

Cheltenham Borough Council

Council – 30th June 2016

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Inspector's Interim Report

REPORT OF THE LEADER

Accountable member	Councillor Jordan – Leader
Accountable officer	Tracey Crews – Director of Planning
Ward(s) affected	ALL
Key/Significant Decision	YES
Executive summary	<p>The Joint Core Strategy is the strategic planning document being prepared jointly by Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils to provide a framework for meeting the development needs of the area over the plan period from 2011 to 2031.</p> <p>This report summarises the Inspector's Interim Report, received on 31st May 2016, following the extensive examination of the JCS that has taken place since its submission to the Secretary of State in November 2014. The Interim Report makes recommendations on main modifications to the JCS on issues that had not been resolved during the examination to date. In general it does not cover proposed main modifications that have already been discussed and proposed through the hearing sessions.</p> <p>The report sets out the proposed response to enable further discussion on the consequences of the Interim Report. The main body of this report is contained in Appendix A, with the recommended JCS response set out at section 4 of this appendix. This will allow JCS officers to set out the specific consequences and key points arising from the Inspector's recommendations. The report therefore seeks Council approval to accept this proposed response and present these to the Inspector at further hearing sessions to take place on 6th and 7th July 2016.</p>

Recommendations

As set out at Paragraph 4.3 of Appendix A to this report, the Council is asked to:

- Note the Interim Report of the Inspector;
- Agree that the JCS officers attend the July hearings to discuss the Interim Report and the recommended way forward with the Inspector, identifying specific consequences and key points arising from the findings to the Inspector as detailed [within Appendix A – section 4] and expressed through the June 2016 Council meetings on this report;
- Agree that a summary of comments made by Members at the Council meetings held by the JCS Authorities be passed to the JCS Inspector for consideration.

Financial implications	<p>The 2016/17 Budget Setting Report Growth Summary (Appendix 3) included a contingency of £50k to be held in General Balances to complete the examination process and implement CIL as recommended by Cabinet on 14th December 2015.</p> <p>Based on the report, the contingency is now required and this will be taken from general balances in the current year to fund the council's contribution to the process.</p> <p>Section 7 of Appendix A advises that the requested funding outlined in the December 2015 Cabinet report (inclusive of the £50k referred to above) is now not anticipated to be fully sufficient to complete the process and implement CIL, as originally intended. As such, once further costings have been undertaken, a revised budgetary position for the programme will be presented to each partner council accompanied by a further request for additional funding.</p> <p>Contact officer: nina.philippidis@cheltenham.gcsx.gov.uk, 01242 264 121</p>
Legal implications	<p>As set out in Section 6 of Appendix A</p> <p>Contact officer: cheryl.lester@tewkesbury.gov.uk, 01684 272 013</p>
HR implications (including learning and organisational development)	<p>No direct HR Implications arising from the report</p> <p>Contact officer: julie.mccarthy@cheltenham.gcsx.gov.uk, 01242 264 355</p>

Key risks	<p>Delay to the progress of the Joint Core Strategy examination and adoption of the plan means that the Council will not have an up to date local plan for the area. The absence of the Joint Core Strategy could result in an uncoordinated approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of cross boundary implications and requirements for supporting infrastructure, with the potential for adverse environmental impacts. There are applications already submitted relating to strategic sites identified through the JCS and other major applications pending that are being hindered by delays in progressing the plan. It is therefore critical that examination is advanced as quickly as possible. The recent governmental consultation on New Homes Bonus indicates that there is a significant risk of losing the bonus in relation to new development if the Borough were to halt plan making or if it were to fail to progress towards adoption in 2017. (See section 7.1 – 7.3 of Appendix A)</p>
Corporate and community plan Implications	<p>The JCS supports and is referenced by the Corporate Strategy and wider community planning.</p>
Environmental and climate change implications	<p>Delay to the progress of the Joint Core Strategy could further result in an uncoordinated approach to development. It is important that future growth is plan-led to ensure that combined impacts on the environment and the infrastructure needs of the wider area are taken into account. The comprehensive approach to environmental impacts cannot be fully assessed through incremental and piecemeal growth. The JCS is being assessed through a sustainability appraisal process and Habitats Regulation Assessment (HRA) which consider the environmental, social and economic outputs of the Plan and ensure that development meets the needs of both present and future generations. The Sustainability Appraisal supporting the JCS encompasses Strategic Environmental Assessment as required by EU Directive (2001/42/EC). In addition HRA has been undertaken as required under the European Directive 92/43/EEC on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact on European (Natura 2000) Sites</p>
Property/Asset Implications	<p>None at present, although as the plan advances asset implications of the Interim Report will need to be further assessed.</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background

- 1.1 The document included at Appendix A to this report, has been developed jointly by officers of each of the JCS authorities. It provides a background to the JCS examination process to date, including a summary of the Inspector's previously published Preliminary Findings. The report also presents a detailed summary of the Inspector's recently published Interim Report (received on 31st May 2016), highlighting the key findings and recommendations. In response to these recommendations JCS officers have proposed an approach to be taken in discussing these with the Inspector through further hearing sessions to place on the 6th/7th July 2016. It is proposed to identify to the Inspector the specific **consequences** and key points arising from the Interim Report findings. This will enable officers to develop a way forward for the JCS as it moves

towards a Main Modifications version of the plan. Finally, the report sets out the anticipated timetable for remainder of the examination leading towards adoption.

2. Reasons for recommendations

- 2.1 To agree the proposed response to the outstanding issues raised during the JCS examination and Inspector's Interim Report to enable the Council and its partner authorities to present the specific consequences and key points of the recommendations and discuss the way forward for the examination. This would form an important step in advancing the JCS towards the formal Main Modifications consultation stage.

3. Alternative options considered

- 3.1 There is no reasonable alternative to noting the findings and considering our response at this stage of the Plan making process.

4. Consultation and feedback

- 4.1 Public consultation on the JCS has been extensive throughout its development, with the key consultation stages including:
- Key Issues & Questions – November 2009/February 2010
 - Developing the Preferred Option – December 2011/February 2012
 - Draft JCS – October/December 2013
- 4.2 The Pre-Submission (June 2014) version of the plan was consulted upon during summer 2014 and the Submission JCS (November 2014), as amended was submitted to the Secretary of State for its examination in public. The representations to the Pre-Submission (June 2014) JCS were referred to the Inspector for consideration as part of the examination process and it is the Pre-Submission (June 2014) version which the Inspector has been examining.
- 4.3 The examination has been held in public with extended examination around key parts of the plan such as the Objectively Assessed Need, Economic Strategy, strategic sites and local green space. Some Cheltenham members have played an active role in the examination sessions. Those who responded to the Pre-Submission consultation have, amongst others, been able to submit evidence to the examination and appear at hearing sessions.
- 4.4 The main modifications to the JCS, which will be discussed further at the examination, will be subject to consultation later in 2016. This will be subject to a final Main Modifications JCS being approved by each Council for consultation – scheduled for the 14th of September 2016 at CBC.

5. Performance management –monitoring and review

- 5.1 Subject to Council approval, the proposed response and modifications to the JCS presented in this report will be discussed further at additional examination hearing sessions in July 2016. Following this, the additional outcomes from the examination will be reported back to Councils along with a final Main Modifications JCS document. Council approval will be sought on the Main Modifications plan for it to undergo a formal public consultation period expected to take place October/November 2016.

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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Appendix A – Report to JCS Councils3. Appendix A (1) - Inspector's Interim Report on the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. (Exam 232)4. Appendix A (2) - Agenda for JCS hearings on 6th July continuing (if necessary) on 7th July 20165. Appendix A (3) - Draft Plan indicating the Inspectors recommendations for strategic allocations /reserve sites green/ belt changes6. Appendix A (3a) Inspector's Review of the Green Belt at North Cheltenham 'close up' locations map
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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
CR33	If the council does not keep the momentum going with regards to the JCS and move towards adoption this could result in inappropriate development.	Tim Atkins	May 2012	4	3	12	Reduce	Ongoing actions managed by JCS team	Ongoing	Tracey Crews	Corporate Risk
<p>Note : The JCS programme holds a detailed risk assessment which is managed through Operational Programme Board and Strategic Issues Board</p> <p>Explanatory notes</p> <p>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)</p> <p>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)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											