

Cheltenham Borough Council
Council – 28 February 2014
Save the Leckhampton Fields – Petition

Accountable member	Councillor Steve Jordan – Leader
Accountable officer	Mike Redman – Director Built Environment
Ward(s) affected	Leckhampton/Warden Hill
Significant Decision	No
Executive summary	<p>The Council has received a petition under the heading ‘Save the Leckhampton Fields’.</p> <p>This report has been prepared in response to the receipt of the petition which has triggered a Council debate because it includes more than 750 signatories.</p>
Recommendations	That Council requests officers to consider the issues raised by the petition as part of the Pre Submission process for the Joint Core Strategy.
Financial implications	<p>None arising specifically from this report.</p> <p>Contact officer: Mark Sheldon, Director of Resources, mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
Legal implications	<p>The petition must be considered in accordance with the Council’s Petition Scheme made pursuant to the Local Democracy, Economic Development and Construction Act 2009. The petition will be considered in accordance with the Council Procedure Rules varied in so far as necessary to comply with the attached Process.</p> <p>The land at Leckhampton within Cheltenham Borough Council’s boundaries is not designated for any development within the Cheltenham Borough Local Plan Second Review (2006), but forms part of a proposed urban extension at South Cheltenham within the draft Joint Core Strategy that has been subject to public consultation between October and December 2013. The future planning status and policies for this land will be decided by the Joint Core Strategy process.</p> <p>Contact officer: Cheryl Lester (OneLegal), cheryl.lester@tewkesbury.gov.uk, 01684 272013</p>
HR implications (including learning and organisational development)	<p>None arising specifically from this report.</p> <p>Contact officer: Julie McCarthy, GO Shared Service Human Resources Manager (West), julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>

Key risks	<p>Any risks associated with land use designations will be considered and recorded during the development of the JCS.</p> <p>The planning issues raised by the emerging JCS are both contentious and complex. It would be inappropriate for Cheltenham Borough Council to take a decision relation to an individual site outside of the collaborative working arrangement in place to bring forward the JCS and prior to consideration of a Pre-Submission version of the JCS due to be considered by the Council on 9 April 2014 .</p>
Corporate and community plan Implications	The JCS and development documents are the spatial interpretation of the community strategy and corporate plan outcomes.
Environmental and climate change implications	Any proposal for development needs to be considered within the Strategic Environmental Assessment undertaken to support the decision making of the Gloucester, Cheltenham & Tewkesbury JCS.
Property/Asset Implications	<p>None arising specifically from this report.</p> <p>Contact officer: David Roberts, Head of Property & Asset Management, david.roberts@cheltenham.gov.uk, 01242 264151</p>

1. Content of petition received

- 1.1 The Council has received a petition under the heading 'Save the Leckhampton Fields'
- 1.2 The petition includes over 1000 signatures. As such, it contains more than the 750 signatories required to trigger a Cheltenham Council debate. Information is provided at appendix 1 of this report which explains the process for dealing with petitions at Council.
- 1.3 The statement within the petition states:-

"We the undersigned, call on Cheltenham Borough Council to remove the Leckhampton fields from further consideration within the Joint Core Strategy. The Council must do everything in its power to protect the beautiful and valuable open countryside south of Leckhampton from inappropriate and unsustainable development. If the developers go ahead and build 1,075 new houses on the Leckhampton fields it would cause traffic chaos, exacerbate the serious flooding that has occurred in the area, overwhelm local school and medical health provision, destroy much loved fields and hedgerows and blight Cheltenham with urban sprawl and overcrowding. The Council must insist that brownfield sites are built on first before even considering the destruction of the Leckhampton fields."

2. Consideration of the proposal in the context of the emerging Joint Core Strategy

- 2.1 The land which is the subject of the petition is currently being considered in the preparation of the emerging Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS). Public consultation took place on a draft version of the JCS between October and December 2013. A total of 2,500 representations were received to this consultation generating over 4,000 individual comments. A total of 344 representations related specifically to the proposed urban extension at South Cheltenham – Leckhampton.
- 2.2 All comments received to the draft JCS are being considered by the three JCS councils, feeding

into a Pre Submission version of the JCS to be considered by the councils in April. Cheltenham will consider this version of the JCS on 9th April 2014. The planning issues raised by the emerging JCS are both contentious and complex. Comments received will be considered and weighed against the wide ranging evidence base which supports the JCS. In respect of all sites identified within the JCS members will be required to take a measured, balanced view based on all the relevant information and on sound evidence. It would be inappropriate for Cheltenham Borough Council to take a decision relating to an individual site outside of the collaborative working arrangements in place to bring forward the JCS.

2.3 Members will be engaged in the formulation of the Pre Submission draft through the JCS Member Steering Group, Planning and Liaison Scrutiny Task Group and where appropriate all member seminars prior to consideration by the Council on 9th April.

3. Outline Application 13/01605/OUT

3.1 In addition to inclusion of the land at Leckhampton within the JCS, the area is also the subject of an outline planning application. The application was submitted on 13th September 2013. The application proposes;

- a residential development for up to 650 new homes
- a mixed use local centre of up to 1.94ha comprising a local convenience retail unit, additional retail unit for a potential pharmacy, GP surgery and up to 4,500 sqm of additional floor space to comprise one or more of the following uses, namely Class A Uses, Class B1 offices, Class C2 care home, and Class D1 uses including a potential dental practice, children’s nursery and/or cottage hospital; and
- primary school of up to 1.72ha;
- strategic open space including allotments; access roads, cycle ways, footpaths, open space/landscaping and all associated works.

3.2 This application is yet to be determined by the Council’s Planning Committee. At the time of writing this report there remained outstanding technical reports relating to transport. Once received this information will be made available for public consultation. Due to the size of the application the council will be extending the consultation period from 21 days to 28 days. It was anticipated that the application would be considered by Planning Committee March 2014, however due to outstanding information and the need for public consultation; the application will be considered by Planning Committee June 2014, following Council elections in May.

3.3 Details of the application can be viewed via public access , to assist interested parties information has been made available via the following link <http://www.cheltenham.gov.uk/southcheltenham>

4. Reasons for recommendations

4.1 To decide an appropriate course of action as required by the Petition Scheme.

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Process for dealing with petitions at Council

The following is the recommended process to be followed for the debate of a petition at the Council meeting in accordance with the Council's Petition Scheme. The Council Procedure Rules shall be suspended in so far as necessary to facilitate this process.

1. The Mayor will remind members of the procedure to be followed

2. Statement by the petition organiser

The Mayor will invite the petitioner organiser or their representative to come to the microphone and speak for up to 5 minutes on the petition.

There will be no questions and the petition organiser/their representative will take no further part in the proceedings.

3. Clarification on the background information in the officer's report

Members will be invited to ask any questions for clarification as to the facts in the officer's report.

4. Statement by the relevant Cabinet Member

The Cabinet Member whose portfolio is most relevant to the petition will be invited by the Mayor to speak for a maximum of 5 minutes on the subject of the petition. They may wish to refer to the background report from officers circulated with the papers for the meeting.

They may also wish to propose a motion at this point; if so, the motion must be seconded.

5. Debate by members

Where a member has proposed a motion (which is seconded), the usual Rules of Debate (Rule 13) will apply.

If there is no motion, the Mayor will invite any member who wishes to speak on the petition to address Council for up to a maximum of 3 minutes.

When the 15 minutes set aside for the debate (as laid down in the Council's Petition Scheme) is up, the Mayor may decide to extend the time allowed for the debate but will bring it to a close when they feel sufficient time has been allowed.

6. Conclusion of Debate

The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:

- taking the action requested in the petition (provided the matter is reserved to full council for decision)
- referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- taking no further action on the matter