

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 28 June 2016 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor Mrs G F Blackwell
Councillor H A E Turbyfield

and Councillors:

R E Allen, P W Awford, Mrs K J Berry, R A Bird, G J Bocking, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, R D East, A J Evans, J H Evetts, D T Foyle, R Furolo, R E Garnham, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, V D Smith, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, R J E Vines, D J Waters, M J Williams and P N Workman

CL.21 APOLOGIES FOR ABSENCE

21.1 Apologies for absence were received from Councillor R Bishop.

CL.22 DECLARATIONS OF INTEREST

22.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

22.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
P W Awford	Item 8 – Joint Core Strategy: Inspector's Interim Report.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
R A Bird	Item 8 – Joint Core Strategy: Inspector's Interim Report.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
R E Garnham	Item 8 – Joint Core	Had a personal and	Would not

	Strategy: Inspector's Interim Report. Item 11 – Legal Proceedings.	pecuniary interest in these items due to his involvement with a site, and possible future work on other sites, in the Joint Core Strategy Pre- Submission document.	Speak or vote and would leave the Chamber for the consideration of this item.
V D Smith	Item 8 – Joint Core Strategy: Inspector's Interim Report.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
P D Surman	Item 8 – Joint Core Strategy: Inspector's Interim Report.	A Member of the Councillor's family owned land which had been identified as a potential strategic housing and employment land allocation within the consultation document.	Had received a dispensation to speak and vote on this item.
M G Sztymiak	Item 8 – Joint Core Strategy: Inspector's Interim Report.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
R J E Vines	Item 8 – Joint Core Strategy: Inspector's Interim Report.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
D J Waters	Item 9 – Outside Body Membership – Severn Vale Housing Society.	Is a Borough Council representative on the Severn Vale Housing Society Board.	Would speak and vote.

22.3 There were no further declarations made on this occasion.

CL.23 MINUTES

23.1 The Minutes of the meetings held on 12 and 17 May 2016, copies of which had been circulated, were approved as correct records and signed by the Mayor.

CL.24 ANNOUNCEMENTS

- 24.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 24.2 The Mayor indicated that, in accordance with Council Procedure Rule 1.2, she had agreed to vary the order of business to allow Item 8 – Joint Core Strategy: Inspector’s Interim Report to be taken before Item 7 – Lead Member Presentation; the reasons for this would become clear when she explained how she intended to manage the Joint Core Strategy item.
- 24.3 The Leader of the Council thanked the staff who had been involved in the administration of the EU Referendum, which had taken place the previous week, and indicated that they had worked very hard to ensure that the whole process had run smoothly.

CL.25 ITEMS FROM MEMBERS OF THE PUBLIC

- 25.1 There were no items from members of the public on this occasion.

CL.26 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

- 26.1 The following questions had been received from Councillor Sue Hillier-Richardson to the Lead Member for Built Environment. The answers were given by the Lead Member for Built Environment, Councillor Derek Davies, but were taken as read without discussion:

Question 1:

In these new proposals, in this report, what is the number of housing units that will now be scheduled to be allocated, by the JCS, in the strategic allocations, to land entirely within the Cheltenham Borough Council, the Gloucester City District Council and the Tewkesbury Borough Council areas - i.e. the number scheduled to be built within these Councils’ borders and how has this number changed from the previous proposals?

Answer:

Provided below are tables to show which strategic allocations would be located in each authority area. This is based on what was presented in the Submission JCS (November 2014) and the recommendations in the Inspector’s Interim Report. Please note that the capacities, particularly those based on the Interim Report, are approximate and further work would need to be undertaken if sites were taken forward. The tables also do not take into account the cross-boundary sites within Wychavon and Stroud Districts that the Inspector has recommended are explored.

Strategic Allocations within Gloucester City

GLOUCESTER	Submission	Interim	Notes
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	JCS (Nov 2014)	Report (May 2016)	
Winnycroft	Not included	620	Site at Winnycroft has always been included as part of Gloucester's urban capacity. Inspector recommends that this site is included as a strategic allocation.
TOTAL	0	620	

Strategic Allocations within Cheltenham Borough

CHELTENHAM	Submission JCS (Nov 2014)	Interim Report (May 2016)	Notes
North West Cheltenham	2,225	1,725	Inspector has recommended a green buffer around Swindon Village reducing the allocation by 500 dwellings. This is likely to impact the capacity within the Cheltenham Borough portion.
South Cheltenham Leckhampton	764	Not included as a strategic allocation	Inspector has reduced the allocation in total and recommended the site would be suitable for 200 dwellings to be allocated in the Cheltenham Borough Plan.
West Cheltenham	Not included	500	Inspector has recommended part of the West Cheltenham safeguarded land be brought forward as a strategic allocation to meet Cheltenham's needs.
TOTAL	2,989	2,225	

Strategic Allocations within Tewkesbury Borough

TEWKESBURY	Submission JCS (Nov 2014)	Interim Report (May 2016)	Notes
Innsworth	1,250	1,300	Capacity increased slightly based on outline application.
North Churchdown	532	Not included	Inspector considers the site to be unsound and recommends removal.
South Churchdown	868	1,100	Capacity increased based on developer's submission.
North Brockworth	1,500	1,500	No change.
North West Cheltenham	2,560	2,560	No change to capacity of site within Tewkesbury Borough.
South Cheltenham Leckhampton	377	Not included	Inspector recommends removal from the JCS as a strategic allocation.
MoD Ashchurch	2,225	2,125	Inspector recommends slight reduction in capacity that will be delivered within the plan period.
Twigworth	Not included	750 (minimum capacity)	Inspector recommends a new strategic allocation at Twigworth for at least 750 to meet Gloucester's needs.
Fiddington	Not included	900	Inspector recommends a new strategic allocation at Fiddington to meet Tewkesbury's needs.
TOTAL	9,312	10,235	

Question 2:

How many housing units from the strategic allocations have been removed from the Cheltenham Borough Council area in this new proposal?

Answer:

The Interim Findings proposes reductions to both the strategic allocations at North West Cheltenham and South Cheltenham Leckhampton.

At North West Cheltenham the Inspector recommends provision of a green buffer around Swindon Village which the Inspector believes would reduce the allocation by 500 dwellings.

At Leckhampton, the Inspector recommends that development capacity should be significantly reduced to around 200 dwellings within Cheltenham Borough. As previously capacity at this site, within Cheltenham, was approximately 764 dwellings, this would mean the removal of 562 houses.

The Inspector does recommend the inclusion of part of the land at West Cheltenham that is currently proposed to be safeguarded land in the Submission JCS. This would bring part of the site forward as a strategic allocation for 500 dwellings. This site is primarily within Cheltenham Borough however, depending on the final agreed boundary, could include a small element of land within Tewkesbury Borough.

Question 3:

Are there no longer any strategic allocations at Leckhampton?

Answer:

The Interim Report recommends that the part of the site within Tewkesbury Borough (Farm Lane) should be removed from the allocation. In addition, the Inspector also recommends reducing the capacity of the site within Cheltenham Borough to around 200 dwellings. Following these recommendations the remaining level of development on the whole site would be too small to classify as a strategic allocation and would be removed from the JCS. The Inspector considers that the remaining site would be more appropriately allocated within the Cheltenham Local Plan.

Question 4:

Will housing proposed in Prestbury be strategic allocations, or in the Cheltenham Borough Plan?

Answer:

In the Interim Report the Inspector has judged that there is additional potential housing capacity at non-strategic Green Belt sites which could increase Cheltenham's district capacity; this includes areas around Prestbury. While the Inspector recommends their removal from the Green Belt to be undertaken through the JCS, any allocation would be for the Cheltenham Local Plan to consider

Question 5:

Is it not true that most of the housing units removed from the Cheltenham strategic sites are now scheduled to be allocated to land within or immediately adjacent to Tewkesbury Borough?

Answer:

The Interim Report recognises, by making the recommended reductions to the strategic allocations and North West Cheltenham and South Cheltenham Leckhampton, that this would leave Cheltenham with an unmet need of 1,539 dwellings.

The Inspector recommends an additional allocation at West Cheltenham (currently proposed as safeguarded land in the Submission JCS) which could accommodate 500 dwellings. This site would primarily be within Cheltenham Borough but immediately adjacent to Tewkesbury Borough. There could also be a small portion of the site within Tewkesbury Borough depending on the final agreed site boundary. This would leave an unmet requirement of 1,039 dwellings.

The Inspector also recommends the release of non-strategic Green Belt land to the North and North-West of Cheltenham to provide additional housing capacity. The Inspector states that the capacity of this collection of sites would total at least 735 dwellings, but could deliver over 1,000 dwellings and meet Cheltenham's remaining housing requirement in full. These sites would be wholly within Cheltenham Borough; however, some of the recommended sites (such as land at Prestbury) would be adjacent to Tewkesbury Borough.

Question 6:

At the most recent JCS Member Steering Group meeting on 16 June, the Lead Member stated that ..."we won't challenge the report", in one of his comments about how 'good and clever' the Inspector was. Please could he explain how he reached this view and does he still hold this view tonight?

Answer:

I referred at this meeting to the fact that the Interim Report belongs to the Inspector and the role of the Council at this point is to consider her findings, before responding.

26.2 The following questions had been received from Councillor Mike Sztymiak to the Leader of the Council. The answers were given by the Leader of the Council, Councillor Robert Vines, but were taken as read without discussion:

Question 1:

The burst water main at the Mythe Water Treatment Works caused many homes in the Borough to be without water or very little water for many hours. Did this Council consider it to be an emergency?

Answer:

Yes - a major incident was declared on Wednesday 8 June by the Local Resilience Forum for Gloucestershire. This is part of the countywide approach to Emergency Planning and, as such, Tewkesbury Borough Council worked together with multiple agencies to respond on behalf of our residents.

The Emergency Plan is led by the Civil Protection Unit based at the County Council and involved Gloucestershire Police and key partners including Severn Trent Water, the Clinical Commissioning Group, Public Health England, the Borough Council and other key agencies from across the public services.

Question 2:

How well do you think the Council responded to these events?

Answer:

The major incident was led by Gloucestershire Police who chaired both the Strategic Coordination and Tactical Coordinating Groups under the Emergency Plan, working with partners.

For the Borough Council our main task, through the Tactical Coordinating Group (TCG), was to share lists of individuals and households that may be vulnerable locally. This identification was carried out and a response was sent to the TCG within the timescales that they requested. The Council also carried out a number of preparatory activities in identifying resources should the situation have prolonged.

As the Council Offices were also affected, this was not only about considering how best we support our communities due to the loss of water, but also how we maintain the delivery of services.

Both of these issues were considered during the incident but, fortunately, the water was restored before they needed to be put into action.

A debrief session has been arranged through the Civil Protection team to learn any lessons from the incident and the Council is participating in this process.

For information:

- On 8 June there was a burst 30 inch water main pipe at Mythe Water Treatment Site.
- There was a loss of water supply to a number of communities in the Borough.
- Other areas were also affected, including parts of Worcestershire.
- There were eight schools/ nurseries closed in the area (although Tewkesbury School still opened for exams).
- Severn Trent Water (STW) contacted its customers and put out regular updates via its Twitter account.
- Supplies were restored the next day (9 June) although there was water discolouration for a time.
- Compensation is available to both residential and business customers of STW who were affected

As Leader of the Council I think that the Council responded well to these events and played the role that was expected of it as one of a number of partners supporting the Police in leading the incident.

26.3 The Mayor invited any supplementary questions and, in response, the Member asked the following:

How effective are we in identifying vulnerable people in situations where there could potentially be no water for a number of hours? Would a central list be a better way to obtain details of vulnerable people rather than contacting Parish Councils?

26.4 The Leader of the Council indicated that he would ask Officers to explore whether anything additional could be done.

- 27.1 Attention was drawn to the report of the Development Services Group Manager, circulated at Pages No. 14-76, which summarised the Inspector's Interim Report following the extensive examination of the Joint Core Strategy (JCS) and set out the proposed response to enable further discussion on the implications of the Interim Report. The Council was asked to note the Interim Report; to agree that 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 to the report and expressed through the June 2016 Council meetings on this report; and to 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.
- 27.2 The Mayor explained that the Planning Policy Officer would present the report and Members would be given the opportunity to ask questions. A proposer and seconder would then be sought and the item opened up for debate. Debate would take place on each heading in Appendix A, Section 4, from A-F, set out at Pages No. 24-27. All additional comments made by Members on each section would be noted and the Council would be asked to approve them at the conclusion of the debate.
- 27.3 The Chief Executive advised that the Inspector's interim findings had been accompanied by a request for comments from the three authorities; this was a little unusual as it was normal for Councils to simply be presented with recommended modifications. It was important to recognise that the plan was currently with the Inspector; Tewkesbury Borough Council and the other JCS authorities were not in control of the plan and would not be until September 2016, assuming the timetable remained as currently planned. The Committee report set out the Officers' position in terms of the issues that they intended to discuss with the Inspector but it was accepted that Members of Tewkesbury Borough Council, and the other two JCS Councils, would have their own views and it was intended to let all Members have their say on the findings; their comments would then be logged and would form the basis of the report to the Inspector. It was recognised that the other two Councils would be entering into similar debates and Officers understood that there may well be local variation between the comments.
- 27.4 In introducing the report, the Planning Policy Manager reminded Members that the Joint Core Strategy was 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. The Pre-Submission version of the plan had been submitted to the Secretary of State in November 2014 and, following the appointment of the Inspector, there had been an extensive examination with many hearing sessions throughout 2015/16, the last of which had been held in April 2016. The Inspector had published her Interim Report on 31 May 2016 highlighting her key findings and recommendations, including modifications which the Inspector felt to be necessary to make the plan sound. The Committee report sought approval for Officers to discuss the implications of the recommendations with the Inspector at further hearing sessions and to progress to the main modifications version of the plan. The Inspector's Interim Report was included at Appendix 1 of Appendix A to the report. The report dealt with a number of outstanding matters and made recommendations on key issues, including objectively assessed need for housing and strategic site allocations. The next stage of the process would be a further hearing in July and the proposed Agenda was set out at Appendix 2 of Appendix A to the report. A list of outstanding matters from the Interim Report, and the proposed response to each, was set out in the report and would be supplemented by Members' comments expressed at this meeting and similar meetings at Cheltenham Borough and Gloucester City

Councils. It was important to note that the report was not seeking approval for a modified plan; Members were being asked to agree that Officers attend the next hearing in July and discuss the key points arising from the Inspector's Interim Report and her recommendations. A full modified version of the JCS would be required to go back to each of the three authorities for agreement at subsequent meetings. On that basis, Members were asked to note the Interim Report; to agree that 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 to the report and expressed through the June 2016 Council meetings on this report; and to 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.

- 27.5 The Mayor invited Members to ask questions of the Officers. In view of the result of Referendum and the fact that the UK would not be part of the European Union by the time the houses were built, a Member questioned whether the amount of additional housing proposed by the Inspector was actually required. The Planning Policy Manager agreed that the full implications of "Brexit" were unknown and there were real uncertainties about what the decision would mean for planning within the Joint Core Strategy area, however, migration from outside of the county had a relatively small impact and it was not expected that there would be a dramatic change to the housing requirements in that respect. Notwithstanding this, the impact upon economic growth could have an effect on house building and Officers would want to go back to the Inspector regarding some of the uplift being recommended to qualify that further.
- 27.6 With regard to Page No. 24, Paragraph 7 of Appendix A to the report, which related to Officers investigating the deliverability of a specific site, a Member noted that this would include discussions with various site promoters and developers and he questioned whether there would be a similar level of consultation with local residents. He would be seeking assurance that a more proactive approach would be taken to ensure that the views of local people were really taken into consideration in respect of the site. The Planning Policy Manager recognised the importance of consultation and indicated that the process had already been started with Members of the Council and would continue with Parish Councils and the wider communities. Another Member questioned what evidence had been put forward for the additional 5% uplift to the Objectively Assessed Housing Need. In response, Members were advised that the Inspector had seen all of the evidence which had been provided by the Borough Council in respect of its employment need, in terms of both employment land and job numbers, and the key discussion had been the relationship between job growth and housing need which had been debated at length with the Inspector. In her report she referred to the need for economic uplift, as she had done in her Preliminary Findings, and she had made reference to a document within the JCS evidence base to explain how she had come to those conclusions. Whilst he did not have that document to hand, Page No. 32, Paragraph 7 of the Inspector's Interim Report referred to the 39,500 jobs target and, although Officers did not feel that this was a relationship which necessitated further economic uplift, the Inspector felt differently. The proposed response in respect of affordable housing was set out within Appendix 1 to the report and the additional 5% uplift was one of the issues which the Inspector would be asked to provide further clarity upon and was very much linked to the economic considerations associated with the vote to leave the EU. The Legal Adviser clarified that the Inspector was saying that the JCS as submitted was not sound and she had set out a way forward to address that. With the hearings set for 6/7 July, the Inspector was seeking to understand any complications and concerns arising from her Interim Findings; she did not intend to open this up to a wider set of stakeholders until it became part of the plan and she would look at

representations in due course.

- 27.7 A Member noted that Page No. 26, Paragraph 14 of Appendix A to the report, referred to the recommendation for an additional strategic allocation at Fiddington and set out that local communities felt the need to present their case and circumstances to the Inspector. He questioned why that note had been included for Fiddington given that the same had not been mentioned in terms of the people of Tewkesbury Town and Mitton in respect of the Wychavon site. The Planning Policy Manager understood these comments and recognised the need to be fair to the communities. It had not been intended to deliberately exclude those residents and he was more than happy to add a note to address this if the Council so wished. The Member recognised that the Inspector would have visited the strategic allocation sites which had been included within the plan and he questioned whether she had been accompanied by Officers. The Planning Policy Manager confirmed that she had certainly carried out site visits to the strategic allocations and had been accompanied, not only by Officers but by other representatives as well; however, he believed that she had visited the omission sites on her own but would need to check that before he confirmed. The Member drew attention to Page No. 65, Paragraph 162 of the Inspector's Interim Findings, which concluded that there were opportunities to provide betterment to flooding in the Tewkesbury area and he indicated that he would be very interested to know what those opportunities were. In response, Members were advised that, based on the evidence provided to her, the Inspector believed that there was a possibility of creating a betterment through development of the site; she was comfortable that the site was deliverable and it was not her role to state what mitigation needed to be put in place.
- 27.8 In terms of addressing the shortfall of houses that had accrued since the start of the plan period, a Member noted that Planning Policy Guidance favoured the Sedgefield approach but the Inspector had seemed to prefer the Liverpool approach. In response, the Planning Policy Manager clarified that the Sedgefield approach was to address any previous shortfall within the first five year period whereas the Liverpool approach was to spread the shortfall over the whole plan period. This was particularly relevant to Cheltenham Borough and Gloucester City which had issues with supply in the short term and the Inspector had been looking at how best those houses could be delivered in practice. She felt that the new housing allocations for Cheltenham Borough and Gloucester City may not help with delivery in the short term and, therefore, the Sedgefield approach may not necessarily improve the situation. Sedgefield had become the more common approach across the country so this would be a more unorthodox position but he could see why it had merit.
- 27.9 A Member indicated that the three JCS authorities had spent almost 10 years formulating a plan and had spent a lot of time researching sites which had resulted in some, such as Twigworth, being rejected. The Inspector had altered the plan significantly, bringing in additional sites seemingly 'out of the ether'. On that basis, she questioned whether it was normal for an Inspector to essentially re-write a plan at the examination stage. The Planning Policy Manager understood that the Inspector was recommending significant changes to the plan and that was not unusual. He pointed out the Stroud and South District Core Strategy and the South Worcestershire Joint Core Strategy which had both included additional sites in their plans on the basis of the Inspector's reports. He reiterated that the JCS had been submitted to the Inspector to consider whether the findings were sound and she had identified certain elements which needed to be changed in order for the plan to be sound e.g. housing numbers, strategic allocations. It was necessary to consider the implications of implementing, or not implementing, her recommendations and, if the three JCS authorities did not have regard to her recommendations, the plan could be found to be unsound. Whilst he appreciated that there were some significant issues outstanding, the Planning Policy Manager

reminded Members that the Inspector had found favour with a lot of the plan and they should not lose sight of this.

- 27.10 In respect of the Twigworth site, a Member indicated that a planning application had already been refused for multiple reasons and he questioned whether the fact that the site had been put forward by the Inspector would change the guidelines which the planning department had to follow for the site and whether the site-specific reasons would need to be removed from the planning refusal. The Planning Policy Manager explained that the decision had been taken at a different point in time when the site was still in the Green Belt. If the Inspector made a recommendation which was accepted by the JCS authorities, the site would be removed from the Green Belt which would be a significant change. It could be that there were elements of the planning application which meant that Officers could not recommend approval but did not preclude a different application being found to be acceptable in the future. The Member indicated that a lot of the refusal reasons could be addressed but there were a number that could not, for example, air quality, cumulative impact on the Site of Significant Scientific Interest and harm to nearby heritage assets. The Planning Policy Manager indicated that impact on natural landscape features and heritage assets could be addressed through highly sensitive design of a scheme; he stressed that he did not intend to prejudge an application but there were design solutions to many issues and constraints.
- 27.11 In terms of the Objectively Assessed Housing Need and the additional uplift recommended, a Member questioned whether, when the Inspector had suggested the use of the reserve site at Mitton, she had considered the air quality issue within Tewkesbury Town and the congestion that would be created. In response, Members were advised that economic uplift had been apportioned between the authorities based on what the Inspector felt would be the most sustainable options and she had recommended sites at Fiddington and Mitton. Assurance was provided that there were infrastructure issues and constraints with all of the sites being recommended which Officers wanted to communicate to the Inspector. In terms of Leckhampton, Officers had drafted a response to state that development should be reduced significantly in size to around 200 dwellings within Cheltenham Borough to reflect the landscape and transport constraints in the area, and therefore removed as a JCS strategic allocation and instead considered for allocation within the Cheltenham Local Plan; this was a point which they would be seeking clarification upon.
- 27.12 The Mayor thanked Members for their questions and sought a motion from the floor. It was proposed and seconded that the Council note the Interim Report; that it be agreed that 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 to the report and expressed through the June 2016 Council meetings on this report; and that it be agreed 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. The Mayor indicated that debate would now take place on each heading in Section 4 of Appendix A to the report.
- 27.13 With regard to Section A – Objectively Assessed Housing Need, set out at Page No. 24 of Appendix A to the report, a Member indicated that the Inspector should consider viable alternatives to the Housing Needs Survey in order to address the hidden need for affordable housing which would not be delivered through a 5% increase to the housing allocation. A Member felt that there was an expectation amongst the public that migration would reduce post-Brexit, and there would be less demand on housing as a result, so this was something which needed to be considered. Another Member questioned the evidence upon which the Inspector had recommended economic uplift as there was no evidence of economic upturn and consequently, no demonstrable need to increase housing numbers on that

basis. She agreed that there was no evidence that increasing housing numbers would increase affordable dwellings and she wanted to ensure that Officers challenged the increased housing numbers and the need for additional sites.

- 27.14 In relation to Section B – Employment Land and Retail, set out at Page No. 24 of Appendix A to the report, a Member noted that the Inspector had identified a need for additional employment land, increasing from 64 hectares to 192 hectares. Whilst he was an advocate for economic growth, he did not feel that all of that allocation should be site specific and some flexibility should be encouraged to allow for employment on other sites. Another Member expressed the view that the Brexit decision also meant that there was likely to be less economic growth, particularly in the short term, and there should only be uplift if it was supported by evidence.
- 27.15 In terms of Section C – Strategic Allocations and Green Belt Removals, set out at Pages No. 24-26 of Appendix A to the report, a Member felt that there were several good reasons why the Mitton site had not been included in the Pre-Submission JCS; high flood risk; poor air quality in Tewkesbury Town; the area was not well-served by public transport; services were not reasonably accessible or within walking distance; it was too remote to be sustainable and would result in urban sprawl; and the main transport route into Tewkesbury Town was via an inadequate roundabout. Furthermore, the site was actually in Wychavon District so, if it did go ahead, there was no guarantee that it would count towards Tewkesbury Borough housing numbers. He pointed out that the Fiddington site suffered from the same flooding issues; it was remote from existing services; and it would generate additional traffic on the A46 which was already extremely congested. A Member went on to explain that the recommendation for an additional strategic allocation at Fiddington concerned him the most. The Environment Agency's fluvial maps showed that this was already an area of high flood risk and it had been flooded in the past few weeks, furthermore, Tewkesbury Borough Council had a Supplementary Planning Document on flooding which was applicable to the site. It should be noted that Fiddington was a very small village of 19 or 20 houses so an additional 900 dwellings would completely change the local community. A Member raised concern that the Inspector had not gathered any evidence, or carried out any public consultation, for the Fiddington site, or any of the other additional sites put forward. Another Member concurred with these points and explained that she had a real concern that the Inspector had completely contradicted her previous statement that villages would not be targeted; in the case of Fiddington, she appeared to be targeting one very small village.
- 27.16 A Member noted that the Inspector had changed the allocation of houses within Churchdown and had removed the northern site on the basis that it was unsound whilst increasing the numbers on the southern site based on developer submissions. She raised concern that this had been done without any input from the community or local Members and, had this been done, she was confident that the preference would be for development in the north. The south area was more sensitive as it was the last part of the Green Belt between Cheltenham and Gloucester and was highly significant according to the JCS Green Belt survey. The Inspector's interim findings could potentially result in another 1,600 houses in Twigworth and 1,300 at Innsworth which would be built along a corridor and would further diminish the Green Belt. The additional houses would have been better placed on the north site as this was more sustainable and would bring community benefits. Another Member supported this view and indicated that the site access would be via the B4063 which was already gridlocked at rush hour and was used by Innsworth traffic, including heavy eight wheeled lorries from Innsworth Trading Estate and Business Park. She felt that the Inspector needed to be aware of the level of road damage from heavy vehicles and the need to carry out a traffic survey at peak times. A Member agreed with the points which had been made in respect of Churchdown and pointed out that the north Churchdown development would

include traffic arrangements to alleviate current congestion at the crossroads at the Hare and Hounds Public House.

- 27.17 In terms of Land at Shaw Green Lane, Prestbury (CPO22), a Member raised concern about the detrimental impact on the Conservation Area, listed buildings and the Area of Outstanding Natural Beauty, which the Inspector recognised to be an issue at Leckhampton but applied equally to Prestbury. With regard to the Ministry of Defence (MoD) site at Ashchurch, a Member noted that the Inspector had “doubts as to whether the brownfield part of the site will deliver this level of housing [2,325] within the plan period due to likely delays occurring mainly as a result of potential contamination and the re-location of MoD assets and personnel”. The Member indicated that his own research had shown that the MoD was able to decommission sites and relocate very quickly. In considering the Tewkesbury omission sites, the Inspector had found that there appeared to be only one site within the JCS area that was appropriate for strategic allocation and that was Fiddington; however, the Member found it hard to believe that there was only one site and the Inspector needed to explain why she felt the wrong decision had been made in omitting it. A Member felt that Twigworth had been removed from the original proposal for very good reasons and recent applications had been refused on many of the same planning grounds. The impact on the scale of Twigworth and the surrounding area was just one issue and the community would be unrecognisable as growth would be akin to that of a town. The site regularly experienced flooding, and was included in Tewkesbury Borough Council’s Supplementary Planning Document, and capacity on the highway network was already an issue with no improvements planned to address this. He could not understand how the Inspector could recommend the site given the lack of infrastructure and indicated that this was a view shared by the local Members representing Churchdown and Innsworth, particularly if the development at the south of Churchdown went ahead as favoured by the Inspector. He felt that it was important to keep in mind the things which had led to certain sites being promoted within the JCS and he pointed out the problem with removing a huge amount of Green Belt and valuable agricultural land in view of how important food production would be for future generations. He reiterated that there may not be a need to build anywhere near as many houses if migration became less of an issue. He considered that residents deserved the Council’s support in meeting Tewkesbury Borough’s own needs, rather than the needs of others, and preventing the decimation of rural communities. Another Member pointed out that climate change had not been addressed; river water around the Twigworth site was already a problem and the A38 was prone to flooding and could be closed for a week or more during times of flood. He questioned whether the Inspector had ever seen the catchment area for the River Severn as this would give a better idea of the extent of flooding issues within the Borough. In addition he pointed out that there had already been complaints regarding noise from the airport in the vicinity of the site. A Member felt it should be noted that Twigworth was not an urban extension as the community would be completely separate from Cheltenham and Gloucester and would therefore become a new town in itself. He reiterated the points which had already been made regarding the lack of consultation with the community and he felt that it was necessary to really engage with members of the public as they would be most directly affected by the proposals.
- 27.18 With regard to the Leckhampton strategic allocation, a Member wished to see a response to the Inspector based on three specific points. Firstly, the site had been defined as white land for a number of years and therefore was not designated for development. Secondly, a planning application had been permitted in the Tewkesbury part of the site following an appeal and had not been called in by the Secretary of State. Finally, the proposal to reduce the Cheltenham side of the site and remove it from the strategic allocation would lead to significant loss of infrastructure service benefits to the local community.

- 27.19 A Member indicated that many of her points had already been made, however, she seriously questioned whether additional sites were needed in the Tewkesbury Borough area, given the current economic situation, and this was something which she wished to ensure was put to the Inspector. A Member expressed the view that the Inspector had failed to fully understand the concerns regarding flooding, which was a source of great anxiety for local residents and had been reflected in the plan which had been produced. A Member noted that Officers intended to engage in further discussion with neighbouring authorities at Stroud and Wychavon regarding the omission sites at Hardwicke and Brookethorpe/Whaddon and Mitton respectively and, whilst she understood that there was a duty to co-operate, that did not mean that there had to be agreement and she sought clarification as to what would happen if they did not agree. The Planning Policy Manager advised that this would be a matter for the Inspector but the Inspector's findings would carry weight in terms of plan-making and for other sites outside of the area. If there was agreement, it was important that a decision was made as to how many houses would meet the need, and the vision and infrastructure, regarding the site at Mitton.
- 27.20 In terms of Section D – Reserves Sites Policy, set out at Pages No. 26-27 of Appendix A to the report, a Member questioned whether the Inspector had seriously considered all of the omission sites, which had been carefully assessed when the plan had been drawn up, before bringing in additional sites for which there was no appropriate process. A Member noted the Inspector's recommendation for a Reserve Site Policy to provide a mechanism to bring forward sites if needed in the later stages of the plan period. The Officer response set out that parts of Twigworth may be considered appropriate for reserve site status, or safeguarded land status, and the Member expressed the view that Twigworth should not be designated as safeguarded land.
- 27.21 With regard to Section E – Infrastructure, set out at Page No. 27 of Appendix A to the report, a Member indicated that a lot of the roads around the suggested sites were already heavily congested and he did not believe that Paragraphs 20 and 21, as drafted by the Officers, were sufficient to explain how traffic would affect those areas. A Member agreed that, if the plan went forward there would be a considerable impact on the A38, A4019, A46 and Junctions 9 and 10 of the M5 which needed to be highlighted to the Inspector again. In terms of other infrastructure, a Member was of the view that a secondary school would be required if the Twigworth and Innsworth/Churchdown sites proceeded. In respect of Section F – Trajectories, set out at Page No. 27 of Appendix A to the report, a Member felt that consideration needed to be given to phasing so that development was introduced over the 20 year plan period rather than being delivered all at once.
- 27.22 Having collated the comments made by Members during the debate, the Borough Solicitor read out the proposed response in relation to Sections A-F and minor

amendments were made as requested by Members. A Member expressed the view that it was not enough for a summary of comments simply to be 'passed' to the JCS Inspector and he proposed an amendment to the third part of the proposal to change the wording as follows: "a summary of comments made by Members at the Council meetings held by the JCS authorities be **passed submitted** to the JCS Inspector for consideration." This amendment was seconded and, upon being put to the vote, it was

RESOLVED That it be **AGREED** that:

- i) the Interim Report of the Inspector be **NOTED**;
- ii) 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 to the report and expressed through the June 2016 Council meetings on this report; and
- iii) a summary of comments made by Members at the Council meetings held by the JCS authorities be submitted to the JCS Inspector for consideration. [Copy of response from Tewkesbury Borough Council attached at Appendix 1].

CL.28 LEAD MEMBER PRESENTATION

28.1 The Mayor invited Councillor Mike Dean, Lead Member for Customer Focus, to make his presentation to the Council.

28.2 The Lead Member introduced his presentation and began by showing a short You Tube video by Mark Foden on 'The Future of Local Government'. The following key points were covered during the presentation:

- "Making the SIMPLE complicated is common place; Making the complicated SIMPLE requires creativity. Creativity is just a DIFFERENT WAY OF THINKING".
- Council Plan Value: Putting our customers first – Digital Priority: Digital services – developing excellent digital services, enabling our customers to get the information they need online.

Council Plan Value: Positive about working with others – Digital Priority: Joining up with our partners – using technology to tackle complex issues and working together seamlessly with our partners.

Council Plan Value: Value our employees – Digital Priority: Developing a digital workforce – giving staff the digital tools and skills required to deliver services effectively and efficiently.

These applied to all service areas.

- Tewkesbury Borough Council Heroes – Iain Stark, Programme Officer; Joe Cole, Web Application and Digital Developer; Matthew Reeve, ICT Operations Manager; Helen Langley, Customer Services Team Leader.

- New Corporate Website –

Current Website: not user friendly for mobile devices; costs around £65,500 to run over a five year period due to hosting fees and licences; 2014 Peer

Review feedback 'Community groups and the private sector found the Council's website difficult to navigate and clunky...'; over 900 pages to maintain.

New Website – Square Space: fully mobile responsive and will have a modern design; projected costs for hosting £150 per year; robust and secure; opportunity to revise information held on website; easier for staff to maintain; potential to make significant savings.

- ICT – New help desk and intranet; considering cloud storage; disaster recovery; payment security – ensure we are compliant; ICT replacement programme; look at legacy systems; new ICT Strategy.
- Customer Services – New Customer Care Strategy; Customer Care Standards; new complaints and Freedom of Information systems; service review; look at customer satisfaction.

Case for different way of thinking – Received a formal complaint handled by the Communications and Policy Manager; nature of the complaint meant it could have been dealt with by someone else; Communications and Policy Manager worked with partners to form a response rather than forwarding it on; cut out the time delays; end result – customer gave us a compliment.

- Equality and Diversity – Review our current Equality and Diversity Strategy; deliver our equalities agenda; create new objectives and actions; re-establish our Equalities Group.

28.3 In response to a Member query regarding cloud storage, the Lead Member provided assurance that the cloud was a very secure way of storing information; no data would be compromised and services would continue to have the same access to information.

28.4 The Mayor thanked the Lead Member for his informative presentation and accordingly it was

RESOLVED That the presentation from the Lead Member for Customer Focus be **NOTED**.

CL.29 OUTSIDE BODY MEMBERSHIP - SEVERN VALE HOUSING SOCIETY

29.1 Members were informed that Councillor Ron Allen had resigned as a representative of Severn Vale Housing Society. It had previously been agreed that the Lead Member for Health and Wellbeing should take his seat on the Board but, in these circumstances, it was for the Council to agree the appointment of a new representative.

29.2 A Member indicated that he was a representative on the Severn Vale Housing Society Board and had been involved in discussions with the Board and its Executive in relation to the interim Housing and Planning Bill, which had since become an Act of Parliament. The Act included a proposal that local authorities which had transferred their housing stock, such as Tewkesbury Borough Council, would no longer be able to appoint Members to the Board of the registered provider. Whilst the regulations had not yet been agreed, he proposed that no further appointments be made until such time as the implications of the Act became clear. The Member provided assurance that Severn Vale Housing Society was happy that its governance requirements were being met and he would retain his seat on the Board and report back where necessary. This proposal was seconded and the Mayor opened it up for debate. A Member queried what the composition of the Board was likely to be going forward and he was advised that this was currently unknown. The Deputy Chief Executive indicated that the regulations proposed to reduce local authority influence over registered providers by limiting or prohibiting the amount of representatives the local authority may appoint and it was likely that,

in future, the Board would be comprised of private individuals with particular skill sets. Upon being put to the vote, it was

RESOLVED That it be **AGREED** not to appoint a representative to replace Councillor Ron Allen on the Board of Severn Vale Housing until such time as the implications of the Housing and Planning Act 2016 became clear.

CL.30 SEPARATE BUSINESS

30.1 The Mayor proposed, and it was

RESOLVED That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12A of the Act.

CL.31 LEGAL PROCEEDINGS

(Exempt – Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

31.1 The Council considered an application seeking to bring proceedings against the Council and resolved to file a defence to enable the Court to hear from all parties and decide whether the case would proceed and, if so, on what grounds; and, in the event that the Court granted permission to bring proceedings, a further report be brought to the Council for a decision in the light of a detailed further assessment of the legal risks, prospects of success and likely cost implications.

The meeting closed at 9:35 pm

Appendix 1**Additional Comments Made by Members of Tewkesbury Borough Council at a Council Meeting on 28 June 2016 in Response to JCS Interim Findings**

Section A – Housing Numbers and Land Supply - Page No. 24
<i>In addition to points 1-3:</i>
Inspector should consider viable alternatives to Housing Needs Survey to address the hidden need – increasing the housing allocation by 5% will not deliver.
Housing numbers – expectation post-Brexit of less demand on housing.
Question evidence upon which Inspector has recommended economic uplift – as no evidence of economic upturn and consequently no uplift required on housing numbers.
Increasing housing numbers does not equate to increasing affordable dwellings.

Section B – Employment Land and Retail - Page No. 24
<i>In addition to points 4-6:</i>
Not all of the allocation should be site specific and there should be flexibility to allow for employment on other sites/areas.
Brexit – less economic growth – uplift only to be made if supported by evidence.

Section C – Strategic Allocations and Green Belt Removals - Pages No. 24-26
<i>In addition to points 7-15:</i>
Interim findings for Mitton/Fiddington misguided. Good reasons why not included in Pre-Submission JCS:
Mitton
<ul style="list-style-type: none"> - High flood risk. - Poor air quality. - Not well served by public transport. - Services not reasonably accessible/ in walking distance. - Not sustainable (too remote)/urban sprawl. - Main transport route into town via inadequate roundabout. - Site in Wychavon therefore no guarantee this will count towards Tewkesbury numbers.

Fiddington

- Flood risk. (Fluvial maps of Environment Agency show already high flood risk; flooded in the past few weeks; Tewkesbury Borough Council has a Supplementary Planning Document on flooding that is applicable to this site).
- Congestion A46 – sheer volume of additional traffic on a road that is already congested.
- Fiddington is a very small village so 900 houses would mean that the community would be completely changed which contradicts previous statement made by Inspector on villages not being targeted.

Churchdown:

- North site has been removed as unsound and southern site has been included based on developer submission without any community discussion/input.
- Northern site removed on Green Belt sensitivity grounds and yet the local community would prefer development in the north – south is more sensitive because it is the last part of the Green Belt between Cheltenham and Gloucester and highly significant according to the JCS Green Belt survey.
- The interim findings could potentially result in an additional 1,600 houses in Twigworth and 1,300 at Innsworth which would be built along a corridor and the Green Belt between Churchdown and Gloucester would be diminished.
- Development on the north side will bring community benefit and is sustainable therefore cannot understand why development on the south side is preferred.
- All houses will access the B4063 which is already gridlocked at rush hour and is used by Innsworth traffic including heavy eight wheeled lorries from Innsworth Trading Estate and Business Park.
- Inspector needs to be aware of the level of road damage from heavy vehicles and the need to carry out a traffic survey at rush hour/peak times.
- North Churchdown development would include traffic arrangements to alleviate current congestion at the crossroads by the Hare and Hounds Public House.

Prestbury and CPO22:

Concerned about the detrimental impact on the Conservation Area, Listed Buildings, Area of Outstanding Natural Beauty. The Inspector identifies this as an issue at Leckhampton but it applies equally to Prestbury.

MOD Ashchurch:

The scheduling of the MOD site appears to be based on the assumption that it will take a long time for the site to be cleared and the occupants to relocate, however, there is evidence at other sites across the country that the MOD is able to decommission sites and relocate quickly.

Twigworth

- Decimate the rural community.
- Flooding issues (included in Tewkesbury Borough Council's Supplementary Planning Document).
- Gridlocked traffic – capacity an issue, infrastructure improvements unlikely, road widening not possible.
- No longer a village – community would be unrecognisable.
- Climate change not addressed – need to consider that river water around Twigworth site is currently a problem, A38 floods and sometimes closed for a week or more; look at River Severn catchment area.
- Possible noise from airport as there are already complaints in this vicinity.
- Twigworth site not an urban extension but a new town.
- This is an omission site which needs an explanation as to why it has been included.

Leckhampton

- This site reserved for a long time as whiteland.
- Tewkesbury side has planning application approved and not called in by the Secretary of State.
- Cheltenham side – proposal to reduce and remove from strategic allocation would lead to significant loss of infrastructure service benefits to the local community.

General Points:

- Explanation needs to be given as to why it is reasonable to say that all sites within Tewkesbury cannot be for any of Tewkesbury Borough Council's need. Serious consideration needs to be given to other options to meet the need of other authorities such as South Gloucester and Cheltenham sites.
- Lack of consultation with the community and opportunity for communities to put forward their views. Proposals will desecrate communities and lead to gridlock.
- Lack of evidence in respect of recommended sites.
- Contrary to Tewkesbury Borough Council's decision not to include flood risk sites.
- No consideration of knock-on effects of flood risk to existing properties.
- Tewkesbury Borough does not need extra sites in its area.

Section D – Reserve Sites Policy, Local Green Space and Safeguarded Land - Pages No. 26-27

<i>In addition to points 16-19:</i>

Were all omission sites seriously considered before bringing in other sites for which there is no appropriate process.
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Twigworth should not be designated as safeguarded land.

Section E – Infrastructure - Page No. 27

<i>In addition to points 20-21:</i>

New sites and impact on infrastructure:

- | |
|---|
| <ul style="list-style-type: none"> - Transport – considerable impact on A38/A4019/A46/M5 Junction 10/Junction 9. These roads are already heavily congested. - Schools – particularly new secondary school required if Twigworth and Innsworth/Churchdown sites proceed. |
|---|

Section F – Trajectories - Page No. 27

<i>In addition to point 22:</i>

Consideration needs to be given to phasing.
