

**TO EACH MEMBER OF THE
COUNCIL**

22 June 2021

Dear Councillor

COUNCIL - TUESDAY 22 JUNE 2021

Further to the Agenda and papers for the above meeting, please find attached Member questions submitted in accordance with Council Procedure Rule 13.

The questions and answers will be taken as read without discussion, but the questioners will be allowed to ask a supplementary question arising directly from the questions or from the replies.

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

**Lin O'Brien
Head of Democratic Services**



Member questions submitted in accordance with Council Procedure Rule 13

The following question has been received from Councillor Cate Cody to the Lead Member for Built Environment. The answer is given by the Lead Member for Built Environment, Councillor Mel Gore, but is taken as read without discussion.

Specifically referring to Planning Application 21/00039/ENFB - Part Parcel 8917, Tewkesbury Road, Coombe Hill, Gloucester, planning permission was given to this application with the specific condition that ancient hedgerow was not to be removed.

Following the removal of the hedge, the council's response that the situation is disappointing - but that it has been satisfactorily appeased by the promise of planting a new hedge - surely misses the point.

Ancient hedges cannot simply be replaced by new - not only do these take years to establish, but the current wildlife is stripped of its habitat and quite often these hedges and trees are not watered or cared for properly and die anyway. In addition to the ecological damage, there is also the immorality and the avoidance of any sanction which set precedent for others to do the same elsewhere.

The approved plans indicate that the eastern hedgerow running parallel with the A38 was due to be altered in order to incorporate the new highway access and its visibility splays and the relocation of the existing north bound bus stop. Altered does not mean removed.

Question:

What is the point of planning permission and conditions associated with them if they can just be blatantly ignored?

Answer:

Where appropriate officers will seek the retention of trees and hedgerows on development sites through the application process although this is not always possible.

The approved plans for the development adjacent to the Swan public house indicated that the eastern hedgerow, running parallel with the A38, was due to be altered in order to incorporate the new highway access and its visibility splays and the relocation of the existing north bound bus stop. The County Archaeologist was consulted as part of the application and did not identify any ancient hedgerows on the site.

Given the proximity of the pre-existing hedgerow to the carriageway this could only realistically be achieved by removing the hedgerow. A replacement hedgerow will be secured through the approval of the landscaping plan – this new hedge will enjoy protection for at least 5 years following completion of the development.

The clearance of the site was overseen by a qualified ecologist. Officers were advised that vegetation and boundary hedgerows were thoroughly checked but no nesting birds were discovered. Other wildlife checks were also carried out.

The following questions have been received from Councillor Helen Munro to the Lead Member for Built Environment. The answers are given by the Lead Member for Built Environment, Councillor Mel Gore, but are taken as read without discussion.

Question 1:

At full Council in January 2020, an assurance was given that the planning scheme of delegation would be reviewed in 2020/21. At full Council In February 2021, in response to a question on when this review was to be scheduled, the minuted response was that this was not currently scheduled to be reviewed. Officers are asked to confirm that the review will be scheduled as per the assurance given at full Council in January 2020, the anticipated date for this review and what needs to happen for this review to take place.

Answer 1:

The email sent to all Members on 21 September 2020 by the Head of Development Services set out the position regarding the review of the Scheme of Delegation, which has yet to be progressed further. It is anticipated that the review will be included within the Development Services Service Plan for 2022/23. It is at that stage that the details and timeline for the review will be assessed and confirmed.

Question 2:

At the same meeting of full Council in January 2020, assurance was given to review the Statement of Community Involvement. It is understood that the brief for this work is finalised and that consultants are expected to be appointed by the end of July. Please can this be confirmed or, if the timetable has slipped, Members updated with the current position.

Answer 2:

The Planning Policy Team is on target to appoint consultants by the end of July, with consultation anticipated to commence in October followed by adoption of a revised Statement of Community Involvement in March 2022.

The following question has been received from Councillor Scott Thomson to the Lead Member for Built Environment. The answer is given by the Lead Member for Built Environment, Councillor Mel Gore, but is taken as read without discussion.

Across our borough, residents are concerned at the delays in delivering S106 infrastructure such as parks, cycle paths, sports facilities or community buildings. It's unacceptable for residents to have to wait so long for infrastructure given that a priority of this administration is to 'Support infrastructure and facilities delivery to enable sustainable communities'.

Question:

We would like to thank the Officers for the work they have put in place so far to ensure our communities receive the correct infrastructure but would like to ask the administration why they have allowed S106 project delivery, and the monitoring of S106 agreements, to slip so far behind and what steps the administration will take to ensure this is resolved.

Answer:

S106 agreements are legal commitments by developers, and Tewkesbury Borough Council works to ensure that developers deliver on their obligations within the planning and legal requirements. Where there are non-specific S106 sums for community facilities there is a clear procedure in place for expressions of interests from community groups to be considered by the Council. The most recent expressions of interest were considered in early June at this meeting three bids were considered and agreed.

Some of the S016 infrastructure requirements such as cycle paths are the responsibility of the County Council. The Council's Community Development Officers work closely with communities on the provision of community infrastructure, and we are very grateful to Parishes and communities for working with us on these issues.

In the last year, the Council employed a temporary resource to start moving across S106 agreements onto a new computer system. In recognition of the importance of S106 and its impact upon the communities across the Borough, the Council has allocated funds to employ a S106 Monitoring Officer. This role will shortly be advertised. The role will put improved processes in place regarding S106 monitoring. Once the system is up to date, it will also enable reports to be run providing information on the status of S106 for developments and access to these reports will be available to Borough Councillors for their particular wards.