

Council

Monday, 24th September, 2012
2.30 - 6.50 pm

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

Minutes

1. A MOMENT OF REFLECTION

Reverend Robert Pastelli invited members to take a moment of reflection.

2. APOLOGIES

Councillors Smith, Lansley, Garnham, Hibbert, Wheeler, Thornton and Prince had given their apologies.

Councillors Smith and Thornton subsequently arrived late at the meeting.

Councillor Garnham had asked that the Mayor explain that his apologies had been given on two counts, firstly as the Chairman of Gloucestershire Police Authority he had to be present at their last ever meeting which was also scheduled for this afternoon and secondly as he had declared a personal and prejudicial interest in Agenda Item 10 (Joint Core Strategy) and therefore should not take part in the debate.

3. DECLARATIONS OF INTEREST

No interests were declared at the meeting.

4. MINUTES OF THE LAST MEETING

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

Councillor Teakle proposed an amendment to the minutes of Agenda Item 9 (Petition Regarding Weavers Field). She felt that the amendment being proposed would provide clarity to members of the public that whilst she had supported the motion she had commented that the scheme as it stood was unacceptable to her. Councillor Jordan seconded the amendment being proposed which related to the paragraph starting "A number of members":

“A number of members, including Councillor Teakle, urged the Cabinet Member Sustainability to recognise the value of Weavers Field as a habitat and a space enjoyed by many for a variety of reasons. The invitation for further discussion with the representatives of the petitioners and ward members was welcomed. Councillor Teakle also stressed that the scheme as it stood was completely unacceptable as 88 allotments would cover the most attractive and scenic open space for walking. She wondered if it would be possible in the proposed discussions to look at amending the scheme (perhaps with fewer allotments on a less scenic area with reduced car parking space) in a way that might be more acceptable to all parties.”

Councillor McLain’s recollection of the debate was that a number of members from across the chamber had made a variety of comments and they had not been named. Councillor Teakle explained that a number of her constituents had raised queries with her regarding the debate and she felt that the proposed amendment set the record straight. The Mayor explained that it was not normal practice to name individual Councillors unless specifically requested.

Upon a vote the amendment was CARRIED.

Upon a vote it was

RESOLVED that the amended minutes of the meeting held on the 25 June 2012 be agreed and signed as an accurate record.

5. COMMUNICATIONS BY THE MAYOR

The Mayor raised the issue of member attendance at Civic events. Recent events such as Battle of Britain and the upcoming Remembrance Sunday were important to people in the town and he hoped members would make an effort to attend.

He was pleased to report the news that Rosehill Street had been opened again following the gas explosion.

Despite the inclement weather over the summer it had been an exciting and enjoyable period what with the Jubilee and Olympics and he felt this had lifted the mood in Cheltenham and across the country. He sympathised greatly with those that had put a great deal of effort into organising events only to have to cancel them at the last minute as a result of the inclement weather we had endured this summer.

6. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader had no communications.

7. PUBLIC QUESTIONS

The following responses were given to the 8 public questions received;

1.	Question from Leckhampton Green Land Action Group (LEGLAG) to the Leader of the Council
	Is the Joint Core Strategy team that is working on behalf of the Council aware of the merits of carrying out periodic reviews of the 20-year plan (perhaps every five years)? That is to say, will they adopt a "plan,

	monitor and manage" approach that could take into account both the likely effects of the existing economic recession on its short-term housing requirement forecast and the possible effects of a long-continued recession on the longer-term requirement?
	Response from the Leader of the Council, Councillor Jordan
	Yes. The JCS will need to be periodically reviewed as part of a plan, monitor and manage approach. It will also need to ensure that a flexible approach is taken, which is capable of responding dynamically to changing economic circumstances.
2.	Question from Leckhampton Green Land Action Group (LEGLAG) to the Leader of the Council
	Is the JCS team going to adopt a "Brownfield First" policy in line with the "core planning principle" in the new National Planning Policy Framework requiring planning authorities to "encourage the use of brownfield land"? If not, how will they carry out this encouragement?
	Response from the Leader of the Council, Councillor Jordan
	The NPPF does require planning policies to encourage the effective use of land by re-using land that has been previously developed and the JCS authorities are supportive of this principle. Precisely what policy wording will be included in the Preferred Option version of the JCS will need to be considered by all three authorities prior to publishing the next stage of the document for consultation. The JCS will have phasing policies which consider the timing and release of sites over the 20 year plan period and which encourage the development of brownfield sites, but this approach needs to be sufficiently flexible to respond to changing circumstances.
	Supplementary question
	Is the Council aware that approximately ¾ of residents who responded to the JCS consultation preferred scenario A and the lowest number of new houses?
	Supplementary response
	Yes the Council is aware of the feedback from the consultation, welcomes such feedback and will look at it and listen to what residents said but it was important that people remember that this was not a referendum.
3.	Question from Save the Countryside to the Leader of the Council
	Can the Leader confirm that in the Joint Core Strategy (JCS) public consultation, 3 out of 4 respondents preferred Scenario A instead of Scenario B,C or D.
	Response from the Leader of the Council, Councillor Jordan
	The public consultation does indicate that of those respondents who expressed a view relating to the four scenarios, Scenario A was the most popular. However it will be important to ensure that the JCS is found sound at the examination stage.
	Supplementary question
	Considering your response in which you acknowledge that Scenario A was the most popular what other action is the JCS Team taking when choosing a preferred option and how will the public view be taken into account?
	Supplementary response
	Consideration would be given to feedback from the initial consultation but

	there was more consultation to come and all feedback would be taken into account when choosing a preferred option.
4.	Question from Save the Countryside to the Leader of the Council
	Are the housing figures consistent with the 2011 census results?
	Response from the Leader of the Council
	At the current time, not all of the Census 2011 information is available and until such time as this is available it will not be possible to compare this information. However, the JCS will be periodically reviewed and such information will be taken into account then.
	Supplementary question
	Can you confirm that the JCS Team will take information relating to household sizes from the Census 2011 into account when available?
	Supplementary response
	Yes they will be taken into account.
5.	Question from Mr Gerald Potter to the Leader of the Council
	Has the JCS team taken account of Local Housing Requirements Assessment Working Group (LHRAWG) findings and their tool, called "What Households Where – if not, why?
	Response from the Leader of the Council, Councillor Jordan
	The consultants who have undertaken a review of the housing methodology have appraised the methodology that was used by both Gloucestershire County Council and the JCS team. In arriving at their recommendations they have employed robust, nationally-recognised methods and datasets. In making that judgement, the consultants have not felt it necessary to have regard to the online tool provided by the Local Housing Requirements Assessment Working Group approach. The JCS authorities are proposing further work to clarify likely trends in household size and the impact on housing numbers.
6.	Question from Dr Adrian Mears to the Leader of the Council
	The UK is now in its longest recession for over 100 years and, contrary to previous expectations, there is no sign of any cyclical rebound. The situation is growing worse and parallels with Japan since 1990 show that a major recovery might not happen for a very long time. What impact does this new situation have for housing projections and timing of developments and for keeping the JCS up to date?
	Response from the Leader of the Council, Councillor Jordan
	Predicting likely economic growth over 20 years is clearly difficult which is why the JCS will need to be periodically reviewed to ensure that a flexible approach is taken, which is capable of responding dynamically to changing economic circumstances.
	Supplementary question
	Has the likely continuation of the recession been taken into account already or does it still need to be?
	Supplementary response
	The proposal is that this will be taken into account as part of continuous assessment of the JCS as to project economic circumstances 20 years in advance is difficult.
7.	Question from Dr Adrian Mears to the Leader of the Council
	In its response to the draft JCS last February, Leckhampton with Warden Hill Parish Council expressed great concern about the projected large inward migration of retired people into Cheltenham and the impossible load that such a large older population will place on the NHS and on

	public services and resources. Given that, in general, retired people moving into Cheltenham can out-compete younger residents financially for available housing, what suggestions does the JCS team have for tailoring the location, type, timing or other aspects of development to make it easier for younger people to compete?
	Response from the Leader of the Council, Councillor Jordan
	The retired population and the inward migration of this cohort to the area is recognised by the JCS authorities and their consultants as a key issue that must be taken into account in planning for housing and the economic well-being of the JCS area. Cheltenham Council has acknowledged the concerns raised by the questioner in previously asking for work to be done to assess the best way to provide housing that is affordable to younger residents. As part of this, it will be important to take proper account of economic considerations alongside demographic trends. In this way, the housing requirements of the working age population (including working age migrants), together with other cohorts such as retirees, can be properly assessed and provided for in a holistic manner.
	Supplementary question
	Will the approach described by the Leader help to discourage inward migration of retirees?
	Supplementary response
	I don't know to be honest but we are looking at how to deal with this issue.
8.	Question from Vivienne Matthews to the Leader of the Council
	I understand that developers nationwide have at present 230,000+ agreed planning applications outstanding. Could an answer be given on how many planning approvals are outstanding in this area and how this affects the demonstration of the five year supply?
	Response from the Leader of the Council, Councillor Jordan
	The calculation of the 5 year housing supply takes account of unimplemented planning permissions. The current 5 year housing supply figure for Cheltenham is 4.5 years. Unimplemented consents currently account for approximately 2.5 years' of this supply. Specifically, at 1 st April, 2012, there were permissions relating to 1,101 dwellings in Cheltenham which were not yet started and there were a further 185 dwellings on sites under construction.

8. MEMBER QUESTIONS

The following responses were given to the 5 member questions received;

1.	Question from Councillor Regan to Cabinet Member Housing and Safety
	Could the Cabinet Member please advise this council of the latest plans for changes to the Council Housing Benefit, particularly the under 25's. Could the Cabinet Member also reassure the council that any changes will not effect the viability of schemes such as the proposed YMCA housing project, especially if the young people cannot pay for the accommodation.
	Response from Cabinet Member Housing and Safety, Councillor Jeffries

	Other than the Universal credit which is due to be launched next year (2013), there are no plans that I am aware of that specifically affect the under 25's, but the Council will be monitoring the position as welfare changes are introduced. The impact of welfare reform on 3rd party organizations projects is not something I can comment on.
2.	Question from Councillor Regan to Cabinet Member Sustainability
	Could the Cabinet Member inform this chamber what action is being taken to collect discarded side litter where UBICO refuses to collect due to the new instructions emanating from his department in the Hatherley area?
	Response from Cabinet Member Sustainability, Councillor Whyborn
	<p>The Council is now undertaking a programme of awareness and enforcement to remind people that their waste should be contained within the bin with the lid closed, and there should be no side waste, or waste placed on top of a bin. The awareness campaign is being rolled out in a planned way across the town so that residents are given every opportunity before any formal enforcement action is taken. This is being piloted in SW Cheltenham.</p> <p>The scenario you imply of side waste being left on the street will not occur because the agreed action is that Ubico never leave any side waste at the side of bins. Where residents have presented side waste or overfilled bins, initially it is all taken, but once the householder has had a certain number of warnings, at that point all waste is taken except one bag - a warning will be left on the bin, or the bag tagged. The one bag is replaced into the bin and not just left as side waste. Ward councillors are being advised of the process as the awareness campaign is rolled out across the town.</p>
3.	Question from Councillor Hall to Cabinet Member Sustainability
	<p>On February 29th 2011 at the final Environment Overview and Scrutiny committee meeting I made my 3rd request to you in 3 years for up to date information to be placed on the CBC website pages on the street cleaning policy.</p> <p>On each occasion I was assured that it would be done.</p> <p>Today, Monday 17th September 2012 I note that the information has at last been placed on the website. Please can the Cabinet Member explain why it has taken so long for the council tax payers of Cheltenham to be able to access this basic information?</p>
	Response from Cabinet Member Sustainability, Councillor Whyborn
	The street cleaning web page was updated on 29 November 2010, 13 January 2011, 06 July 2011 and, most recently, 06 September 2012. The contents of all previous versions have not been retained, but the amendment record suggests that officers were active in keeping information as up to date as possible. The update on 06 September 2012 appears to include the specific information you were seeking, and in so far as previous updates did not, I apologise.
	Supplementary question
	Can the Cabinet Member confirm whether the information currently on the website is achievable and accurate?
	Supplementary response
	Yes, the information is accurate and to the best of everybody's ability is

	also achievable.
4.	Question from Councillor Chard to the Leader of the Council
	In view of recent press coverage and discussions surrounding the JCS, can the Leader of the Council confirm that he and his Cabinet retain confidence in the Chief Executive of the Council?
	Response from the Leader of the Council, Councillor Jordan
	Yes.
	Supplementary question
	Is Cabinet, as is being suggested by some of my constituents, being bullied by officers?
	Supplementary response
	No this suggestion is nonsense.
5.	Question from Councillor Fletcher to Cabinet Member Sport & Culture
	Can the Cabinet Member explain why the Council has not recognised in any shape or form the wonderful effort and results our local Olympians achieved? Zara Phillips is one that springs to mind and I believe there are those whose origins began in Cheltenham. In this economic climate I am not asking for megabucks here just an appropriate form of appreciation. Maybe a reception in the Mayor's Parlour?
	Response from Cabinet Member Sport & Culture, Councillor R Hay
	<p>The Council is keen to recognize the achievements of our local Olympians who played their part in the highly successful Team GB London 2012 Olympic and Paralympic games. It was felt best to wait for the Paralympics to conclude and the parade on the 10th September.</p> <p>A conversation with the Mayor has taken place, there will be an invitation issued from him to a reception in the Mayors Parlour, I am sure that he will keep members informed.</p> <p>There are a number of countywide events taking place that I am aware of,</p> <p>In August there was a County Council press release sent on behalf of the National Star College for a reception being held on the 12th October as a county wide formal thank you to our local athletes.</p> <p>The Gloucester Boathouse appeal are hosting an Olympic dinner at the racecourse on the 9th November to which they are inviting all of Gloucestershire's Olympians.</p> <p>On the 19th November the annual Gloucestershire Sports Awards run by the Echo and Citizen held again at the racecourse to which all local Olympians have been invited to attend.</p>

9. RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL (IRP) REGARDING MEMBERS' SCHEME OF ALLOWANCES

The Cabinet Member Corporate Services introduced the report. In his introduction he explained that the Independent Remuneration Panel had received a report on the new Standards arrangements in July following Council's decision in June to adopt a new local code of conduct and continue to have a Standards committee but in a new format. The new Standards

committee was made up of a politically balanced group of seven elected members and two Independent Persons who will be in attendance to offer their advice to the committee but will not have a vote. The chair will be a borough councillor elected by the committee at its first meeting and the committee has not met yet. In May, Council had resolved that the Independent Person should receive an allowance of £300 per annum plus travelling expenses. This did not form part of the members allowance scheme and an additional allowance for attendance at the Standards Committee was not appropriate. The previous SRA for the chair of the Standards Committee was determined on the basis of 12 meetings per year, a MEDIUM level of experience and knowledge and a HIGH level of responsibility and risk. Using the current basis of calculations, the SRA came out at £907 per annum. In practice the number of meetings was much less. Under the new regime, the Monitoring Officer would be responsible for considering the initial complaint in consultation with the Independent Person(s). This should reduce the number of trivial complaints which come before the committee and as it is no longer statutory committee, the IRP took all this into account and reduced the level of risk and responsibility for the chair from HIGH to MEDIUM. With an estimated 4 meetings per year this produces an allowance for the chair of the new Standards Committee as £302 per annum. There were no budgetary implications as this will be covered by the current budget for members allowances.

Upon a vote it was (unanimously)

RESOLVED that:

- 1. That the Special Responsibility Allowance (SRA) for the chair of Standards Committee under the new Standards arrangements should be set to £302 per annum, effective from 1 July 2012.**
- 2. That all other aspects of the Members Allowance Scheme remain unchanged.**
- 3. That the director of commissioning be authorised to implement any necessary changes to the scheme of allowances and the Borough Solicitor and Monitoring Officer be authorised to make any necessary changes to Council's constitution.**

10. JOINT CORE STRATEGY GLOUCESTER, CHELTENHAM AND TEWKESBURY - HOUSING NEEDS ASSESSMENT REPORT

The Leader introduced the item by highlighting some key points. The process to date had been a long and complicated one but without a Local Plan the Council would be indefensible against a development free for all. As such it was in the best interest of the Council to get a Local Plan in place and working with Tewkesbury and Gloucester would ultimately benefit all three authorities.

There was still some important work to be done with regard to household sizes and economic growth. He felt that this was an important point in the process with work towards a preferred option emerging in Spring 2013 after taking into account social and economic figures.

Consultation on a range of options had taken place between December 2011 and February 2012 and he thanked the thousands of residents that had responded. He reminded members that this was not simply a referendum and although they would endeavour to incorporate the views of local people, the end result must be sound and open to inspection.

The National Planning Policy Framework (NPPF) emerged in March 2012 and there was a need to fully understand its implications. Nathaniel Lichfield and Partners (NLP) were appointed after a tender process to assist with reviewing the JCS evidence so far and objectively assessing the need for housing.

The NLP report was circulated only two weeks ago and members had been invited to attend a presentation. The Joint Member Steering Group had then agreed the seven draft resolves and a covering report produced by Officers which offered their advice. The Leader was now proposing amendments to the resolutions (copies of which had been circulated throughout the chamber and public gallery). He explained that these amendments addressed local concerns for Cheltenham and that the other authorities may have their own similar concerns. He explained each resolution in turn;

1. Historically population projections had been calculated by Gloucestershire County Council but given recent staff reductions there was no longer capacity for them to continue to do this. NLP advocated the use of Department for Communities and Local Government and the Office of National Statistics data in forming the methodology.
2. He took issue with some of NLP's dismissals of consultation responses but stressed that at this stage Council was only being asked to 'note' this commentary and advice. No evidence had yet been presented to back up the conclusions.
3. He considered the population projection to be the least disputed figure given that the projection spanned a 20 year period but he felt that it was also fair to say that the dwellings figure (28,500) was not without controversy.
4. Added by the Leader this recommendation aimed to address concerns about the estimated household size where different methods of calculation produced conflicting results and for which there was evidence to suggest that the trend in household size was broadly static.
5. Added by the Leader this recommendation would form part of the debate about where the economy was heading and he did not consider this to be controversial.
6. This was a complicated issue given that there were three differing estimates to be considered. There was a need for the projections for housing and jobs to be proportionate and the Local Enterprise Partnership could assist in establishing what this balance was locally.
7. The economic projections from Experian and Cambridge were simply to be noted but it was a difficult time to be making economic projections and

there was a real need to be realistic. Such projections would need to be reviewed regularly.

8. More work was required in order to understand the current trend in household size.
9. There was a need to balance social and environmental issues in the Preferred Option.
10. These recommendations had been added as he felt that they represented areas of work which were important for progressing the JCS.
- 10a. Local Green Space was a new designation within the NPPF which could benefit a range of areas in Cheltenham.
- 10b. Efforts had always been made to protect Greenbelt in Cheltenham but this was not always in the Council's control and a Local Plan would help to provide continued protection within the context of the NPPF.
- 10c. It made sense to have a single 5 year supply of land for business and housing across the three JCS areas.
- 10d. Neighbourhood plans were a new concept but one which he felt it was important to embrace and which he welcomed.
- 10e. Eco towns were dismissed in two paragraphs within the NPL report but this was an area he felt was worthy of further investigation.

In summary he advised that the Council needed a JCS in order to be in a position to develop a Local Plan but acknowledged that more work was required regarding economic growth and household sizes. There was also a need to balance the social and environmental impact before deciding upon a Preferred Option. He hoped that members felt able to support the recommendations.

Councillor Godwin had written to the Mayor, Chief Executive and Leader of the Council regarding a request to suspend standing orders for the duration of the debate of this issue and questioned whether a decision had been reached. The Mayor had not had sight of the said email but explained that he was not minded to suspend standing orders as he could not see it was necessary. He highlighted that Group Leaders had a standing invitation to the briefings held in advance of each meeting and at which such matters were discussed. He then outlined how he had envisaged the debate would proceed and reminded members that questions should be succinct, not statements and put to the Leader.

Councillor Bickerton supported Councillor Godwin's call for suspension of standing orders and upon a vote it was NOT CARRIED. Normal rules of debate would apply.

The Director of Built Environment offered members some background information on the seven recommendations (as circulated with the agenda) and updated officer advice on the additional recommendations being proposed by the Leader (circulated at the start of the meeting).

He stated that

- 1) "The seven recommendations to Council within the original Leader's report circulated, have been agreed in consultation with officers of the JCS partner authorities and with the member steering group for the JCS; they therefore constitute the formal advice to members.
- 2) This is the first stage of moving towards a sound plan, by seeking to agree how many homes need to be delivered to meet the need for new housing across the JCS area to 2031.
- 3) The calculation of housing need is based on factors such as population growth and the future economic strategy for the area. It does not take account of any constraints on supply – for example, environmental designations such as green belt, the existing built form of Cheltenham or flood plains. As such, this figure represents the very starting point of the plan making process. It is only once this figure is agreed that the JCS can look to determine how much of this need can actually be delivered, having regard to development constraints.
- 4) There is considerable further work required on the supply side, to establish the options for delivering against the needs figure. Until that work is complete, taking account of economic, social and environmental factors, we cannot say with any certainty what will be deliverable within the JCS area and indeed, where the most appropriate locations for development are.
- 5) At this stage, any attempt to influence the needs assessment based on supply side considerations (including development locations) is likely to undermine the credibility of the JCS. In order to pass the test of 'soundness', plans must be evidence based, robust and subject to a meaningful consultation process.
- 6) If the Council gives the impression that it has already decided to resist development in the green belt, before consideration of the merits of development at different locations, this is likely to increase the risks of the plan being challenged and found unsound."
- 7) Officers believe that there are considerable risks in moving away from the tabled recommendations to Council, including:-
 - a) Damage to the Council's reputation, including harm to the JCS partnership, potentially leading to its disintegration;
 - b) financial – increased risk of speculative applications, successful appeals and consequent costs being awarded against the authority;
 - c) prejudice to future consultations – it might appear that the Council has already made up its mind about certain options."

The Monitoring Officer offered legal advice for those members who formed the Planning Committee. She explained that these members were entitled to participate in the debate as the matter was one of policy making for the Council.

She elaborated that members of the Planning Committee would need to be mindful of pre-determination of future planning applications but that was unlikely at this stage in the JCS process.

The Mayor invited questions which the Leader would answer with support from the Director of Built Environment or the representative from NLP where necessary.

In response to a question regarding the projected housing need of NLP of 28,500 dwellings the Director of Built Environment considered this to be a starting point and a minimum level of housing required in the JCS area. However, Officers had agreed to undertake some additional work on household sizes.

The calculation of the figure of 28,500 was being disputed and recommendation 4 highlighted the possibility of an alternative method of estimating household sizes. The Leader did not accept the suggestion from Officers that the JCS would be derailed by the additional recommendations he had put forward, he saw it as applying political leadership to make the whole process work. He assured members that the new resolutions had been circulated to Group Leaders at this Council and the other authorities.

The Leader confirmed that further public consultation was a key element in the process for determining a Preferred Option. Figures would be established and any feedback from past and future consultation would be taken into account as part of this determination of the Preferred Option.

The Leader explained that whilst it was possible to project how many jobs would be needed, the process was not yet at a stage whereby it was possible to identify where these places of employment would be located.

The Leader acknowledged that economic growth was not always viewed as positive and was subjective rather than objective. An existing working group could be used as a conduit for keeping members informed about the outcome of further pieces of work and he would be open to any other suggestions.

He reiterated that it was not practicable for Cheltenham Borough to have a Local Plan without a Core Strategy and he did not agree with the view that the amended resolutions would jeopardize the future of the Joint Core Strategy between Cheltenham, Tewkesbury and Gloucester City.

The representative from NLP confirmed that the demographic projections contained within the report were based on the Office for National Statistics household projections and the Government's own projections.

In his view the Leader did not feel that any of the amendments proposed today would increase the risk of Planning appeals nor did he envisage that these would escalate.

Financial implications were contained within the covering report and not included on the risk assessment at the end of the report. It was impossible for it to be a risk free process as there would always be some risks.

In response to a request from a member asking for reassurance that a robust risk process had been followed which would stand up to legal challenge, the Monitoring Officer assured members that it was a robust process and the risks were set out in the report and additional risks arising from the extra resolves had been identified by the Director of Built Environment.

The Leader confirmed that the growth and dwellings figures included in recommendation 3 included inward migration of approximately 20,000.

The Director of Built Environment emphasised that it was not possible to control migration and as a consequence there was a need to plan for the fact that inward migration would take place as well as planning for growth of the existing population.

A member offered a definition of housing need as set out in Government guidance as one where people were unable to afford housing or in unsuitable housing. The NLP report appeared not to use this definition, but base its figures on housing demand. Recommendation 3 was a statement of fact only if the NLP methodology was used but using other approaches would result in different figures. He suggested that if the estimates were too low then it would be possible to build more homes but that if the estimates were too high, it would not be possible to undo any development. Therefore he urged that the Council should proceed with caution. He acknowledged that this was not the end of the story and that Council would be considering a preferred option in Spring and hoped that Officers had been given a clear steer that members from across the chamber would be unwilling to accept unsustainable housing numbers.

Councillor Godwin considered the report was confusing and contained mixed messages. Work on the JCS would be ongoing for some time but clarity was needed now. He considered the additional resolve in 10d was totally inadequate and proposed the following amendment which was seconded by Councillor Stennett.

That the following is incorporated into resolution 10d in the amendment.

- 1. will set up a working group immediately to examine update and strengthen the Cheltenham Borough local plan*
- 2. will support community groups and parish councils in the development of neighbourhood plans in collaboration with their ward councillors*
- 3. the working group to produce an interim report by 31 December 2012*

In speaking for the amendment, Councillor Godwin was concerned that a new local plan was unlikely to be in place until 2014. He warned that at a recent appeal the planning inspector had made it clear that the authority's local plan was out of date and indeed a barrister at that appeal had advised that the plan should be updated "tout suite". The Secretary of State, Eric Pickles in this month's local government magazine had said that "the Localism Act had enabled local councils to strengthen the role of local plans, complemented by the introduction of neighbourhood plans – which will help strengthen the role of individual ward councillors."

A member supported the amendment saying the update of the local plan was long overdue. As the seconder of the amendment, Councillor Stennett thought

that the review of the local plan was important in order that the council would be able to defend any planning appeals whilst work on the JCS was still ongoing.

The Director of Built Environment was invited by the Mayor to speak. He advised that in future the Cheltenham Local Plan would comprise both the JCS and the Cheltenham plan. These documents were not mutually exclusive. The JCS would contain the high-level strategy and the Cheltenham Plan would provide more detailed strategies for Cheltenham which would hook into the JCS and support its aims. For that reason it would not be sensible to seek to adopt a new Cheltenham Plan ahead of the JCS.

A member asked whether this contradicted the advice given by officers to the overview and scrutiny task group which was that the council needed to get moving on its local plan. The director of Built Environment clarified that officer advice had not changed since moving forward with the local plan also meant progressing the JCS for the reason he had just given.

In his summing up for the amendment, Councillor Godwin was keen to clarify that he was not suggesting a new local plan at this stage but he was aware that there were certain clauses on one or two pages of the current plan that were woefully out of date. He considered that these needed to be updated as a matter of urgency otherwise the council was going to be under pressure by developers and would be in an indefensible position with regard to appeals in the meantime.

As the proposer of the original motion, Councillor Jordan responded that what was being asked for in the amendment was not practicable and added no value. He reminded members that a working group had already been set up of which Councillor Godwin was a member. It was not possible to update the local plan in isolation from the JCS and officers had already reviewed the local plan and were aware of the gaps. There was an urgency in the work but both parts must be progressed in parallel. He proposed that he could accept the second part of the amendment but not the other parts.

Upon a separate vote on each part of the amendment

- 1) LOST Voting For: 5, Against: 18, Abstain: 8
- 2) CARRIED Voting For: 26 with 5 Abstentions
- 3) LOST Voting For: 5, Against: 19, Abstain 7

Debate continued on the substantive motion which now included the amended 10d as follows:

The need to recognise and encourage the role of neighbourhood plans in the new planning framework by supporting community groups and parish councils in the development of neighbourhood plans in collaboration with their ward councillors.

The meeting adjourned for tea at 4.30 pm.

In the debate that followed members made the following points:

- The NLP report appeared to have used an incorrect definition of housing need. In order for the JCS process to move forward members were encouraged to support the recommendations.
- 3638 people registered with Gloucestershire homeseekers were in housing need right now, so there was a need to progress positively with the JCS process
- The approach in the NLP report was unfortunate and arrogant and appeared to rubbish the views expressed in the consultation. The figure for population growth of 44,700 took into account inward migration and as this was largely as a result of economic growth, this was an area that could be controlled. As the methodology used in the report was inadequate the 28,500 dwellings of the JCS area was not a minimum.

Councillor Bickerton proposed an amendment to resolution 3. He proposed that the opening word "agree" was replaced by "note" and "Note that" was added to the start of the second sentence. He also proposed the addition of the following words:

" Note that using the Office for National Statistics (ONS) district data to assess average household size across the JCS area would generate a housing need of 18,600".

This was seconded by Councillor Wall.

In proposing this amendment, Councillor Bickerton, was concerned that the NLP made no reference to the excellent work done by the county in 2008/10 on population growth. The report demonstrated no understanding of the definition of housing need which was that people were unable to afford housing or were living in housing which was unsuitable for their needs. The NLP definition seemed to be based on housing demand which was incorrect and demonstrated a lack of awareness of what was happening in the housing market. The figure for average household size and the recent census data enabled a very accurate household size to be calculated for Cheltenham which was close to the national average of 2.4. This calculation would reduce the number of dwellings from NLP's figure of 28,500 to 18,600.

Other members were supportive or sympathetic to the change of wording from "agree" to "note". Experiences in other European countries experiencing economic difficulties had resulted in demographic changes and there could be more 2 or 3 generation households if the economic downturn continued. The housing need in the NLP report of 28,500 was a very large number and clearly there were different ways of interpreting the data which could produce different results. In Cheltenham there appeared to be a need for a large number of relatively small dwellings however developers were coming forward with plans for larger family homes. Therefore there were serious questions about the figures in the report.

As the proposer of the original motion, Councillor Jordan said he would resist any changes to the seven resolutions listed in the report as they had been agreed with the three partner authorities. It would not be fair to change them and would increase the risk that the partnership could be damaged. However he would be willing to accept an additional statement regarding the ONS district data in 4, provided 3 was left unchanged.

Councillor Wall, as seconder for the amendment, said he would object to the word "agree" remaining in 3.

The meeting adjourned till 6.05 pm for members to discuss the amendment and receive officer advice.

Councillor Smith joined the meeting at 6.10.

On their return, the Mayor invited the Director of Built Environment to advise members on the amendment.

He advised that the officer view was that there was no evidence base currently available to support the 18,600 housing need figure suggested. Officers cautioned strongly against quoting this figure, which had been calculated by simply taking the projected population increase of 44,700 and dividing it by the current average household size of 2.4. This was not a methodologically sound approach and ignored ONS projections, which show falling average household size over the 20 year JCS period across the whole housing stock.

He advised members to note that NLP was a nationally recognised and respected planning consultancy whose evidence was regularly accepted at planning inquiries and examinations.

Finally he wished to remind members of his earlier advice and that if this amendment was passed, it risked disintegration of the JCS process, as it would signal the intent of the Council to resist the level of development being recommended.

The Mayor invited Gareth Williams from NLP to address the meeting.

Mr Williams said that the 2008 projections used in their report were based on data from the DCLG and ONS and were not based on NLP's own data. He referred to an appeal at Torbay in July where a planning inspector had referred to the 2008 household projections. The inspector had said that in the absence of any other data they were the most robust figures available although he acknowledged that they did not take account of the full range of environmental and social factors. On the basis of that data he allowed the appeal. Mr Williams advice was that the council should always seek the most up-to-date figures and he advised that the 2010 household projections would be available shortly. On that basis he considered the NLP report contained a robust assessment of housing need and the area of greatest uncertainty was economic forecasting. NLP had used two well respected forecasters who had given two very different figures that were set out in the report. For this reason officers were suggesting that this was an area for further work.

Councillor Jordan, as proposer of the original motion, was happy to accept the additional wording in 4. that

Officers should investigate the suggestion that using ONS district data to assess average household size across the JCS area would generate a housing need of 18,600.

Clearly there was uncertainty in the housing needs figure and he felt council had a duty to investigate it. He did not consider that it involved any extra work and members were simply seeking a qualification from officers on the alternatives.

With the proposer's agreement this became the substantive motion. The Mayor invited members to debate the remaining parts of the amendment proposed by Councillor Bickerton who had indicated that he still wished to pursue the amendment of the wording in 3 from "agree" to "note".

Councillor Wall advised that he was no longer seconding the amendment due to the substantial change. Councillor Sudbury indicated that she was willing to support the amendment to 3. In her view, if the partnership relationship hinged on the use of a single word, it could not be a very strong partnership.

In his summing up of the amendment, Councillor Bickerton thought it was important to demonstrate that the council had not agreed to the housing need of 28,500 dwellings. In response to NLP's comments, he advised that in a response to a question in the House of Commons, it was minuted that "The Department for Communities and Local Government does not undertake central assessment of the data used by local planning authorities to inform local decisions on identifying housing need". In his view this confirmed that local authorities should use the census and local data directly and not any alternative central assessment by DCLG.

Upon a vote, the amendments to 3. were

LOST Voting For:4, Against:15 and Abstain: 9.

The debate continued on the substantive motion and members made the following points.

- Council had a responsibility to provide housing for the next generation but also to protect green space in the town and this was always going to be a delicate balance. It was important to make effective use of brown field sites but not at all costs if it resulted in poor quality accommodation in less than ideal surroundings.
- The motion highlighted that the statistical basis for the housing needs analysis needed to be looked at along with the credibility of the economic growth figures.
- Whilst acknowledging officer concerns, Council was setting the vision for the next 20 years and therefore it was important to acknowledge in the motion that some green spaces needed protection. The white land at Leckhampton was given as an example as it was particularly vulnerable from not being in the green belt or in an Area of Outstanding Natural Beauty.
- The vision should be about the quality of life in Cheltenham and not just housing quantity. There was only likely to be movement in housing when wages were increasing and the economy was doing well so the council should proceed with caution during this period of economic uncertainty. Otherwise the result could be developers sitting on sites and cherry picking the best developments for their own purposes.

- During the debate there had been mention of the increasing number of elderly people in Cheltenham. A member wished to highlight that this should be viewed not in their economic worth but by the huge amount that this group contributed to voluntary work in the town. Cheltenham would only continue to be an attractive place for people to come and live if the green and cultural parts of the town were maintained as well as housing and jobs.
- A member was concerned that the Leader was proposing amendments to the motion when the joint member steering group had met within the last week to agree the resolutions to go before each council. If the council was working in partnership then it should not be changing the resolutions without discussing it with their partners and this was a demonstration of poor leadership.
- A member highlighted the point previously made about the lack of regard in the NLP report for the views expressed by the public in the consultation which had run from December 2011 to February 2012. The brief to NLP had asked them to take account of the consultation and of the 3300 that responded, the vast majority supported the smaller numbers for housing needs. The responses had been dismissed in the report as misconceptions by the public and had been patronising to those who responded.

In responding to the debate, Councillor Jordan thanked everybody for their contribution and he broadly agreed with many of the points made. However he did not support the view that no amendments should be made to the original seven resolutions agreed by the three partners. In his view, he as Leader and the council must be allowed independent thought and as the JCS was an ongoing process it was important to use this meeting to raise concerns for Cheltenham. Clearly it was a complex subject and a very difficult process moving forward but the council did need to provide housing for the next generation but not at the expense of other aspects of the town.

A separate vote was requested on each group of amendments.

RESOLVED TO

- 1. Note NLP's review that the demographic methodology used to establish housing requirements for the JCS area for the period from 2011 to 2031 as part of the "developing the Preferred Option" document, was appropriate at the time, but that the data upon which the methodology relied will not in future be maintained by Gloucestershire County Council and should be based upon Office of National Statistics (ONS) and Department of Communities and Local Government (DCLG) data, because this will be consistently available and subject to on-going updating.**
 - 2. Note NLP's commentary and advice regarding the consultation responses.**
- (1. and 2.) CARRIED: Voting For: 31, Against:1
- 3. Agree that a demographic projection solely based on latest ONS and CLG data indicates a population growth of 44,700. This would**

generate housing need of 28,500 dwellings for the JCS area for the period from 2011 to 2031 using NLP's methodology.

CARRIED: Voting For: 25, Against:5, Abstain: 2

4. Note that household size is key to calculating the number of new dwellings required and there are alternative methods of estimating this which show the trend is broadly static. Officers should investigate the suggestion that using ONS district data to assess average household size across the JCS area would generate a housing need of 18,600.

5. Note that the demographic led projection based on latest ONS data leads to a projected job growth of 9100 to 11400.

(4. and 5.) CARRIED: Voting For: 19, Against:8, Abstain 5

6. Agree that “objectively assessed need” for the JCS area should be based upon local job projections and the alignment of housing and employment provision. Also to agree that in preparing the JCS Preferred Option document, further work will be carried out to understand the level of economic growth assumed in the demographic, Cambridge Econometrics and Experian Business Strategies Ltd projections and work with the Local Enterprise Partnership to establish the level of economic growth for the JCS area during the period up to 2031 and the potential implications that this may have on the level of housing required.

7. Note that economic projections from Cambridge Econometrics and Experian Business Strategies Ltd forecast housing provision in a range between 32,500 and 43,220 dwellings to align proposed job growth and housing provision for the JCS area for the period from 2011 to 2031.

(6. and 7.) CARRIED: Voting For: 31, Against:1

8. Agree that in preparing the JCS Preferred Option Document further work will be carried out to understand the current trend in household size and the implications on the level of housing required.

CARRIED: Voting For: 31, Against:1

9. Agree that the JCS needs to balance environmental, social and economic issues and that the social and environmental impact of the “objectively assessed housing need” will be considered in preparing the Preferred Option version of the plan.

CARRIED unanimously

10. That in progressing the JCS, Officers are requested to specifically consider the following matters:

- a. **The possible use of the Local Green Space designation as defined in the National Planning Policy Framework (NPPF) (e.g Leckhampton)**
- b. **The continued protection of Green Belt in accordance with the NPPF.**
- c. **Having a single 5 year supply of land for business and housing that covers the whole JCS area. The 5 year supply should have realistic density of housing and housing supply in terms of the size of dwellings, number of bedrooms, proportion of affordable housing and household size to meet the projected growth and local need.**
- d. **The need to recognise and encourage the role of neighbourhood plans in the new planning framework by supporting community groups and parish councils in the development of neighbourhood plans in collaboration with their ward councillors.**
- e. **Review opportunities for new eco settlements within the JCS area as part of the Council overall green policy to simulate growth in new technologies and seek solutions to create jobs.**

CARRIED: Voting For: 22, Against:6, Abstain: 4

11. NOTICES OF MOTION

No notices of motion had been received.

12. TO RECEIVE PETITIONS

No petitions were submitted, nor had any been received since the last meeting.

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

There were no urgent items for discussion.

Colin Hay
Chair