journalist, MP or minister of religion (and if so, which profession));
  - Number of items of communications data sought for each notice or authorisation that was granted;
- 8.91. For each item of communications data included within a notice or authorisation the Local Authority must keep records of the following additional information:
- The Unique Reference Number of the application, notice and /or authorisation;
  - The statutory purpose for which each item of communications data is being requested. The Council is only able to use the purpose of 'preventing or detecting crime or of preventing disorder';
  - The type of crime being investigated;
  - Whether the communications data is service use information (S21(4)(b) information) or subscriber information (S21(4)(c) information);
  - The type of each item of communications data included in the notice or authorisation (such as fixed line telephone data, mobile telephone data or internet data);
  - Whether each item of communications data relates to a victim, a witness, a complainant, a suspect, a next of kin, a vulnerable person or other person relevant to the investigation;
  - The age of each item of communications data. (If the data includes more than one day, the age will be the oldest date of the data that is sought);
  - Where the data sought is service use information on the total number of days of data being sought;
  - The CSP from who the data is being acquired. All these records will need to be sent to IOCCO as requested.



## Policy and Procedures Document for the acquisition of Communications Data using The Regulation of Investigatory Powers Act 2000 (RIPA)

- 8.92. The Lead Officer will keep a database of all applications, plus details of any notices and authorisations whether they are issued by the Local Authority or issued by NAFN on our behalf. This database will include records of any errors that have occurred. NAFN are able to provide on request statistical information about the numbers of notices or authorisations that they have issued.

### **9. INTERCEPTION OF COMMUNICATIONS COMMISSIONER'S OFFICE**

- 9.1. The exercise of the powers and duties relating to communications data is kept under review by inspectors who work for the Interception of Communications Commissioner's Office (IOCCO) under the control of the Interception of Communications Commissioner.
- 9.2. IOCCO state that if the Council receives a freedom of information request for a copy of its inspection report, the Council should notify IOCCO, who will provide it with a suitably redacted version of the report to submit to the requester. No disclosure must take place until IOCCO has been consulted.

### **10. STRATEGY AND POLICY REVIEW**

- 10.1. The Counter Fraud Unit will review and amend this policy as necessary to ensure that it continues to remain compliant and meets legislative requirements and the vision of the Council.
- 10.2. Responsible Department: Counter Fraud Unit  
Date: November 2016.
- Review frequency as required by legislative changes / every three years.



## Cheltenham Borough Council

**Cabinet – 6 December 2016**

### Counter Fraud Unit Business Case

<b>Accountable member</b>	Cabinet Member Corporate Services, Councillor Roger Whyborn
<b>Accountable officer</b>	Paul Jones, Chief Finance Officer
<b>Ward(s) affected</b>	<b>All</b>
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>In 2014 Cheltenham Borough Council supported the successful DCLG bid to fund the set-up of a Gloucestershire wide Counter Fraud Unit tasked with preventing and detecting fraud and the misuse of public funds.</p> <p>The team has been undertaking feasibility work (both strategic and operational) on behalf of a number of Gloucestershire Authorities, West Oxfordshire District Council, Cheltenham Borough Homes and Ubico. A summary of this work is included within the business case (to June 2016) and is reported to Audit Committee quarterly.</p> <p>This work has been undertaken as a pilot and the attached business case and financial detail has been drafted to reflect the financial sustainability of creating a permanent Counter Fraud Unit which will serve the partner Councils across the region including Cheltenham Borough Council.</p> <p>The Counter Fraud Unit will be a Support Service reporting to the Chief Finance Officer at each partner site. The employing partner will be Cotswold District Council and day to day management of the Unit will be undertaken by the same.</p> <p>Initially, from April 2017, Counter Fraud Unit employees will be seconded to each partner as set out in the provisions of Section 113 Local Government Act 1972, which enables the employing Council to make its Officers available to other Councils. For the purpose of the secondment, the secondee becomes an Officer of the Council to whom he or she is seconded.</p> <p>In relation to governance arrangements, policy and corporate strategy; all will be determined by each partner individually and the Counter Fraud Unit will report quarterly to each partner Audit Committee.</p> <p>If a company is subsequently set up by the employing Council, these arrangements may change and each partner will be consulted about the revised arrangements at the appropriate time.</p> <p>Audit Committee were asked to review the business case and comment thereon to aid decision making. At the meeting on 21 September 2016 it was recommended that Cabinet be recommended to approve Option 2 with a note that Option 3 was the preferred Option.</p> <p>Cabinet is asked to review the business case and approve the Authority's</p>



	<p>participation in the e permanent Counter <b>Page 392</b> nd financial arrangements for a</p>
<p><b>Recommendations</b></p>	<p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li><b>1. Review the attached business case and supporting financial documentation.</b></li> <li><b>2. Approves this Authority’s participation in the establishment of a permanent Counter Fraud Unit and recommends the preferred option 3 and associated financial, governance and employment arrangements.</b></li> </ol>
<p><b>Financial implications</b></p>	<p>The base budget held by the Council for counter fraud related work is £62,300. The proposals within the business case will generate a base budget saving of at least £14,000. It is recognised that the potential income and loss avoidance savings will be difficult to map back to actual counter fraud activity as the proceeds are realised through the collection fund surplus. It is however acknowledged that surpluses within the collection fund over the last 2 financial years have been significantly higher than anticipated. Part of the financial contribution which equates to £55,600 (£11,120 per annum for a maximum period of 5 years) is funded via housing benefit subsidy administration grant which was specifically earmarked for fraud preventative work.</p> <p><b>Contact officer: Paul Jones, S151 Officer, Cheltenham BC</b></p> <p><a href="mailto:Paul.Jones@cheltenham.gov.uk">Paul.Jones@cheltenham.gov.uk</a></p>
<p><b>Legal implications</b></p>	<p>The proposed arrangement will require appropriate delegation of functions, officer secondments and data sharing protocols.</p> <p><b>Contact officer: Shirin Wotherspoon, Head of Law (Commercial) One Legal</b></p> <p><a href="mailto:shirin.wotherspoon@teWKesbury.gov.uk">shirin.wotherspoon@teWKesbury.gov.uk</a> 01684 272017</p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>Cheltenham BC currently has two employees employed on fixed term contracts who are seconded to the project. The end date for the fixed term contracts is currently 31st March 2017. It is anticipated that the employees will be offered permanent contracts with the CFU if the proposals are accepted.</p> <p>If the CFU is not established then the fixed term contracts will come to their natural end and the two employees will receive redundancy payments.</p> <p><b>Contact officer: Julie McCarthy, HR Manager (West)</b></p> <p><a href="mailto:Julie.McCarthy@cheltenham.gov.uk">Julie.McCarthy@cheltenham.gov.uk</a></p>
<p><b>Key risks</b></p>	<p>If the Council does not have effective counter fraud and corruption controls it risks both assets and reputation. Without appropriate strategy and resources in place the Council is at risk of losses as a result of fraudulent activity.</p>

<b>Corporate and community plan Implications</b>	<p>In administering its <sup>s</sup>; this Council has a duty to prevent fraud and corruption, which is not accepted by someone outside or within the Council such as another organisation, a resident, an employee or Councillor.</p> <p>The Council is committed to an effective counter fraud and corruption culture, by promoting high ethical standards and encouraging the prevention and detection of fraudulent activities, thus supporting corporate and community plans.</p>
<b>Environmental and climate change implications</b>	<p>None directly arising from the report.</p>
<b>Property/Asset Implications</b>	<p>None directly arising from the report.</p> <p><b>Contact officer: David Roberts, Head of Property Services</b></p> <p><a href="mailto:david.roberts@cheltenham.gov.uk">david.roberts@cheltenham.gov.uk</a></p>

## 1. Background

- 1.1. In February 2015 Cotswold District Council was successful in the Bid for £403k funding from Department of Communities and Local Government (DCLG) on behalf of the Local Authorities in Gloucestershire and West Oxfordshire District Council. The funding was a one off payment to enable the introduction of a Gloucestershire wide Counter Fraud Unit that is able to use data matching to gather intelligence and skilled investigators to help counter all forms of fraud and misuse of public funds against the Councils and Social Housing Providers in the region.
- 1.2. Cotswold District Council and Cheltenham Borough Council retained investigator resources that transferred to work on the project. This Counter Fraud Unit has been building the operational, legal and data matching requirements to deliver the project along with actual operational investigation of fraud. This has also included building the partnership network in the region and understanding what resources each authority had to contribute to the unit.
- 1.3. The shared legal team at Cotswold, Forest of Dean and West Oxfordshire District Councils and One Legal, on behalf of Cheltenham and Tewkesbury Borough Councils, Ubico and Cheltenham Borough Homes have been engaged to cover the data sharing and usage requirement, along with the access, accountability and authority provisions required at each organisation involved. Work is also underway at Gloucestershire County Council via the Head of Audit Risk Assurance (ARA) and Insurance Services
- 1.4. The Counter Fraud Unit is in the process of creating a range of new policies and procedures to enable data matching and criminal investigations to be legally undertaken and in support of each service area. It is anticipated that the service will be a value adding unit that supports all enforcement sections including Revenues, Planning and Licencing, etc. In addition, the team may tackle fraud as it is discovered with new intelligence/data matching software and by reacting to normal referrals of fraud and whistleblowing.
- 1.5. It is also in the process of developing an agreement with the Police and other enforcement agencies to aid in the early prevention/detection of fraud.

## 2. Consultation

- 2.1 The Gloucestershire Chief Finance Officer Group is the Governance Group for the project and

has received quarterly updates on pr Oxfordshire District Council is also updated. The Officers received a copy of the business case on 9 June 2016 and have agreed to consult with individual Corporate Management Teams, Audit Committees and Cabinet Members.

2.2 Decisions are to be received by Cotswold District Council as the lead authority by January 2017.

<b>Report author</b>	<b>Emma Cathcart, Counter Fraud Team Leader</b> <a href="mailto:Emma.Cathcart@cotswold.gov.uk">Emma.Cathcart@cotswold.gov.uk</a> <b>01285 623356</b>
<b>Appendices</b>	<ol style="list-style-type: none"><li>1. Risk Template</li><li>2. Counter Fraud Unit Business Case</li><li>3. Additional Financial Cost Update</li></ol>



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	The authority suffers material loss and reputational damage due to fraud	Chief Finance Officer	December 2014	3	3	9	Reduce	Introduce a Counter Fraud Team to reduce the likelihood of the risk materialising and also to help recover losses, thus reducing the impact.	March 2017	Chief Finance Officer	
2	Without dedicated specialist staff in place, the Council may be unable to take effective and efficient measures to counter fraud, potentially resulting in authority suffering material losses due to fraud and error	Chief Finance Officer	September 2016	3	4	12		Retain a specialist Counter Fraud Unit to tackle the misuse of public funds on behalf of the Council.	March 2017	Chief Finance Officer	
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p><b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											



## Counter Fraud Unit Business Case

<b>Project Name:</b>	<b>Counter Fraud Unit</b>		
Date:	9 June 16	Release:	Draft
Authors:	Kate Seeley, Emma Cathcart, Ruth Jones and Alex Lawson		
Owner:	Jenny Poole		
Client:	Cotswold District Council		
Document Number:	1.2		

### Revision History

Date of next revision:

Revision Date	Previous Revision Date	Summary of Changes	Changes Marked
9 June 16	26 May 16	Drafting	

### Approvals

This document requires the following approvals. A signed copy should be placed in the project files.

Name	Signature	Title	Date of Issue	Version
Jenny Poole		Head of GOSS and S151 Officer, CDC	5 May 16	Draft 1

### Distribution

This document has been distributed to the following Officers:

Name	Title	Date of Issue	Version
Paul Jones	S151 Officer, Chelt BC & Forest of Dean DC	8 June 16	
Jo Walker	S151 Officer, Glos County Council	8 June 16	
Sandra Cowley	S151 Officer, Stroud DC	8 June 16	
Simon Dix	S151 Officer, Tewkesbury BC	8 June 16	
Jon Topping	S151 Officer, Glos City Council	8 June 16	
Frank Wilson	S151 Officer, West Ox DC	8 June 16	

Redistributed to Gate Review Meeting Attendees – Susan Gargett, Helen Pearce, Alex Lawson, Duncan Edwards, Carl Jones, Kate Righton, Theresa Mortimer and Ian Church.



## Executive Summary

### Introduction

In 2011/2012 Cotswold District Council, West Oxfordshire District Council and Cheltenham Borough Council started to informally work together to collate and apply a more consistent approach to counter fraud work through the Internal Audit Partnership; Audit Cotswolds.

In 2013/2014, the government announced that Local Authority responsibility for the investigation of benefit fraud was to be transferred, with the counter fraud investigation staff, to the Department for Work and Pensions. A successful counter fraud pilot project was initiated through the Cheltenham partner targeting tenancy fraud with Cheltenham Borough Homes; an arm's-length management organisation (ALMO). This enabled the partner Council's to assess the effectiveness of specialist counter fraud staff within other enforcement areas and consider retaining the resource within the organisation.

In February 2015, building on this pilot work, Audit Cotswolds successfully bid for £403,000 funding from the Department of Communities and Local Government (DCLG) on behalf of the Local Authorities in Gloucestershire and West Oxfordshire District Council to accelerate the development of a dedicated Counter Fraud Unit (the unit) within the partner organisations.

The funding is a one off payment to enable the introduction of a Gloucestershire and West Oxfordshire Counter Fraud Unit that is able to use data matching to gather intelligence and skilled investigators to help counter all forms of fraud against the Councils and Social Housing Providers in the region.

The bid set out a phased approach. The unit's first objective was to counter fraud through better intelligence and enhanced proactive partnership working in Gloucestershire and West Oxfordshire District Council with the aspiration to create a 'Gloucestershire Hub'. It built on the existing three authority partnership and introduced other partners namely: Gloucestershire County, Forest of Dean, Stroud, Tewkesbury and Gloucester City Council, plus Cheltenham Borough Homes Ltd and in time other registered social landlords.

The second phase of the project links the Gloucestershire Hub to other Hubs (Oxfordshire) through data sharing activity.

This business case translates the DCLG funded project into a permanent service model that is fully self-sufficient whilst continuing to manage and utilise the DCLG fund to set up the unit.

The business case sets out the roles and responsibilities of the new service and the financial strategy to ensure it is sustainable. It reflects upon the most effective and efficient use of resources and necessary governance structure to ensure it continues to deliver on service objectives.

Feasibility studies have been undertaken in financial years 2015/16 and 2016/17 to show that the unit can expect to generate revenue and provide risk assurance. In addition, the unit has identified additional areas of savings and loss avoidance, thereby adding value for all partners. The work included such legal documentation as data sharing and access agreements that enabled the feasibility studies to be undertaken and investigations to be conducted legally.

The S151 Officers form a significant role in terms of the unit's objectives, rationale and financial strategy but they also have a responsibility in the enabling of counter fraud activity within their own organisations.

The Audit Committees, as the body charged with governance, at each of the partner Local Authorities will be required to ensure Member level engagement is achieved and be a means for reporting of counter fraud activity. This will enable the Committee to confidently sign the annual declaration for the External Auditor in support of the accounts. It also provides a route for the unit to publicise activity, benefits and outcomes such as savings achieved and prosecution results.

The Counter Fraud Unit requires data matching and sharing, along with partner collaboration, to occur in an effective and efficient manner. Therefore the business case covers operational and strategic elements.

The business case is designed to describe the delivery of a fully self-sufficient service that counters fraud in Gloucestershire and West Oxfordshire from April 2017. It also ensures that the unit can engage with similar counter fraud departments such as Oxford City and Birmingham City.

This business case argues that the benefits of a counter fraud unit outweigh the costs of setting up and operating the unit. This is evidenced within the results shown in the feasibility study section. In addition, the benefits are summarised within this document and this business case recommends a Counter Fraud Unit that is resourced and embedded into the host organisations. The unit will be capable of delivering a full range of counter fraud and error detection services.

The business case explores three possible options for a counter fraud function within the organisations detailing the services which could be provided, benefits and dis-benefits and financial implications. These options are;

Option 1 – The provision of the minimum statutory requirements with no dedicated Counter Fraud Unit.

Option 2 – Counter Fraud Unit for the provision of an enhanced service to four partner Councils.

Option 3 – Counter Fraud Unit for the provision of an enhanced service to Gloucestershire District Councils, West Oxfordshire District Council and Gloucestershire County Council with the ability to work for third party organisations such as Registered Social Landlords.

## Project Rationale

The project was developed to reflect the changes to the counter fraud arrangements nationally in 2014 brought about by the creation of the Single Fraud Investigation Service (operated by the Department for Work and Pensions) which subsumed the Council's responsibilities for investigating Housing Benefit Fraud.

Cotswold District Council and Cheltenham Borough Council retained investigator resources under the direction of Internal Audit. The Counter Fraud Unit has been building the operational, legal and data matching requirements to deliver the project along with actual operational investigation of fraud.

The team have engaged with partners across the region building an understanding in relation to available resources, high risk areas and collaborative working. In July 2015 a Project Manager was recruited (2 days per week) to assist with project delivery across the multiple partners.

It was anticipated that the service would become a value adding unit that supports all enforcement sections including Revenues, Planning and Licensing. In addition, the team would tackle fraud with new intelligence/data matching software and react to referrals of fraud, whistleblowing and money laundering.

The project would use an evolutionary (literally) and holistic approach starting with a limited number of partners and grow as capabilities and line of business systems became available; leading to the development of intelligence led counter fraud capability that services contracts for third parties such as Registered Social Landlords and Housing Providers.

Finally, the project would lead to the development of agreements or memoranda of understandings with the Police, HM Revenue and Customs, the National Health Service and other enforcement agencies to aid in the early prevention and detection of fraud and savings to the public purse, for the benefit of the wider community.

## National Picture

In 2011, the Cabinet Office Counter Fraud Taskforce issued a report on 'Illuminating Public Sector Fraud' which outlined four strategic priorities;

- Collaboration,
- Assessment of Risk,
- Prevention and
- Zero Tolerance.

"The scale of fraud against Local Government is extensive and hard to quantify with precision. Fraud costs UK public services an estimated £21 billion per year, of which £2.1 billion is the estimated cost to Local Government. A further £14 billion is lost to tax fraud and vehicle excise fraud and £1.9 billion to benefit and tax credit fraud. Reducing this is now a major priority across all areas of government." *Cabinet Office 2016*

The National Fraud Authority and the Audit Commission have closed. However fraudsters are becoming increasingly sophisticated. All public services organisations are more vulnerable than ever to criminal activity.

Although resources remain stretched, the reduction of fraud within the public sector is a priority and is reflected by the CIPFA Counter Fraud Centre which was launched in 2014 to lead and coordinate the fight against fraud and corruption across local and central government amongst other sectors. CIPFA are currently undertaking a national survey to gather and benchmark fraudulent activity within local government.

Digitisation of public services is increasing the opportunities for criminals, and counter fraud experts believe prevention is the best policy when tackling this.



## Regional Picture and Local Impact of the Project

The National Policing Fraud Strategy 2015 recognised that the key role in the policing of fraud is played at the local level. Public Sector bodies do see Counter Fraud Units as a cost, but it is an investment in a much greater return.

The Local Government Counter Fraud and Corruption Strategy 2016–2019, supported by CIPFA, builds on the previous publications and provided the incentive for Local Authorities to shift their focus from benefit fraud to other areas that present high risk losses, to include those which arise unintentionally from national directives such as the Right to Buy legislation.

The project was focused on the four strategic objectives outlined above in the national picture; collaboration, risk assessment, prevention and zero tolerance. Further, the project sought to deliver this innovatively. Locally the 2020 Partnership, which is providing shared services across Cotswold District Council, Cheltenham Borough Council, Forest of Dean District Council and West Oxfordshire District Council and the Regulatory and Environmental Services Transformation project (Cheltenham Borough Council only) aim to improve efficiency. However it inevitably means the loss internally of resources to tackle other forms of misappropriation for which the Councils remain responsible. The unit can therefore seek to provide support and address this across all partners through collaboration and data sharing. Areas of fraud high risk across the region can be identified and a single solution applied to promote best practice and uniformity whilst remaining flexible in relation to individual requirements.

## Proposed Outcomes

- Produce real and demonstrable savings for partners from intelligence based counter fraud activity.
- Pursue criminals with an effective, self-sufficient and robust fraud investigation team, which can operate locally with partners or with third parties and other public bodies.
- Continue to operate and adapt to any reorganisation, restructure or political change.
- Fight local fraud by matching datasets across all demographics.
- Fight regional fraud by legally exchanging data

## Overarching Goals

- Detect abuse of public services.
- Be a self-financing unit.
- Prevent the public purse being abused.

## Strategic Alignment to Organisational Objectives

A Counter Fraud Unit would support a number of drivers which are reflective of the challenges facing all of the project partners and addresses each one of these as follows:

- **Financial:** the need to respond to long-term financial pressures by assuring money is not lost through illegal fraudulent activity.
- **Efficiency:** the need to continue to find ways of delivering value for money by assessing risk, promoting best practice and adding value through loss avoidance.
- **Resilience:** each authority needs a wider pool of expertise and greater capacity to respond to events by retaining counter fraud specialists who can be both reactive and proactive in relation to criminal activity.
- **Impact:** more depth in strategic capacity is needed to support the drive towards service improvement and wider social and economic benefits by publicising a zero tolerance approach to abuse and misappropriation of public funds.
- **Democracy:** each authority needs to have sufficient resources to be able to exercise choice and community leadership so that it can champion local needs and priorities by identifying local high risk areas which can be proactively tackled.

## Feasibility Studies

To evidence the financial aspect of the business case, the unit has undertaken corporate and strategic work for the partner Councils; Cotswold District Council, West Oxfordshire District Council and Cheltenham Borough Council. Proactive feasibility work has also been carried out for the partner authorities and third parties; Cheltenham Borough Homes and Tewkesbury Borough Council. The unit is also fully engaged with Gloucestershire County Council in relation to collaborative working. A summary of the areas of pilot work and the results are set out below.

### Audit Partnership Work – Cotswold District Council, West Oxfordshire District Council and Cheltenham Borough Council

The unit has tried to illustrate the effectiveness of a centralised counter fraud unit with responsibility for counter fraud corporate strategy, policy drafting, centralised and uniform data collation, fraud awareness, specialist training and legislative updates and reactive planning to emerging threats.

- Legal framework for operation

Secondment Agreements (S113 Local Government Act 1972), for two Investigation Officers, drafted by the team and approval gained from legal representatives at Cotswold District Council, West Oxfordshire District Council and Cheltenham Borough Council.

One Internal Audit Officer mitigating the need for any additional legal documentation in relation to employment.

- Work April 2015 to date
  1. 2 internal referrals received in relation to alleged theft and corruption against the Council (not internal staff, external attempts). These are currently on-going.
  2. Referrals received via Internal Audit in relation to staff investigations where criminal offences are identified. Reports and recommendations are being referred to the appropriate Director at suitable intervals.
  3. Transparency data capture and general fraud data recording and reporting across all partners to ensure consistency and bench marking where appropriate.
  4. Training and Advice;
    - i. Internal employee investigation training provided to Internal Audit and Human Resources staff.
    - ii. Criminal Procedure and Investigations Act refresher and updates being provided across the County and West Oxfordshire for all Enforcement, Legal and Internal Audit members of staff.
    - iii. Regulation of Investigatory Powers Act; refresher and updates being planned and rolled out across the County for all Enforcement, Legal and Audit members of staff.
    - iv. Proceeds of Crime Seminar planned with Barristers from Albion Chambers for all Enforcement, Legal and Audit members of staff across the County.



- v. Member of the Gloucestershire Tenancy Fraud Forum promoting best practice and tenancy fraud work undertaken by the team. The work has been credited nationally at various conferences.
5. Policies;
    - i. The drafting of a Counter Fraud and Anti-Corruption Policy and full approval process completed. The policy has been approved by all partner Audit Committees and adopted by Cabinet at all three authorities. Staff and Member awareness training to commence to include a fraud referral process.
    - ii. A new Regulation of Investigatory Powers Act policy has been drafted to cover new legislation in relation to staff obtaining Communications data; approval across the partnership has commenced. Following approval, training with Enforcement staff and Authorising Officers to commence.
    - iii. The team has been given responsibility for the Whistle Blowing Policy which needs to be redrafted for use by all partners.
    - iv. The unit is also reviewing Anti-Money Laundering and Proceeds of Crime Policies, Prosecution Policies and Regulation of Investigatory Powers Act (Surveillance) Policies across the partners.
  6. The drafting and implementation of Fair Processing Notices and Statements to reflect legislative requirements and any future data matching.
  7. The drafting and implementation of Lone Working protocols for Investigation Officers.

### Overview of Cheltenham Borough Council results and significance

The unit undertook additional specific proactive work for Cheltenham Borough Council. It should be noted that Cotswold District Council and West Oxfordshire retained additional enforcement resource within the Revenues and Housing Support Department and as such the unit was not engaged within this area.

During the course of the year the unit was engaged in a publicised fraud case, working collaboratively with the Police and the Department for Work and Pensions. The defendants were handling fake currency and hoarding contraband tobacco. During the course of the investigation, the Council were asked to investigate allegations of benefit fraud. The defendants were recently sentenced and received custodial terms. In addition, the Court awarded a Proceeds of Crime Confiscation Order and the Council should receive compensation of approximately £21,000.

- Legal framework for operation

Two Investigation Officers conducted the work; both are directly employed by Cheltenham Borough Council therefore mitigating the need for any additional legal documentation in relation to employment and system access.

Provision of the required data sharing agreements to allow work on the Home-Seekers Housing Application List Review; this included the drafting of the agreements, legal approval and required signatures / consent from the affected system administrators.

- Work April 2015 to date
  1. Single point of contact role for Department of Work and Pensions liaison following the transfer of Benefit Fraud Investigation to the Single Fraud Investigation Service.
  2. Council Tax Reduction Scheme; criminal investigation, interview under caution and appropriate sanction/prosecution action on behalf of the Revenues and Benefits Section.
  3. Home-Seekers Housing Application List Review on behalf of Housing Options Team (Cheltenham Borough Homes). The team undertook an exercise to verify the application details and confirm that the criteria had been met for the relevant band in to which the application had been placed.
  4. A sample Single Person Discount Review was undertaken on behalf of the Revenues Department. 50 cases were subjected to more robust verification.
  5. Service of court documentation on behalf of Housing Benefit debt recovery.
  6. Sample of absconded debtors passed to the team to be traced prior to debt write off.
  
- Results
  1. 141 Housing Benefit and Council Tax Reduction Scheme referrals received, 83 referred on to the Department for Work and Pensions, 4 referred on to Housing Provider/Registered Social Landlord and 34 cases opened for investigation by the team. 20 referrals were rejected.
  2. Of the 34 cases investigated by the team;
    - i) Overpayments identified totalling £16,738 to be recovered.
    - ii) 4 individuals prosecuted and sentenced; 1 prosecution listed for trial.
    - iii) 2 Administrative Penalties applied totalling £796 to be recovered.
    - iv) 2 Formal Cautions given.
  3. The housing list review resulted in 51 cancelled applications (7 Gold Band and 44 Silver Band) representing £918,000 in loss avoidance. Each cancelled application represents a property which can be reallocated to another eligible family. For each reallocation, a figure of £18,000 per annum can be identified as a loss avoidance figure because there is no need for temporary accommodation to be utilised. £18,000 is the Audit Commission figure for the average annual cost to a Local Authority when housing a family in temporary accommodation. In addition 56 applications have been downgraded to Bronze band. The result of this reprioritisation is that those families who are correctly banded have a greater chance of being housed and more speedily.
  4. Discounts were removed retrospectively and for the financial year 2016/2017. The investigation of only 50 cases generated £37,000 in additional Council Tax liability. It should be noted that the major beneficiary of this will be the County Council who receive the majority of the revenue collected. Council Tax Penalties were not administered. However, had they been applied at the legislative value of £70 then approximately £3,000 would have been generated for collection and for retention and use by the Local Authority alone.
  5. Debt Recovery:
    - i. £634 paid in full.
    - ii. £870 paid, arrangement agreed for outstanding £300.

- iii. £906, arrangement agreed and £211 paid to date.
  - iv. £1858, arrangement of £40 per month agreed.
  6. 24 cases passed for investigative trace. Utilising only free consent data checks, further contact/residency information identified in 18 cases.
- Review
    1. On-going liaison with the Benefit Section Manager and the Single Fraud Investigation Service, Department for Work and Pensions.
    2. On-going liaison with the Benefit Section Manager. Proactive work can be undertaken if needed.
    3. The team have prepared a detailed report evaluating the housing list review to include recommendations regarding future processes and system reviews. We are awaiting updates and further instruction from Cheltenham Borough Homes.
    4. The team have prepared a report reviewing the Council Tax discount work to include recommendations regarding future processes and system reviews. We are awaiting updates and instruction in relation to further discount and/or exemption fraud drives.
    5. On-going instructions received from the Benefit Team.
    6. Recommendations made to the Accounts Receivable Team within GO Shared Services that the team consider results and future collaboration.

### Overview of Cheltenham Borough Homes results and significance

- Legal framework for operation

Two Investigation Officers conducted the work; both are directly employed by Cheltenham Borough Council therefore mitigating the need for any additional legal documentation in relation to employment and system access. Any investigations undertaken were in relation to properties owned by Cheltenham Borough Council only.

- Work September 2014 to date

In addition to the details below, the housing list review on behalf of Cheltenham Borough Council was conducted and the review report is with Cheltenham Borough Homes.

1. Tenancy Fraud investigation work has been on-going for approximately 18 months and the team received 23 referrals from varying sources during the period (Cheltenham Borough Homes staff, anonymous informants, One Legal, Housing Benefit Team, Police and other internal systems).
2. National Anti-Fraud Network Membership – introduction to the not for profit organisation which provides data and intelligence to system users.
3. Fraud Referral Process – drafting of a generic referral form and mechanism for referral with agreed key decision points for investigation and interview under caution and to proceed to prosecute.
4. Reporting plan; content and frequency to include Audit and Risk Committee reports and presentation.



- Results

1. 5 cases referred for prosecution (details below) and a further 8 properties withdrawn or recovered back in to the housing stock. There are 9 open cases currently under investigation.
  - i) 1 prosecution for Right to Buy Fraud – the sale of the 4 bedroom property was prevented, the property recovered and returned to the housing stock. The individual concerned received a 16 week suspended sentence, 200 hours community service order and was ordered to pay £200 costs.
  - ii) 1 prosecution for application fraud – the property was recovered and returned to the housing stock. The individual concerned received a 100 hours community service order and was ordered to pay costs of £700.
  - iii) 1 prosecution for application fraud – the individual was removed from the housing list and received a £200 fine and was ordered to pay £170 costs.
  - iv) 1 prosecution for Right to Buy Fraud listed for trial in July 2016.
  - v) 1 prosecution for application fraud referred for trial and subsequently withdrawn due to inadequate data capture processes.

As detailed previously, each recovered property represents a loss avoidance figure of £18,000. Additionally where the sale of a property through the Right to Buy scheme is prevented the Audit Commission stated that a loss avoidance figure of £150,000 should be reported, representing the average rebuild cost. The work undertaken in this area therefore represents a loss avoidance figure of £444,000.

2. System use for trace and debt recovery work.
3. Referral mechanism in use.
4. Awaiting decision in relation to Senior Management reports and frequency. Agreement in relation to Audit and Risk Committee plan received.

- Review

Reports have been written and submitted for consideration in relation to the following:

- i) Risks – highlighting the impact of Universal Credit, Housing Benefit regulation changes, Right to Buy criteria changes, the introduction of the 1% rent reduction for social landlords and the compulsory pay to stay scheme.
- ii) Strategy – highlighting areas in which the counter fraud team can add value to include use of the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014, targeted fraud drives and proactive work within high risk areas, Right to Buy verification checks and home-seeker verification checks.
- iii) Assistance with Policy review, drafting and implementation to include training in relation to Counter Fraud, Bribery and Corruption, Whistleblowing, Use of Social Media for intelligence gathering and Lone Working.
- iv) Consideration in relation to internal investigations where fraud is alleged.

## Overview of Tewkesbury Borough Council results and significance

- Legal framework for operation

Secondment Agreements (S113 Local Government Act 1972), for two Investigation Officers, drafted by the team and approval gained from legal representatives at Tewkesbury Borough Council and Cheltenham Borough Council.

Provision of the required data sharing agreements to allow work on the Home-Seekers Housing Application List Review; this included the drafting of the agreements, legal approval and required signatures / consent from the affected system administrators.

- Work October 2015 to date

1. Home-Seekers Housing Application List Review on behalf of Housing Options Team. The team undertook an exercise to verify the application details and confirm that the criteria had been met for the relevant band in to which the application had been placed.
2. A Single Person Discount review has been undertaken by Tewkesbury Borough Council. The team are carrying out more robust checks on the replies received on behalf of the Revenues Department.
3. Engagement with Internal Audit in relation to the adoption of Policies and fraud referral mechanism to ensure consistency across the partnership.
4. Reporting plan; content and frequency to include Audit Committee reports and presentation.

- Results (Figures pending, both exercises commenced March 2016)

1. The housing list review has identified 150 applications that appear to have been banded incorrectly or are ineligible. The cases have been referred to the Housing Options Team for review. Currently there have been 3 cancelled applications (all Gold Band) representing £54,000 in loss avoidance. In addition 2 applications have been downgraded to a lesser band.
2. Approximately 60 responses have been received to date. The team have requested further information in each case.
3. Legal agreement received in relation to the adoption of the Counter Fraud and Anti-Corruption policy.
4. To be advised, updates to be presented to Chief Finance Officer and Internal Audit. Attendance at Audit Committee agreed if necessary.

## Overview of Gloucestershire County Council results and significance

- Legal framework for operation

The team have undertaken the drafting of Secondment Agreements (S113 Local Government Act 1972), for two Investigation Officers. Legal representatives at Gloucestershire County Council and Cheltenham Borough Council have given final approval in relation to costs. However, final approval is pending in relation to the inclusion of an insurance indemnity clause. Following joint approval, the secondment agreements can be signed and operational work can be commenced.

- Work September 2015 to date

Pending the secondment approval, meetings have been held with Head of Audit, Risk Assurance and Insurance Services and key team members. Collaboration and work plan agreed to include the following:

1. The provision of assistance with internal investigations being investigated and prosecuted by the County Council not the Police and the Crown Prosecution Service.
2. A generic document pack for criminal investigation, interview under caution and internal prosecution.
3. Joint referral and joint reporting mechanisms in relation to fraud allegations and results.
4. District reporting to the County Council in relation to loss avoidance and revenue generation.



## Business Options

The executive summary sets out the background and the rationale which supports the need for a Counter Fraud Unit functioning within Local Authorities.

The feasibility studies confirm that a Counter Fraud Unit can generate income, assist in relation to risk assurance, control and management, prevent loss and provide specialist investigation skills.

Each Local Authority has a duty to protect the public purse and there are options in relation to how this is undertaken. The Section 151 Officer has a statutory responsibility to ensure proper arrangements for the Council's financial affairs. This is detailed in full within the Counter Fraud and Anti-Corruption Policy recently adopted by the Councils.

The options are set out below.

### Option 1 – Minimum statutory requirement

The provision of the minimum requirement means that full responsibility for counter fraud rests with each individual Council. There will be no resource for collaborative working and any costs and efficiencies will not be shared.

Any existing counter fraud staff will become obsolete and/or redundant however the Local Authority will need to resource a post within the Benefit Section for the liaison between the Council and the Department for Work and Pensions.

Taking this option is likely to result in the following

- Fraud activity within Local Authority may not be detected or managed as thoroughly.
- Mechanisms for reporting and recording fraud data may be inconsistent and dispersed throughout the Council becoming labour intensive.
- The remainder of the DCLG grant may be returned to source.

### Benefits

- Full local control of counter fraud resources and activities within district, borough or city boundaries.
- Minimum overheads and expense.
- The possible reallocation of the remaining DCLG grant monies across the appropriate partners (if allowable under the provisions of the grant).

### Dis-benefits

- The potential to not meet statutory requirements exposing the Council to risk and financial loss.
- No ability for expansion or innovation to generate income.
- Additional pressure on Internal Audit and Human Resources staff to react to and manage fraud activity and risk.
- No scales of economy.
- No capacity for collaborative working.
- The loss of specialist investigative skills in relation to criminal offences.
- The potential return of the remaining DCLG grant monies, £300,000, if it is not utilised for the purpose for which it was granted.
- A loss of confidence from the public due to a lack of overt counter fraud activity.

- The responsibility for the Department for Work and Pensions single point of contact remains within the Benefit Section to include the cost of recruitment, training and any related overheads.
- A loss of investment and return on the project to date.
- Loss of expertise for relevant policy and procedure drafting and implementation.

## Staff Requirements

- One part time member of staff (approximately 16 hours per week) in an administrative role within the Benefit Section to undertake the statutory single point of contact role for the Department for Work and Pensions.

## Governance and Legal Requirements

- Local arrangements for staff management.
- Local arrangements for the capture and return of statutory data; transparency, annual audit returns, Regulation of Investigatory Powers Act reporting etcetera.

## Financial Implications

- Potential loss of DCLG grant monies (approximately £300,000).
- Cost of staff redundancy for two members of staff at Cheltenham Borough Council (approximately £16,000).
- Cost of Benefit Section member of staff for single of point of contact role. The cost is outside of the bid but within existing budgets (approximately £15,000 per Local Authority subsidised by the Department for Work and Pensions Administration Grant which is in the region of £2,000 per annum).
- No resource provision within the unit.
- Loss of potential revenue and savings (unquantifiable).

## Option 2 – Counter Fraud Unit for four partners only – Enhanced Service

A small Counter Fraud Unit which can service four partner authorities. The partners could delegate statutory counter fraud duties to the unit thus facilitating the capture and reporting of legislative fraud data.

There is a limited capacity for collaborative working across the agreed partners who would share costs and resources to include the procurement of data warehouse software and a case management system.

### Services Provided

- Proactive fraud drives in relation to Council Tax discounts and exemptions to generate revenue through liability and penalties.
- Data matching of internal data sets for fraud and error.
- Provision of the single point of contact for the Department for Work and Pensions Housing Benefit work.
- Council Tax Reduction Scheme investigation, interview and sanction or prosecution (currently not undertaken at Forest of Dean).
- Housing List review in relation to allocation and where appropriate, investigation, interview, sanction or prosecution.
- Right to buy application investigation and verification; where appropriate interview, sanction or prosecution (Local Authority owned property therefore Cheltenham Borough Council only).
- Tenancy fraud investigation, interview, sanction or prosecution (Local Authority owned property therefore Cheltenham Borough Council only).
- Internal employee investigation in relation to criminal offences.
- Drafting and implementation of related policy and procedure.
- Collection and reporting of fraud related statistics and data.
- Staff and Member awareness training.
- Partner wide counter fraud related work where resource allows e.g. Contract and Procurement Fraud or Grant abuse etcetera.

### Benefits

- Full local control of counter fraud resources and activities within the partner district and borough boundaries.
- Shared staff overheads and expenses.
- Statutory requirements met limiting the Council's exposure to risk and financial loss.
- Reduced pressure on Internal Audit and Human Resources staff to react to and manage fraud activity and risk.
- Some economies of scale achieved.
- Introduction of enforcement in relation to Council Tax Reduction Scheme at Forest of Dean.
- Some collaborative working.
- Specialist investigative skills in relation to criminal offences are retained.
- Utilisation of the remaining DCLG grant.
- Increased awareness and confidence from the public due to some counter fraud activity.
- The responsibility for the Department for Work and Pensions single point of contact could be provided entirely by the unit rather than each partner therefore reducing the cost of recruitment, training and any related overheads.
- A continued return on the investment in the project to date.

- The retention of expertise for relevant policy and procedure drafting and implementation.

### Dis-benefits

- Cost of staff overheads and expense.
- Collaboration within only partner Councils.
- Limited to no ability for expansion of the service to include other Local Authorities within the region or Gloucestershire County Council through delegation of duty secondment agreements to provide an additional income stream.
- No ability for innovative working to secure service and goods contracts with third parties to include Registered Social Landlords and Housing Associations to provide an additional income stream.
- Limited to no capacity to pursue any discussion or implementation in respect of joint working with other public bodies such as the Gloucestershire Constabulary, HM Revenue and Customs or the National Health Service.
- Limited resource for extraordinary investigations within the partner authorities.
- Due to limited staff resource there will be no additional capacity to react to emerging fraud trends.
- Due to the constraint of only working for the partner authorities, there is a risk that the unit is not robust and enable to adapt to changes in the political and business climate.

### Staff Requirements

- Three full time Counter Fraud Investigators (to include Team Leader).
- One part time member of staff (approximately 16 hours per week) in an administrative role.
- One part time member of staff (approximately 16 hours per week) as a data analyst / ICT resource for the operation of the data warehouse software.

### Governance and Legal Requirements

The governance and reporting arrangement for this team would be via partner Corporate Management / Senior Leadership Teams, and either the 2020 joint committee or via individual partner Committees as appropriate.

It is recommended that Cotswold District Council would be the employing authority for reasons of project continuity, knowledge and budget situation. Officers may undertake work via S113 Secondment Agreements delegating the necessary functions. Officers must be Local Authority employees to ensure that their statutory powers remain intact.

**Group Manager** – Head of GOSS and S151 Officer for Cotswold District Council  
/ Head of Internal Audit

- Sets the medium term strategy for the unit and directly manages team leader.
- Represents unit at Senior Management Meetings.
- Strategic point of contact for the S151 Officers of partner Council's.

**Responsible Manager** – Counter Fraud Unit Team Leader

- Represents unit for reporting and negotiations at all levels.
- Responsible for the day to day management of the team.
- Responsible for legislative compliance of operations.
- Responsible for plan based work scheme across the four partners.
- Responsible for policy and procedural drafting, implementation and training.

**Senior Counter Fraud Investigation Officers / Investigation Officers**



- Investigation of alleged criminal offences across the partnership.
- Interviews under caution and case preparation for appropriate sanction and prosecution.
- Witness Statement preparation and Court attendance.
- Proactive fraud drives across the partnership.

#### **Administrative Support Role**

- Responsible for the collation of team results and statistics.
- Case preparation and set up.
- General administration.
- Single point of contact work for the Department for Work and Pensions.

#### **Data Analyst / ICT Support Role (within ICT, financial contribution made)**

- Collection of data sets from across the partnership.
- Collation of data sets within the data warehouse.
- Operation and maintenance of data warehouse and case management systems.

#### **Financial Implications**

- Potential loss or redistribution of some DCLG grant monies as not utilised fully across the County and West Oxfordshire in accordance with the original bid (unknown).
- Loss of third party revenue and savings (unquantifiable).
- Cost of current overheads including management, part time administrative support and part time data analyst (approximately £106,000).
- Cost of operational staff 2 Investigation Officers (approximately £60,000).
- One off cost of data warehouse and case management software to be met by DCLG fund (£100,000 maximum).
- Annual costs of data warehouse maintenance and support (£10,000 maximum).
- Saving in relation to Single Point of Contact roles across the partnership (approximately £15,000 per Local Authority totalling £60,000). This is an existing resource and may reflect a saving or be used to fund the unit.
- Income Cheltenham Borough Homes (£16,500).
- Partnership Contribution per authority for 70 days per annum (£24,875 maximum plus SPOC role).
- Use of DCLG grant monies to support the set-up of the team and to subsidise partner contribution for the first four years (£40,000 reducing by £10,000 per annum).
- Cost of an exit strategy should the unit be disbanded to be shared across the partner authorities.

#### **Potential Income**

- Feasibility Study Income CTRS Overpayments (£16,737 x 4) £67,000.
- Feasibility Study Income Administrative Penalties (£796 x 4) £3,200.
- Feasibility Study CTAX Revenue Generation (£40,000 x 4) £160,000.

#### **Potential Loss Avoidance**

- Feasibility Study Loss Avoidance Housing List Review (£918,000 x 4) £3,672,000.
- Feasibility Study Loss Avoidance Tenancy Fraud Work Recovered Property £144,000.
- Feasibility Study Loss Avoidance Right to Buy £300,000.

Option 2 – Counter Fraud Unit for four partners only – Enhanced Service

	Base	Year 1	Year 2	Year 3	Year 4
	(£)	(£)	(£)	(£)	(£)
Overheads	106,000				
Operational Costs	60,000				
Data Warehouse	10,000				
<b>Total Costs</b>	<b>176,000</b>				
CBH income	(16,500)				
Fixed Partner Contribution (4 x £15,000)	(60,000)				
<b>Total Income</b>	<b>(76,500)</b>				
<b>Net Cost of CFU Option 2</b>	<b>99,500</b>	<b>99,500</b>	<b>99,500</b>	<b>99,500</b>	<b>99,500</b>
<b>Partner Contribution (70 days)</b>	<b>£24,875</b>				
Option to draw-down from DCLG Fund		(40,000)	(30,000)	(20,000)	(10,000)
<b>Net Cost of CFU Option 2</b>		<b>59,500</b>	<b>69,500</b>	<b>79,500</b>	<b>89,500</b>
<b>Partner Contribution (70 days)</b>		<b>£14,875</b>	<b>£17,375</b>	<b>£19,875</b>	<b>£22,375</b>

Experience of income generation and loss avoidance (per Partner):

	(£)
Income Generation	57,550
Loss Avoidance	1,029,000

N.B. Potential loss of some DCLG Grant monies and no third party income

### Option 3 – Counter Fraud Unit for Gloucestershire and West Oxfordshire District Council – Enhanced and Flexible Service with ability for third party work (Recommended)

A Counter Fraud Unit with the ability to expand, recruit and develop which can service the four partner authorities and the wider Gloucestershire region to include the County Council, other district authorities and third party organisations such as Registered Social Landlords.

This allows the delegation of statutory counter fraud duties to the unit, facilitating the capture and reporting of legislative fraud data for a wider demographic.

There is an unlimited capacity for collaborative working and shared costs and resources to include the procurement of data warehouse software and a case management system for multiple users and organisations.

#### Services Provided

- Proactive fraud drives in relation to Council Tax discounts and exemptions to generate revenue through liability and penalties to include the three additional Local Authorities.
- Proactive work in relation to National Non Domestic Rates to increase revenue in preparation for full retention in 2020.
- Assistance in relation to the National Fraud Initiative (centralised point of contact undertaking reviews and sifting of the matches where necessary) across the partner Councils.
- Data matching of internal and external data sets for fraud and error across the region and beyond; Oxfordshire, Worcestershire et cetera.
- Provision of the single point of contact for the Department for Work and Pensions Housing Benefit work to include the three additional Local Authorities if required.
- Council Tax Reduction Scheme investigation, interview and sanction or prosecution (currently not undertaken at Forest of Dean) to include the three additional Local Authorities.
- Housing List review in relation to allocation and where appropriate, investigation, interview, sanction or prosecution to include the three additional Local Authorities.
- Right to buy application investigation and verification; where appropriate interview, sanction or prosecution. This function can be undertaken for Local Authority owned property therefore Cheltenham Borough Council and Stroud District Council and in addition by way of goods and services contracts for Registered Social Landlords.
- Tenancy fraud investigation, interview, sanction or prosecution Local Authority owned property therefore Cheltenham Borough Council and Stroud District Council and in addition by way of goods and services contracts for Registered Social Landlords.
- Internal employee investigation in relation to criminal offences across the region to include Gloucestershire County Council.
- Drafting and implementation of related policy and procedure across the region to promote efficiency, continuity and collaborative working.
- Collection and reporting of fraud related statistics and data across the region for benchmarking and publication.
- Staff and Member awareness training across the region to promote efficiency, continuity and collaborative working.

- Region wide counter fraud related work e.g. Contract and Procurement Fraud or Grant abuse etcetera to include the necessary recruitment of staff.
- Expansion of collaboration with the County Council in relation to public services provided to include blue badge abuse, school admission abuse, misuse of social care funding etcetera.
- Third party contractual work for academies, housing providers and other public bodies.
- Implementation of ISO 27001 to provide assurance that data held is secure accessed only for counter fraud purposes.

### Benefits

- Ability to comply fully with summary of drivers.
- Full local control of counter fraud resources and activities within the partner district boundaries and the attached region.
- Shared staff overheads and expenses.
- Statutory requirements met limiting the Council's exposure to risk and financial loss.
- Reduced pressure on Internal Audit and Human Resources staff to react to and manage fraud activity and risk on an increased scale.
- Increased economies of scale achieved.
- Introduction of enforcement in relation to Council Tax Reduction Scheme at Forest of Dean District Council, Stroud District Council and Gloucester City Council.
- Extensive collaborative working.
- Specialist investigative skills in relation to criminal offences are retained.
- Utilisation of the remaining DCLG grant.
- Increased awareness and confidence from the public due to a zero tolerance approach to the misuse and fraudulent abuse of public funds across the region.
- The responsibility for the Department for Work and Pensions single point of contact could be provided entirely by the unit rather than each partner therefore reducing the cost of recruitment, training and any related overheads, extended across the region.
- A continued return on the investment in the project to date.
- The retention of expertise for relevant policy and procedure drafting and implementation.
- Easier to expand the service to include other Local Authorities within the region or Gloucestershire County Council through delegation of duty secondment agreements to provide an additional income stream.
- Easier to innovatively work to secure service and goods contracts / ability to trade with third parties to include Registered Social Landlords and Housing Associations to provide an additional income stream.
- Increased capacity to pursue any discussion or implementation in respect of joint working with other public bodies such as the Gloucestershire Constabulary, HM Revenue and Customs or the National Health Service.
- Resource for extraordinary investigations within the partner authorities.
- Additional capacity to react to emerging fraud trends.
- A robust unit which is flexible and adaptable and which can respond effectively to business changes, devolution, unitary or other political changes.

### Dis-benefits

- Cost of staff overheads and expense.
- Risk exposure for staff who are lone working across a large region and management of safety and whereabouts



- Short term impact on partner support services (ICT, Legal and Human Resources) for unit set up.
- Complexity of the management of staffing over a large region.
- Management of work delivery over a significant remit.

### Staff Requirements

- Scalable number of Counter Fraud Investigators (to include Team Leaders); the model is based on 8 FTE staff.
- One full time member of staff in an administrative role.
- One full time member of staff as a data analyst / ICT resource for the operation of the data warehouse software.

### Governance and Legal Requirements

The governance and reporting arrangement for this team would be via partner Corporate Management / Senior Leadership Teams, and either the 2020 joint committee or via individual partner Committees as appropriate. It is also recommended that a Client Officer Group (all S151 Officers) receive updates and assurance at agreed intervals and provide appropriate governance.

It is recommended that Cotswold District Council would be the employing authority for reasons of project continuity, knowledge and budget situation. Officers may undertake work via S113 Secondment Agreements delegating the necessary functions. Officers must be Local Authority employees to ensure that their statutory powers remain intact.

Goods and services contracts with appropriate professional indemnity insurance may be used to undertake work for third parties. In time services may be provided through the medium of a Local Authority trading company.

**Group Manager** – Head of GOSS and S151 Officer for Cotswold District Council  
/ Head of Internal Audit

- Sets the medium term strategy for the unit and directly manages team leader.
- Represents unit at Senior Management Meetings.
- Strategic point of contact for the S151 Officers and other clients.

**Responsible Manager** – Counter Fraud Unit Team Leader

- Represents unit for reporting and negotiations at all levels.
- Responsible for the day to day management of the team.
- Responsible for legislative compliance of operations.
- Responsible for plan based work scheme across the partners.
- Responsible for policy and procedural drafting, implementation and training.

**Senior Counter Fraud Investigation Officers / Investigation Officers**

- Investigation of alleged criminal offences across the partnership.
- Interviews under caution and case preparation for appropriate sanction and prosecution.
- Witness Statement preparation and Court attendance.
- Proactive fraud drives across the partnership.

**Administrative Support Role**

- Responsible for the collation of team results and statistics.
- Case preparation and set up.
- General administration.
- Single point of contact work for the Department for Work and Pensions.

### **Data Analyst / ICT Support Role (within ICT, financial contribution made)**

- Collection of data sets from across the partnership.
- Collation of data sets within the data warehouse.
- Operation and maintenance of data warehouse and case management systems.

### **Financial Implications**

- Full retention of DCLG grant monies (£300,000).
- Third party revenue RSL Contribution (£99,000).
- Cost of current overheads including management, full time administrative support and full time data analyst (approximately £160,000).
- Cost of operational staff 8 Investigation Officers (approximately £240,000).
- One off cost of data warehouse and case management software (£100,000 maximum).
- Annual costs of data warehouse maintenance and support (£10,000 maximum).
- Saving in relation to Single Point of Contact roles across the partnership and extended region (approximately £15,000 per Local Authority totalling £105,000) This is an existing resource and may reflect a saving or be used to fund the unit.
- Income from third party; Cheltenham Borough Homes (£16,500).
- Possible contribution from Stroud District Council in relation to tenancy fraud work (£16,500).
- Partnership contribution per authority for 210 days per annum (£34,000 maximum plus SPOC role) to reduce with inclusion of third party income
- Use of DCLG grant monies to support the set-up of the team and to subsidise partner contribution for the first four years (40,000 reducing by £10,000 per annum).
- Cost of an exit strategy should the unit be disbanded to be shared across the partner authorities.

### **Potential Income**

- Feasibility Study Income CTRS Overpayments (£16,737 x 7) £117,159.
- Feasibility Study Income Administrative Penalties (£796 x 7) £5,572.
- Feasibility Study CTAX Revenue Generation (£40,000 x 7) £280,000.

### **Potential Loss Avoidance**

- Feasibility Study Loss Avoidance Housing List Review (£918,000 x 7) £6,426,000.
- Feasibility Study Loss Avoidance Right to Buy (Stroud and Cheltenham) £600,000.
- Feasibility Study Loss Avoidance Tenancy Fraud Work Recovered Property (Stroud and Cheltenham) £288,000.

Option 3 – Counter Fraud Unit for Gloucestershire and 2020 Partnership –  
Recommended

	Base	Base +	Year 1	Year 2	Year 3	Year 4
	(£)	Bid	(£)	(£)	(£)	(£)
	(£)	(£)	(£)	(£)	(£)	(£)
Overheads	160,000					
Operational Costs	240,000					
Data Warehouse	10,000					
<b>Total Costs</b>	<b>410,000</b>					
Cheltenham Borough Homes	(16,500)					
Stroud District Council	(16,500)					
Fixed Partner Contribution (7 x £15,000)	(105,000)					
<b>Total Income</b>	<b>(138,000)</b>					
<b>Net Cost of CFU Option 3</b>	<b>272,000</b>	<b>272,000</b>	<b>272,000</b>	<b>272,000</b>	<b>272,000</b>	<b>272,000</b>
<b>Partner Contribution (210 days)</b>	<b>£34,000</b>					
Potential RSL Contributions (6 as per Bid)		(99,000)	(99,000)	(99,000)	(99,000)	(99,000)
Option to draw-down from DCLG Fund			(40,000)	(30,000)	(20,000)	(10,000)
<b>Net Cost of CFU Option 3</b>		<b>173,000</b>	<b>133,000</b>	<b>143,000</b>	<b>153,000</b>	<b>163,000</b>
<b>Partner Contribution (210 days)</b>		<b>£21,625</b>	<b>£16,625</b>	<b>£17,875</b>	<b>£19,125</b>	<b>£20,375</b>

Experience of income generation and loss avoidance (per Partner):

	(£)
Income Generation	57,550
Loss Avoidance	1,045,000

N.B. There is the potential to increase third party income.

## Justification of Option 3

### Key Benefits

Benefit and Value	Description	How Measured	Business change required	Value
Ability to comply with summary of drivers and ability to trade.	Financial savings, efficiency, resilience, impact and democracy. Revenue and income through collaboration and innovation.	Success of feasibility work with 2020 partners, Cheltenham Borough Homes, Tewkesbury Borough Council and Gloucestershire County Council.	Continued partner engagement and implementation of legal agreements (already drafted and approved).	Income and revenue generation through trade.
Ability to expand and be robust.	Recruitment where resource is required. Continued delivery regardless of business or political change.	As required and managed according to need.	As above and recruitment.	Adaptable and resilient partner resource.
Exceeds statutory requirement thereby mitigating risk exposure to Local Authorities in their duty to prevent fraud.	Requirement mandated by government that authorities accountable for public funds should protect those funds from abuse. Provision of fraud function above the statutory duty.	Assessment of statutory criteria against services delivered. Benchmarking and collective reporting.	Agreement for the provision of service for remuneration where appropriate.	Reduced overheads and shared expenses in relation to management and services.
Unit is cost neutral	Unit operates to cover costs and overheads derived from planned work.	Unit budget reporting.	Approval of unit and continued pursuit of partners and work streams.	No cost to benefitting partners.



Counter fraud and anti-corruption culture across the region	Common policies and procedures. Staff and Member awareness training. Publicity and public awareness.	Quantity of Councils adopting the same.	Councils to adopt policy and cultural changes where required.	Public perception and region continuity resulting in large scale fraud deterrence.
Increased fraud reporting and detection.	A year on year increase of fraud results and monitoring to measure against the national picture.	Consistency across the region in relation to data capture for comparison.	Fraud reporting methods put in place and maintained: - 1) Email group mail box 2) Fraud hotline advertised 3) Posters in staff areas 4) Intranet pages 5) Training 6)Data capture and publication	Identification of high risk areas leading to swift preventative action and control. National recognition and standards.
Retention of specialist skills.	Specialist Counter Fraud staff trained to undertake criminal investigations.	Vast experience.	Retention and recruitment.	Resource to undertake criminal investigations rather than contracting third party providers. Sharing of knowledge through specific training.

## Project Milestones

Milestone	Due Date	RAG	Owner
Secure legal basis for operations	31/03/2016	Green	EC
Complete personal protective equipment	31/05/2016	Amber	EC
Interim resourcing complete	30/06/2016	Green	JP
Data sharing with initial authorities	01/04/2016	Green	IC
Anti-fraud and corruption policy	01/05/2016	Green	EC
Gate review of Business case	26/05/2016	Green	AL, JP
Data sharing agreement within 2020	01/05/2016	Green	IC
CFO's consider business case	09/06/2016	Green	JP
Senior Management consider business case		Green	CFOs
Period of Business Case consultation (Audit Committees / Joint Committee, Cabinet and Full Council where appropriate)	28/02/2017	Green	EC, JP/CFO's
Partner council approval	28/02/2017	Green	CFO's
Compliance with political process and formal decision making in relation to unit approval	28/02/2017	Green	EC, JP/CFO's
Case management system ready	TBC		AL
Data warehouse system ready	TBC		AL

## Major Risks

The following risks were evaluated and scored at the last project board which sat on the 26<sup>th</sup> April 2016.

This risk register is based on the 5 x 5 scoring model.

Risk description	Risk Owner	Date raised	I	L	Sc	Control	ml	mL	mS
If the CFU does not generate enough income to sustain operations then the unit will be downsized or deleted.	Jenny Poole	Jul-16	5	4	20	1) Actively seek new partners 2) Gather evidence for operational activity	5	3	15
If continued pressure of work is maintained due to 2020 program then GO, IT and other service providers will not be able to service CFU project needs at critical times leading to delay.	Jenny Poole	Feb-16	4	4	16	1) Good communications with service providers to understand work load 2) Feed into business planning process.	4	3	12
If the project will not gain the support from the CFO's stakeholders then the project will be closed.	Jenny Poole	Feb-16	5	3	15	1) Demonstrate success feasibility operations 2) Develop business case	5	2	10
If the unit becomes oversubscribed with work then there could be a failure in capacity to deliver	Jenny Poole	Jan-15	4	3	12	Mitigate through proactive recruitment	4	2	8
The contract for Data warehouse and Case management system will be longer than the current life of the project, there is a risk that the project will be cancelled and leave this contract in force with nobody to use it	Jenny Poole	Dec-15	2	5	10	Tolerate	2	5	10

**COUNTER FRAUD UNIT**

**Option 2  
4 Partners**

**Option 3  
8 Partners**

	Base £	Year 1	Year 2	Year 3	Year 4		Base £	Year 1	Year 2	Year 3	Year 4
2 Investigators	<b>70,000</b>					8 Investigators	<b>280,000</b>				
Strategic Lead	10,000					Strategic Lead	10,000				
CFU Team Leader	47,000					CFU Team Leader	47,000				
Part Time Data Analyst	24,000					Full Time Data Analyst	50,000				
Part Time Admin Support	15,000					Full Time Admin Support	30,000				
Supplies and Services	10,000					Supplies and Services	20,000				
Support Services - GOSS & Legal	10,000					Support Services - GOSS & Legal	10,000				
Data Warehouse Annual Maintenance	10,000					Data Warehouse Annual Maintenance	10,000				
SPOC Resource for all partners	30,000					SPOC Resource for all partners	30,000				
Overheads	<b>156,000</b>					Overheads	<b>207,000</b>				
<b>Total Cost</b>	<b>226,000</b>	<b>226,000</b>	<b>226,000</b>	<b>226,000</b>	<b>226,000</b>	<b>Total Costs</b>	<b>487,000</b>	<b>487,000</b>	<b>487,000</b>	<b>487,000</b>	<b>487,000</b>
<b>Fixed Contributions:</b>						<b>Fixed Contributions:</b>					
Partnership Contribution to SPOC		(30,000)	(30,000)	(30,000)	(30,000)	Partnership Contribution to SPOC		(30,000)	(30,000)	(30,000)	(30,000)
Partnership Contribution to fixed overheads		(126,000)	(126,000)	(126,000)	(126,000)	Partnership Contribution to fixed overheads		(177,000)	(177,000)	(177,000)	(177,000)
		<u>(156,000)</u>	<u>(156,000)</u>	<u>(156,000)</u>	<u>(156,000)</u>			<u>(207,000)</u>	<u>(207,000)</u>	<u>(207,000)</u>	<u>(207,000)</u>
Draw down DCLG funding		(40,000)	(30,000)	(20,000)	(10,000)	Draw down DCLG funding		(40,000)	(30,000)	(20,000)	(10,000)
<b>Partners Contribution to Fixed Overheads</b>		<b>(116,000)</b>	<b>(126,000)</b>	<b>(136,000)</b>	<b>(146,000)</b>	<b>Partners Contribution to Fixed Overheads</b>		<b>(167,000)</b>	<b>(177,000)</b>	<b>(187,000)</b>	<b>(197,000)</b>
<b>Partner Contribution for Investigation Work</b>						<b>Partner Contribution for Investigation Work</b>					
CBH		(16,500)	(16,500)	(16,500)	(16,500)	CBH		(16,500)	(16,500)	(16,500)	(16,500)
Partnership Authorities		(53,500)	(53,500)	(53,500)	(53,500)	Partnership Authorities		(263,500)	(263,500)	(263,500)	(263,500)
		<u>(70,000)</u>	<u>(70,000)</u>	<u>(70,000)</u>	<u>(70,000)</u>			<u>(280,000)</u>	<u>(280,000)</u>	<u>(280,000)</u>	<u>(280,000)</u>
<b>Net Surplus/Deficit on Unit</b>		<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>			<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>
<b>Net Contribution per Authority for fixed overheads and 70 days of Investigation work</b>		<b>42,375</b>	<b>44,875</b>	<b>47,375</b>	<b>49,875</b>	<b>Net Contribution per Authority for fixed overheads and 210 days of Investigation work</b>		<b>53,813</b>	<b>55,063</b>	<b>56,313</b>	<b>57,563</b>
Fixed Overheads per Authority		21,500	24,000	26,500	29,000	Fixed Overheads per Authority		17,125	18,375	19,625	20,875
SPOC per Authority		7,500	7,500	7,500	7,500	SPOC per Authority		3,750	3,750	3,750	3,750
Investigation Officer Costs - <b>70 days</b>		13,375	13,375	13,375	13,375	Investigation Officer Costs - <b>210 days</b>		32,938	32,938	32,938	32,938
		<u>42,375</u>	<u>44,875</u>	<u>47,375</u>	<u>49,875</u>			<u>53,813</u>	<u>55,063</u>	<u>56,313</u>	<u>57,563</u>

*Also need to acknowledge that each partner council will underwrite any one-off costs associated with a future reduction in the number investigator days required i.e. if CDC is required to make redundancies the partner councils will pick up their s*



*share of these costs.*



