

22 June 2020

Committee	Council
Date	Tuesday, 30 June 2020
Time of Meeting	6:00 pm

This is a remote meeting in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Members of the public will be able to view this meeting whilst it is in session by clicking on the link that will be available on the Agenda publication page immediately prior to the commencement of the meeting.

Agenda

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

- 3. MINUTES**

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To approve the Minutes of the meeting held on 18 February 2020.

- 4. ANNOUNCEMENTS**

To receive any announcements from the Chair of the Meeting and/or the Chief Executive.



5. ITEMS FROM MEMBERS OF THE PUBLIC

- a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.

(The deadline for public participation submissions for this meeting is 24 June 2020).

- b) To receive any petitions submitted under the Council's Petitions Scheme.

6. MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

To receive any questions submitted under Rule of Procedure 13. Any items received will be circulated on 30 June 2020.

(Any questions must be submitted in writing to Democratic Services by, not later than, 10.00am on the working day immediately preceding the date of the meeting).

7. CHURCHDOWN AND INNSWORTH NEIGHBOURHOOD DEVELOPMENT PLAN

12 - 118

To consider making the Churchdown and Innsworth Neighbourhood Development Plan part of the Development Plan for Tewkesbury Borough; and to delegate to the Head of Development Services, in agreement with the Parish Council acting as the Qualifying Body, the correction of any minor errors such as spelling, grammar, typographical or formatting errors that do not affect the substantive content of the plan.

8. COVID-19 EMERGENCY DECISIONS TAKEN UNDER URGENCY POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

119 - 157

To consider the urgent decisions taken during the COVID-19 pandemic.

9. CHANGES TO COMMITTEE MEMBERSHIP

In accordance with Rule of Procedure 2.1 the Borough Solicitor has exercised her delegated authority to approve the following changes to Committee Membership:

Councillor Gerrard has resigned from the Executive Committee (Lead Member for Organisational Development) and been replaced by Councillor Harwood.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded.

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 18 February 2020 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor G F Blackwell
Councillor A S Reece

and Councillors:

R A Bird, G J Bocking, C M Cody, K J Cromwell, M Dean, R D East, P A Godwin, M A Gore, D W Gray, D J Harwood, A Hollaway, M L Jordan, E J MacTiernan, J R Mason, H C McLain, P D McLain, H S Munro, J W Murphy, P W Ockelton, J K Smith, P E Smith, R J G Smith, C Softley, R J Stanley, P D Surman, M G Sztymiak, S Thomson, R J E Vines and M J Williams

CL.69 APOLOGIES FOR ABSENCE

69.1 Apologies for absence were received from Councillors J H Evetts, L A Gerrard, C Reid and P N Workman.

CL.70 DECLARATIONS OF INTEREST

70.1 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.

70.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
P W Ockelton	Item 7(a) – Budget 2020/21	Declaration made in accordance with Section 106 of the Local Government Finance Act 1992.	Would not speak or vote and would leave the meeting for the consideration of this item.
P W Ockelton	Item 9 – Council Tax 2020/21	Declaration made in accordance with Section 106 of the Local Government Finance Act 1992.	Would not speak or vote and would leave the meeting for the consideration of this item.

70.3 There were no further declarations made on this occasion.

CL.71 MINUTES

71.1 The Minutes of the meeting held on 28 January 2020, copies of which had been circulated, were approved as a correct record and signed by the Mayor, subject to an amendment to Minute No. CL.58.4 to clarify that Councillor Ockelton's supplementary question had requested a detailed trajectory, full list of housing sites, number of properties and timescale for delivery for the next two years not the next five years.

CL.72 ANNOUNCEMENTS

72.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

72.2 The Mayor welcomed the member of the public who was in attendance to ask a question, in accordance with the Council's public scheme of participation, at Agenda Item 5 – Items from Members of the Public.

CL.73 ITEMS FROM MEMBERS OF THE PUBLIC

73.1 A member of the public had used the Council's Scheme of Public Participation to ask a question of the relevant Lead Member. The Mayor invited the member of the public to address the Council and ask his questions and the Lead Member for Built Environment responded as follows:

Question

Does the Borough Council have a view on the recent Tewkesbury Town parking proposals made by the County Council's contracted consultants which will have a damaging effect on the viability of the Town Centre, and will the Council be making formal representations to the County in the light of the lack of clear and proper consultation and the overwhelming opposition of the majority of residents?

Answer

A key priority of our Tewkesbury Borough Council Plan is to support economic growth and to help improve prosperity for all our communities across the borough, including Tewkesbury Town Centre. We have instigated a number of actions to achieve this, in particular our successful bid for national funding to support Tewkesbury High Street, and we work with a variety of organisations to support the viability of the town centre.

Relevant Council officers have been kept fully informed of the progress of Gloucestershire County Council's on-street parking review, and we note its recent decision to suspend the consultation. As yet, Tewkesbury Borough Council has not determined a response to the consultation but will consider its position in light of Council policies should this consultation resume, or if new proposals are made.

The Borough Council currently has an off-street Parking Strategy Review Working Group to review its own strategy for the use of Borough Council run car parks, which provides an effective process to monitor and consider the ongoing situation and any future proposals made by the County Council

73.2 The Mayor thanked the member of the public for his participation and indicated that supplementary questions were not permitted but that he was welcome to watch the remainder of the meeting from the public gallery should he so wish.

CL.74 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

74.1 The following questions had been received from Councillor Munro to the Lead Member for Built Environment. The answers were given by the Lead Member for Built Environment, Councillor Gore, but were taken as read without discussion.

Question 1:

The County Council was asked, at its full Council meeting on 12 February, why it had not shared with this Council the change in the formula to calculate school places arising from new housing and why it had not worked with the Borough Council to identify potentially suitable sites.

The County Council advised that the need for a new school site had been shared with this Council, and through its responses to the local plan, and that it had been working with Borough Council officers to identify a suitable location.

This is not the understanding that Councillor Stanley and I have. The Council is asked to clarify the approaches it has had from the County Council with regard to school provision in Bishop's Cleeve and to detail the work it has done with the County Council to identify a suitable location.

Answer 1:

In regard to the issue of a need for the provision of a new school at Bishop's Cleeve, Officers from the County Council education team first confirmed this in a meeting held with Tewkesbury Borough Council Officers in October 2019. At the time of this first meeting the County Council was exploring potential provision on land at Cleeve School on Kayte Lane. However, discussions took place about the potential for the former Nortonham allotments site (owned by Gloucester Diocese) to be an alternative location as it had recently become available and was being promoted to the Borough Plan for residential development. The County Council resolved to discuss this matter with the Diocese and it is understood that this is still ongoing. Officers from the Borough Council have had ongoing discussions with both the Dioceses and the County Council to try and facilitate this.

Subsequent to the discussion in October 2019, the County Council formally submitted representations to the Tewkesbury Borough Plan in November 2019. These representations stated that the Nortonham allotments site (proposed for residential development under site BIS3) should instead be allocated for a mixed use development of a new primary school and housing.

It should be noted that, through the same consultation, the Diocese, via their preferred developer, submitted representations promoting the site for just residential development.

Borough Council Officers are continuing discussions regarding the Nortonham allotments/BIS3 leading up to the examination of the Borough Plan to try and find a mutually acceptable position in the regard to the provision of a school on this site.

Question 2:

At the last Council meeting, we agreed a motion to require this Council to work with the County Council, and any other interested party, to find a solution that works for everyone. The Council is asked what has happened since this meeting in relation to the proposed new school in Bishop's Cleeve?

Answer 2:

As Q1 above, Officers are continuing discussions around the Nortonham allotment sites with both the County Council and the Diocese.

Question 3:

The County Council has said it has objected to the inclusion of the former allotment site in Bishop's Cleeve as housing land in the draft local plan and recommended that it is reallocated for a mix of education and residential development. Please can an explanation for the process for this to happen be provided.

Answer 3:

As Q1 above, it is confirmed that the County Council has put forward that the proposed BIS3 site should be allocated for a mixed use development comprising a primary school and housing.

The next step for the Borough Plan is to submit it for independent examination which will be undertaken by a government appointed Inspector. The Inspector will consider all responses made to the Pre-Submission version of the plan in determining whether it is sound and Officers will, along with any other significant issues, raise this matter with them for consideration. The Inspector will recommend making modifications to the plan, where necessary, before it is adopted.

However, Officers are working to resolve this in advance of the examination and to reach an agreed position with the County Council and the Diocese to present to an Inspector. For this to happen it would need to be agreed that the site is the preferred option for a school from the County Council and that the Diocese are willing to make the land available for this use. The County Council and the Diocese would also need to reach agreement over the transfer of land to deliver this. These discussions are ongoing.

74.2 The Mayor invited supplementary questions. The Member asked the following and the answers were provided by the Head of Development Services:

Question:

Have any options other than the allotment site been considered? It was understood that the possibility of a land swap between the Diocese and the County Council had been discussed – has the Lead Member done anything to progress that swap?

Answer:

Other sites had been discussed and the Council would do everything it could within its remit to progress conversations to find a solution that worked for Bishop's Cleeve. There had been discussions about a land swap but this was in the very early stages and was the kind of thing that took time; however, Members would be involved in the discussions.

Question:

Did the Council know the timetable for the examination process and would the public be involved; if so, would there be speaking or merely listening opportunities for them?

Answer:

Once the plan was submitted the timetable was not in the Council's control. It was anticipated the examination would be held this side of the summer but that was up to the Planning Inspectorate. The examination would be held in public and there would be an opportunity for members of the public to participate; particularly if they had engaged in the Borough Plan process. Members would be kept apprised of the process as Officers became aware of the timetable.

CL.75 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE**Budget 2020/21**

- 75.1 At its meeting on 5 February 2020 the Executive Committee considered the 2020/21 budget and made a recommendation to Council.
- 75.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 14-28.
- 75.3 In proposing the recommendation, the Chair of the Executive Committee explained that this was the most important thing the Council did throughout the year and a lot of hard work went into putting together a balanced budget both from Officers and Members across the Council. The Lead Member for Finance and Asset Management seconded the recommendation from the Executive Committee and conveyed special thanks to the Head of Finance and Asset Management for the work he had put into ensuring the Council had a budget it considered acceptable.
- 75.4 During the brief discussion which ensued, a Member questioned what the £20,000 for the climate emergency would cover and he was advised that this was an ongoing commitment to help support work across the Borough. The Council was also considering putting in place a new post which would help it meet its climate emergency commitments; the £20,000 funding was meant to be a starting point in delivering this as a priority of the Council. Referring to the capital programme, and the provision of a new bridge in Ashchurch, a Member questioned whether any allowance had been made for cost overruns. In response, the Head of Finance and Asset Management advised that the project cost included a contingency of 12.5%; work was still ongoing but the consultants currently working on the project had indicated the funding available would be adequate.
- 75.5 The proposal was seconded and, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the proposal was recorded as follows:

For	Against	Abstain	Absent
R A Bird		H S Munro	C L J Carter
G F Blackwell		P E Smith	J H Evetts
G J Bocking		M G Sztymiak	L A Gerrard
C M Cody			D J Harwood
K J Cromwell			P W Ockelton
M Dean			C Reid
R D East			V D Smith
P A Godwin			S A T Stevens
M A Gore			P N Workman
D W Gray			
A Hollaway			
M L Jordan			

E J MacTiernan

J R Mason

H C McLain

P D McLain

J W Murphy

A S Reece

J K Smith

R J G Smith

C Softley

R J Stanley

P D Surman

S Thomson

R J E Vines

M J Williams

75.6 Accordingly, it was

- RESOLVED**
1. That a net budget of £8,956,607 for 2020/21 be **APPROVED**.
 2. That a Band D Council Tax of £124.36, an increase of £5.00 per annum, be **APPROVED**.
 3. That the use of New Homes Bonus, as proposed in Paragraph 3.5 of the report, be **AGREED**.
 4. That the addition of £183,965 to the capital programme to fund new ICT requirements, as outlined in Paragraph 9.5 of the report, be **AGREED**.
 5. That the Capital Programme, as proposed in Appendix A to the report, be **AGREED**.

CL.76 NOTICE OF MOTION - QUESTIONS FROM COUNCILLORS

76.1 The Worshipful the Mayor referred to the Notice of Motion set out on the Agenda and indicated that, in accordance with the Rules of Procedure, it was necessary for the Council firstly to decide whether it wished to debate and determine the Motion at this evening's meeting, or whether it wished to refer the Motion, without debate, to a Committee for consideration with authority either to make a decision on the matter or to bring a recommendation back to Council. Upon being put to the vote it was agreed that the Motion would be considered at the current meeting.

76.2 The Motion, as set out on the Agenda, was proposed and seconded:

‘That Council Procedure Rule No. 13.2 which currently reads:

A Councillor at a Council meeting may ask a written question of the Leader of the Council or relevant Lead Member. All questions must relate to a matter which concerns the Council’s powers or duties or affects the Borough.

The question must be submitted in writing to the Borough Solicitor by not later than 10.00am on the working day immediately preceding the date of the meeting.

The questions to be asked, and the replies to be given, will be printed and circulated to all Councillors at least 30 minutes before the start of the Council meeting. The Minutes of the meeting will incorporate the questions and answers and any supplementary questions and answers.

At the meeting, the Mayor will announce each question in turn.

The question and answer will be taken as read without discussion, but the questioner will be allowed to ask one supplementary question arising directly from the question or from the reply. A Councillor to whom a question has been put may, with the permission of the Mayor, ask someone else to answer it.’

be amended as follows:

‘A Councillor at a Council meeting may ask a written question of the Leader of the Council or relevant Lead Member. All questions must relate to a matter which concerns the Council’s powers or duties or affects the Borough.

The questions must be submitted in writing to the Borough Solicitor by no later than seven days clear working days prior to the date of the meeting.

The questions asked, and the replies to be given, will be emailed/printed and circulated to all Councillors at least twenty four hours before the start of the Council meeting. The Minutes of the meeting will incorporate the questions and answers and any supplementary questions and answers.

At the meeting, the Mayor will announce each question in turn.

The question and answer will be taken as read without discussion, but the questioner will be allowed to ask one supplementary question arising directly from the question or from the reply. A Councillor to whom a question has been put may, with the permission of the Mayor, ask someone else to answer it.

76.3 During the discussion which ensued, a Member advised that he fully supported questions being asked and answers being provided prior to the Council meeting and understood the sentiment that the answers should be available to Members twenty four hours prior to the Council meeting; however, he was of the view that it was unnecessary, and counter-productive, to ask Members to give seven clear working days’ notice of their question. He proposed an amendment to the Motion to change that to three clear working days’ notice as this meant the Agenda would have been published and Members would have time to consider their questions before the deadline for submission. The amendment was accepted by the proposer and seconder and accordingly the Mayor opened debate on the amended Motion.

76.4 A Member expressed the view that there was no need to change the Council’s longstanding practice in terms of questions from Councillors and that the Council’s Constitution should be amended in a properly considered way rather than in this ad-hoc manner. The proposer of the Motion indicated that, for reasons of openness, accountability and transparency, he felt Members needed time to fully prepare for questions to Council so that any supplementary questions were meaningful and well thought out and the Motion he had put forward would enable that.

76.5 Some Members expressed agreement that it would be helpful to have longer to consider the answers to questions and felt 24 hours would be a reasonable amount of time, whereas others felt the idea of formal questions to Council was outdated and unnecessary when Councillors could ask questions of Officers at any time. In summing up, the proposer of the Motion indicated that, whilst he agreed that the receipt of information from Officers was usually easy, the Questions to Council Rule of Procedure was the forum for asking questions that made Councillors accountable to the electorate, as such, he continued to believe it was a very important tool.

76.6 Upon the amended Motion being put to the vote, the Motion was lost and it was **RESOLVED** That the Motion not be agreed.

CL.77 COUNCIL TAX 2020/21

77.1 Having agreed the Council's 2020/21 budget earlier in the meeting, attention was drawn to a report, circulated separately, which asked Members to approve and set a Council Tax requirement for 2020/21.

77.2 The recommendation was proposed and seconded and, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting was recorded as follows:

For	Against	Abstain	Absent
R A Bird		H S Munro	C L J Carter
G F Blackwell		M G Sztymiak	J H Evetts
G J Bocking			L A Gerrard
C M Cody			P W Ockelton
K J Cromwell			C Reid
M Dean			V D Smith
R D East			S A T Stevens
P A Godwin			P N Workman
M A Gore			
D W Gray			
D J Harwood			
A Hollaway			
M L Jordan			
E J MacTiernan			
J R Mason			
H C McLain			

P D McLain

J W Murphy

A S Reece

J K Smith

P E Smith

R J G Smith

C Softley

R J Stanley

P D Surman

S Thomson

R J E Vines

M J Williams

77.3 Accordingly, it was

- RESOLVED**
1. That it be **NOTED** that, on 1 December 2019, the Council calculated:
 - a) the Council Tax Base 2020/21 for the whole Council area as £35,340.88 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended (the "Act")) and,
 - b) for dwellings in those parts of its area to which a Parish precept relates as attached to the report at Appendix C.
 2. That the Council Tax requirement calculated for the Council's own purposes for 2020/21 (excluding Parish precepts) is £4,394,992.
 3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 30 to 36 of the Act:
 - a. £37,056,789 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
 - b. £30,516,559 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - c. £6,540,230 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
 - d. £185.06 being the amount at 3(c) above (Item R), all divided by Item T(1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);

- e. £2,145,238 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix C to the report);
- f. £124.36 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
- g. the amounts stated in Column 5 (Band D Parish/Town and Borough b)) of Appendix B to the report are given by adding to the amount at 3(f) above the amounts of special items relating to dwellings in those parts of the Council's area specified in Column 1 of Appendix B in accordance with Section 34(3) of the Act. For completeness the table shows all areas; and
- h. the amount set out in Appendix B to the report given by multiplying the amounts at 3(g) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular Valuation Band divided by the number which, in that proportion, is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different Valuation Bands.
4. That it be **NOTED** that, for the year 2020/21, Gloucestershire County Council and the Office of the Police and Crime Commissioner for Gloucestershire have stated the following amounts in precepts issued to the Borough Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Gloucestershire County Council			Office of the Police and Crime Commissioner for Gloucestershire
	£			£
	ASC	General	Total	
A	79.06	817.82	896.88	171.50
B	92.24	954.12	1,046.36	200.08
C	105.41	1,090.43	1,195.84	228.67
D	118.59	1,226.73	1,345.32	257.25
E	144.94	1,499.34	1,644.28	314.42
F	171.30	1,771.94	1,943.24	371.58
G	197.65	2,044.55	2,242.20	428.75
H	237.18	2,453.46	2,690.64	514.50

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts, set out in Appendix B to the report, as the amounts of Council Tax for the year 2020/2021 for each of the categories of dwellings shown in Schedule 3.

6. The Council has determined that its relevant basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2020/21 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.

CL.78 CHANGES TO COMMITTEE MEMBERSHIP

78.1 The Mayor drew attention to the Agenda for the current meeting and, accordingly, it was

RESOLVED That, in accordance with Rule of Procedure 2.1, it was **NOTED** that the Borough Solicitor had exercised her delegated authority to approve the following changes to Committee Membership:

- Councillor P W Ockelton had resigned from the Overview and Scrutiny Committee and been replaced by Councillor S Thomson.
- Councillor S A T Stevens had resigned from the Planning Committee and been replaced by Councillor L A Gerrard.

CL.79 SEPARATE BUSINESS

79.1 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.80 SEPARATE MINUTES

80.1 The separate Minutes of the meeting held on 28 January 2020, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

The meeting closed at 6:40 pm

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	30 June 2020
Subject:	To decide whether the 'Churchdown and Innsworth Neighbourhood Development Plan' should be made part of the Development Plan for Tewkesbury Borough following the positive outcome in the referendum held on Thursday 12 March 2020.
Report of:	Planning Policy Manager
Corporate Lead:	Deputy Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	Two

Executive Summary:

Following the resolution of Executive Committee on 8 January 2020 a referendum relating to the adoption of the 'Churchdown and Innsworth Neighbourhood Development Plan' was held on Thursday 12 March 2020. The question, as required by Regulation 3 of the Neighbourhood Planning (Referendums) Regulations 2012 (as amended), asked in the Referendum was:

"Do you want Tewkesbury Borough Council to use the neighbourhood plan for the Churchdown and Innsworth Neighbourhood Planning Area to help it decide planning applications in the neighbourhood area?"

The results were as follows:

Yes = 1,680 (91.20%)

No = 155 (8.41%)

Turnout = 17.49%

All Neighbourhood Development Plans are required to gain a simple majority of those voting in favour at referendum in order to be 'made' (adopted) by the Local Planning Authority. If the plan receives a positive result then the Local Planning Authority has a legal duty to bring it into force unless they/we believe it would breach, or be otherwise incompatible with, EU or human rights obligations.

Recommendation:

- 1. That the 'Churchdown and Innsworth Neighbourhood Development Plan' is made part of the Development Plan for Tewkesbury Borough.**
- 2. That authority be delegated to the Head of Development Services, in agreement with the Parish Council acting as the Qualifying Body, to correct any minor errors such as spelling, grammar, typographical or formatting errors that do not affect the substantive content of the plan.**

Reasons for Recommendation:

1. The Churchdown and Innsworth Neighbourhood Development Plan exceeded the required majority of 50% plus one vote cast in the referendum held on 12 March 2020.
2. The Churchdown and Innsworth Neighbourhood Development Plan is considered compatible with European Union obligations and Human Rights conventions as required by Section 38A(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
3. Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) we therefore have a legal duty to 'make' the Churchdown and Innsworth Neighbourhood Development Plan.
4. The proposed delegation to the Head of Development Services, in agreement with the Qualifying Body, to undertake the correction of minor errors that do not affect the substantive content of the plan will allow any final corrections in production to be made to the policy document.

Resource Implications:

There are no additional resource implications arising from the adoption of the Churchdown and Innsworth Neighbourhood Development Plan.

Legal Implications:

Whilst Neighbourhood Planning is not a legal requirement for Towns, Parishes and other communities, it is a right which they can choose to exercise. Once exercised, Local Planning Authorities have a duty to support them and undertake elements of the work under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 as amended (2015) and associated legislation.

In this case, following a positive referendum result there is a legal duty, under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended), to 'make' a Neighbourhood Development Plan, providing we do not consider it incompatible with any European Union obligations or Human Rights conventions (within the meaning of the Human Rights Act 1998). In this regard the resolution to send the Churchdown and Innsworth Neighbourhood Development Plan to referendum determined that this was not the case and therefore there is a duty, under The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, to 'make' the plan within eight weeks from the date of the referendum.

Risk Management Implications:

As there is a legal requirement to bring the Churchdown and Innsworth Neighbourhood Development Plan into force within the eight week timescale required by The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 failure to adopt it could lead to costs associated with any legal challenge.

Performance Management Follow-up:

The Churchdown and Innsworth Neighbourhood Development Plan, once adopted, will form part of the Development Plan for the Borough and will be used when determining planning applications within the respective designated Neighbourhood Planning Area of Churchdown and Innsworth Parishes.

Environmental Implications:

The implications for biodiversity, habitats, energy usage, waste and recycling or protected species have been considered by the Qualifying Body as required by the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2010.

1.0 INTRODUCTION/BACKGROUND

- 1.1 The Churchdown and Innsworth Neighbourhood Area was designated by resolution of the Council's Executive Committee on 3 July 2013.
- 1.2 A submission version of the Churchdown and Innsworth Neighbourhood Development Plan (C&INPD) was accepted by the Council in April 2019, under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.3 Following submission of the Neighbourhood Development Plan to the local authority, Tewkesbury Borough Council publicised the plan and supporting documents and invited representations during the consultation period from Monday 24 June to Tuesday 27 August 2019.
- 1.4 The Council, with the agreement of the Qualifying Body, appointed an appropriately qualified person as independent examiner.
- 1.5 The Examination concluded in November 2019 with the submission of the Examiner's Report recommending that the Churchdown and Innsworth Neighbourhood Plan, once modified, should proceed to a referendum.
- 1.6 The examiner also recommended that the area for the referendum should not extend beyond the Neighbourhood Area to which the plan relates.
- 1.7 Having considered the examiner's recommendations and reasons for them, Tewkesbury Borough Council, in consultation with the Qualifying Body, decided at Executive Committee on 8 January 2020:
That the Churchdown and Innsworth Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, is formally approved to progress to Community Referendum, ascribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended.
- 1.8 On 12 March 2020, the Churchdown and Innsworth Neighbourhood Development Plan exceeded the required majority of 50% plus one vote cast in the referendum.

2.0 NEXT STEPS

- 2.1 The Council is required to publish a statement setting out its decision and the reason for making it.
- 2.2 Once 'made' the plan will form part of the statutory development plan for the Borough and will be used to assist in determining planning applications within the relevant designated Neighbourhood Area. The National Planning Policy Framework (NPPF), in Paragraph 12, states that: "Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

2.3 As soon as possible after the Council has resolved to make the plan the Council must publish the plan, details of when and where it can be inspected and notify any person who has asked to be notified that it has been made and where and when it can be inspected.

3.0 OTHER OPTIONS CONSIDERED

3.1 No other options have been considered as the development of Neighbourhood Development Plans is a statutory process.

4.0 CONSULTATION

4.1 Consultation has been undertaken in order to legally comply with the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended). In addition to public engagement throughout the process of preparing a Neighbourhood Development Plan, the Regulations require two statutory six-week periods of consultation:

Under Regulation 14 the Qualifying Body is required to consult on the proposed plan prior to submission to the Local Planning Authority.

Under Regulation 16 the Local Planning Authority is required to consult on plan proposals submitted prior to Independent Examination.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Tewkesbury Borough Council Plan 2020-2024.
Gloucester, Cheltenham & Tewkesbury Joint Core Strategy 2011-2031.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 The National Planning Policy Framework (2019).

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 See above.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

8.1 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and, in non-parished authority areas, neighbourhood forums can use neighbourhood planning to set planning policies to ensure that communities get the right types of development for their area within the overarching framework set by the local plan.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

9.1 The neighbourhood planning process requires evidence of involvement by hard to reach groups. This is a matter that the relevant, qualifying body preparing the plan has addressed and reported on to the Independent Examiner in their 'Consultation Statement', which is a requirement for examination alongside a 'Basic Conditions Statement' and 'Plan Proposal' which is submitted to us, as Local Planning Authority, according to Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, as amended.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 Decision to delegate to the Executive Committee the defining of a Neighbourhood Area – 29 January 2013.

10.2 Decision to delegate to the Executive Committee the authorisation for Neighbourhood Development Plans to go to Community Referendum – 20 September 2016.

Background Papers: None.

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Appendices: A. Churchdown and Innsworth Neighbourhood Development Plan.
B. Churchdown and Innsworth Neighbourhood Development Plan Referendum – Declaration of Result of Poll.



Churchdown and Innsworth Neighbourhood Plan 2018 - 2031



**Made
Version**



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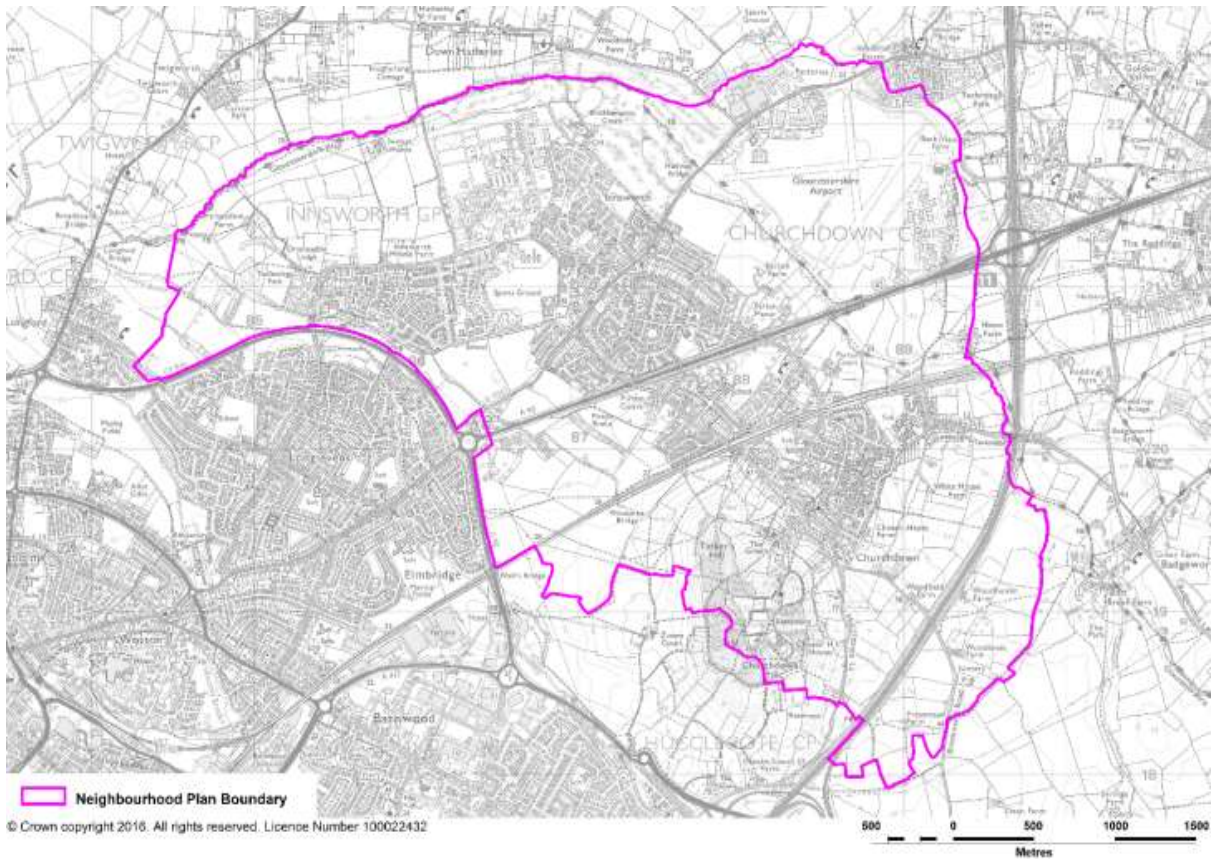
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1 INTRODUCTION

- 1.1 This document is the Neighbourhood Plan for the parishes of Churchdown and Innsworth. It represents one part of the development plan for this area over the period 2018 to 2031, the other parts being the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the Tewkesbury Borough Local Plan.
- 1.2 Tewkesbury Borough Council (TBC), as the local planning authority, designated a single Neighbourhood Area for the whole of the two parish areas of Churchdown and Innsworth in June 2013 to enable Churchdown and Innsworth Parish Councils to prepare the Neighbourhood Plan. It has been prepared by the community through the Churchdown and Innsworth Neighbourhood Plan Steering Group (CINPSG).
- 1.3 The map in Figure 1.1 below shows the boundary of the Neighbourhood Plan area, which reflects the administrative boundary of the two parishes.
- 1.4 The Churchdown and Innsworth Neighbourhood Plan has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012, as amended. The CINPSG has prepared the Neighbourhood Plan to establish some key objectives for the future of life in the parishes and to set out how those objectives will be realised through planning and guiding land use and development change over the plan period 2018 to 2031.
- 1.5 The purpose of the Neighbourhood Plan is to guide development within both parishes and provide guidance to any interested parties wishing to submit planning applications for development within the parishes. The process of producing the Neighbourhood Plan has sought to involve the community as widely as possible and the different topic areas are reflective of matters that are of considerable importance to Churchdown and Innsworth's residents, businesses and community groups.
- 1.6 Each section of the Neighbourhood Plan covers a different topic. The local context is provided in Section 2 and the objectives of the Neighbourhood Plan in Section 3. Sections 4 to 7 then provide the various policies:
- Section 4: Built Environment and Design
 - Section 5: Community Infrastructure
 - Section 6: Natural Environment
 - Section 7: Movement of People
- 1.7 Under each heading in these sections there is the justification for the policies presented which provides the necessary understanding of the policy and what it is seeking to achieve. The policies themselves are presented in the coloured boxes in Sections 4 to 7. It is these policies against which planning applications will be assessed. It is advisable that, in order to understand the full context for any individual policy, it is read in conjunction with the supporting text.
- 1.8 The Neighbourhood Plan is accompanied by a Policies Map, shown in Section 9 at the end of the document.

Figure 1.1: Churchdown and Innsworth Neighbourhood Plan area



Source: Ordnance Survey licence no. 100022432

National policy

1.9 The National Planning Policy Framework (NPPF) states:

“Neighbourhood planning gives communities direct power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies (para 29).

Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently (para 30).

Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development (para.125).”

1.10 Further guidance on the practical application of these matters is provided in national Planning Practice Guidance (PPG).

Consultation

- 1.11 Below is a summary of all consultation activities undertaken by the CINPSG.
- 1.12 In February 2013 Churchdown Parish Council, in consultation with Innsworth Parish Council, made the application to designate the Neighbourhood Plan area, consisting of the whole of the Parishes of Churchdown and Innsworth. The public were kept informed of the progress of the application through the local community magazine and the press.
- 1.13 In January 2014 a leaflet explaining the Neighbourhood Plan process and inviting residents to an informational meeting at the GL3 Community Hub (conveniently situated for residents of both parishes) was delivered to all households and businesses in Churchdown and Innsworth. The meeting was held on 6th February 2014 and attended by approximately 50 people. Volunteers from both parishes came forward to serve on a Steering Group which met for the first time on 25th February 2014.
- 1.14 The Steering Group then conducted a widespread community engagement exercise from 8th May to 20th August 2014, after which a review was carried out, and it was then extended to 26th September to ensure that all gaps were plugged. The engagement included the following elements: displays and boxes for comments at key locations throughout both Parishes, attendance at community events by Steering Group Members, availability of a questionnaire on the website for public to submit comments, talks at meetings of local groups, schools and sheltered housing complexes. A great effort was made to make the engagement comprehensive, so that it reached all sectors of society and all ages. Posters were put up throughout the area, and banners outside key locations, e.g. the Library. The questionnaire used throughout was a simple one, which asked just three questions – ‘what do you like about Churchdown and Innsworth?’; ‘what don’t you like?’; and ‘what would you like to see?’ It was well received by the public, although it was found that talking to people face to face resulted in much better engagement than by using the website. Over 1,100 questionnaires were completed, which were analysed and a report produced.



Consultation event, August 2014

- 1.15 The Steering Group then formed five theme groups: Community Infrastructure, Children and Young People, Built Environment, Natural Environment & Movement of People. Each Theme Group studied the Community Engagement responses relevant to their Theme and went on to carry out further consultation using a variety of methods. For example, for Built Environment a document was produced illustrating different housing styles and asking residents, young and old, to say which ones they liked or didn't like and why. For Children and Young People, similarly, large posters were drawn up showing different types of play equipment and, again, asking which they preferred and the reasons for this. The Theme Groups carried

out this work over the period December 2014 to May 2015, at the end of which they produced summaries of key points. From these summaries the draft Plan policies were produced.



Consultation on Built Environment with children from Parton Manor Junior School, March 2015

2 LOCAL CONTEXT

Profile of the Churchdown and Innsworth community today

Local infrastructure

- 2.1 Churchdown is a relatively large Parish, located in a semi-rural environment; close to the city of Gloucester but surrounded on three sides by open countryside. Churchdown borders Imjin Barracks and the parish of Innsworth to the north west.



View of Churchdown from Chosen (Churchdown) Hill

- 2.2 The Parish is unusual in having two centres. The older (Brookfield or "village") centre is in Church Road near St Andrew's Church; the more modern centre is in St John's Avenue near St John's Church. Each centre has a parade of shops, and there are additional supermarkets on Parton Road and Cheltenham Road East. The Parish Council offices are located in mid-Churchdown between the two centres.



Churchdown Parish Council Offices

2.3 Churchdown is well provided for in terms of variety of shops and facilities - doctors' surgery, dentist, chiropodist, pharmacist, optician, hairdressers, newsagents, library, Post Office, residential care home and sheltered housing, funeral director, day nursery, petrol station, three public houses, restaurants with take-away, fish and chip shop and coffee shops, three supermarkets, and veterinary practices. In addition, the community is home to the Gloucestershire Airport, a sizeable industrial estate and a number of car dealerships.

2.4 The previous premises of the doctors' surgery had long been recognised by local residents as inadequate for the population it served. A brand new, state-of-the-art surgery on Old Parton Road was opened in early 2018. The surgery lies approximately between the two centres of Churchdown, St Johns Avenue and Blacksmith Lane. Public transport is provided by an hourly service from Cheltenham and Gloucester, dropping off a short walk away in Parton Road. It also has excellent parking facilities. There is a pharmacy adjacent to the surgery premises



New Churchdown Surgery, Old Parton Road

2.5 The Jet Age Museum located adjacent to Gloucestershire Airport is a major tourist attraction and the Airport itself is the ninth busiest general aviation airport in the country.



Gloucestershire Airport at night

2.6 St Bartholomew's Church on the top of Chosen (Churchdown) Hill is a Grade I listed building and an important landmark in the Parish.



St Bartholomew's Church on Chosen (Churchdown) Hill

- 2.7 There is a burial ground on top of Chosen (Churchdown) Hill, which is much admired for the beauty of the location, but which is running out of space, particularly for full interments. Churchdown Parish Council has been looking for more burial land for some time, but without success.
- 2.8 In addition there are a number of community centres - Churchdown Community Centre, the GL3 Community Hub and the Churchdown Club, plus a Scout hut, rugby club with bar, and five churches (four of which have church halls). The Parish Council offices are located in Churchdown Park.



Churchdown Community Centre, Parton Road

- 2.9 The GL3 Community Hub was taken over by a local charity of the same name on a community asset transfer from Gloucestershire County Council and has a sports hall for community use. It runs both junior and senior youth clubs.



GL3 Community Hub, Cheltenham Road East

- 2.10 There are several schools - one primary, two infant and two junior, along with two large secondary schools. There are sports halls available for public use at the senior schools, but no dedicated leisure centre. There is a longstanding wish of the residents for a swimming pool, but it is recognised that the latter is difficult to achieve.
- 2.11 There are a total of eight parks/play areas, varying in size, two allotment sites (both of which have waiting lists) and various sports pitches for football, rugby, rounders (informal) and cricket. There is an outdoor gym at Tudor Mead Park. The Churchdown Club provides facilities for bowling and tennis.



Allotments, Churchdown Park

- 2.12 The facilities for the Cricket Club are recognised to be inadequate, as the pitch is of poor quality (as judged by the local league), and the pavilion consists of changing rooms, with limited social facilities. It is a longstanding ambition of the Club to have a club house with a bar and which can serve as a focal point for the community, as is found in many villages.
- 2.13 Evidence from community engagement shows that the parks are a strength of Churchdown and much appreciated by residents, young and old, for recreation, play and dog walking. Children and young people have given very clear and strong views as to the type of play areas which they would like to see in new developments, ie, larger parks with exciting and challenging play equipment.



Overview of Churchdown Park during ponds construction, showing field, MUGA, skatepark

2.14 The most popular park is Churchdown Park which has been very well developed and maintained by the Parish Council and provides a play area, pocket wood, allotments, state of the art skatepark, multi-use games area (MUGA), dirt jump track, football pitches, nature reserve, community orchard and ponds complex/nature area. It is used for educational activities and community events and serves as a focus in a community which lacks a 'town centre'. Churchdown Park has won a number of awards:

- Action for Market Towns South Winner, Environment & Culture category 2012 - the Re-creation of Churchdown Park' (primarily for the skatepark);
- Campaign for the Protection of Rural England (CPRE) Gloucestershire 2013 "for creating and managing a new landscape feature of wildlife ponds and reed beds completing an outstanding example of a comprehensive range of amenities for local people in Churchdown"; and
- Gloucestershire Playing Fields Association winner of large playground of the year, 2013.



Camp Imjin personnel doing pond planting

2.15 It is considered that this park could serve as an exemplar for development of new parks in the neighbourhood plan area.



Water lilies in Churchdown Park Ponds



Broad bodied chaser at Churchdown Park Ponds



Day in the Park, 2013



Churchdown Park Play Area

- 2.16 The National Cycle Network Route NCN41 runs through the parish and is much enjoyed by residents and visitors alike, particularly for getting to work in Cheltenham or Gloucester, and for trips to the Airport to watch the planes and visit the pub there.



Public Right of Way – Glevum Way and National Cycle track NCN 41 through Churchdown Park

- 2.17 There are many public rights of way (PROWs) which are enjoyed by residents and visitors, and walking is clearly an important leisure activity for many people.



PROW through Chapel Hay Rec and a leafy path/wildlife corridor PROW by Golf Course: credit Ann Smith

- 2.18 Innsworth is a smaller parish with its own identity but with fewer facilities. Innsworth, like Churchdown, is split into two halves - the military housing side which ends at the junction of Ward Avenue and Swallow Crescent, and also Thompson Way again with Swallow Crescent.
- 2.19 It contains Imjin Barracks, the home of HQ of the Allied Rapid Reaction Corps (ARRC). This has some sports facilities and allotments for the use of military personnel. If the public want to use the facilities they must seek permission and pre-book and sign in to the Camp, which deters easy use. Additionally, permission for the public to use the facilities can be withdrawn at any time. There is also a play area open to all at Tandey Walk and a field at Roberts Road with sports pitches and a pavilion, and which the public use for walking, though again permission can be withdrawn for this.



Entrance to Imjin Barracks, Innsworth Lane

- 2.20 Innsworth has a parade of shops at Kestrel Parade, including newsagent, hairdresser and takeaway, and a former NAAFI shop on Innsworth Lane.



Innsworth – shops at Kestrel Parade

- 2.21 Innsworth has a community hall with a good size sports hall and a play area at Rookery Road. The Parish Council has an office at the Hall.



Innsworth Community Hall, Rookery Road

- 2.22 The settlement also has an infant school, a junior school and day nurseries as well as a community building belonging to Imjin Barracks.
- 2.23 There is a Technology Park which is an important source of employment, though there is some concern about access by heavy lorries on Innsworth Lane.
- 2.24 There are some who feel that Innsworth is something of a 'poor relation' to Churchdown due to the lack of facilities. Innsworth does not have a church, burial ground, pub, allotments, large park, community football pitches (other than at the schools) or a wide range of shops and services. A planned development at land on Drymeadow Lane is at least an opportunity to attempt to address this situation.
- 2.25 Interest has been expressed in having a combined 'Innsworth with Churchdown' Cricket Club with changing rooms, bar and function room. This may be most appropriately provided in Innsworth due to the lack of a public house in the parish.

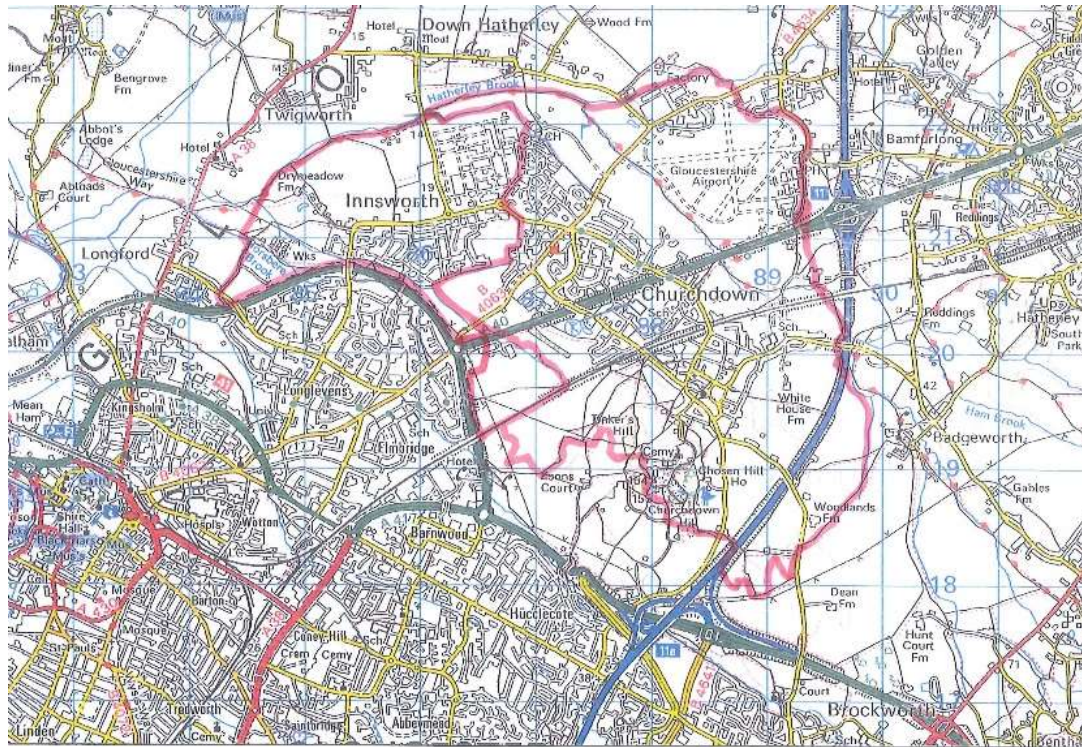
- 2.26 Residents of Innsworth enjoy having countryside nearby and use the public rights of way extensively for recreation.



Innsworth countryside characterised by flat open fields and historic perry pear trees

- 2.27 It is clear that residents of both parishes value the respective identities of their villages and the community feel which they want to be maintained. Their separation from Cheltenham and Gloucester is an important part of this. This is shown in Figure 2.1 below.

Figure 2.1: Map showing separation of Churchdown and Innsworth from Cheltenham and Gloucester



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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Environment

- 2.28 The natural environment is a defining characteristic of the Churchdown and Innsworth area. Residents of both parishes cherish the peace and tranquillity provided by the green setting, as well as the opportunities it provides for recreation and learning, accessible and close to where people live and work.



Mature historic hedgerow, B4063 (Cheltenham Road East) offers screening from traffic and wildlife habitat, green corridor and visual amenity

- 2.29 Chosen Hill (also known as Churchdown Hill) rises above Churchdown and is the site of an 11.5 hectare nature reserve. The Hill commands good views over the scarp and the Severn Vale and there is a network of paths for walkers. Covered reservoirs were constructed on the Hill in the 1940s and 1950s, and there is an Iron Age fort known as Churchdown Hill Camp below the main reservoir.



View from Chosen (Churchdown) Hill. Credit: Ann Smith

- 2.30 Innsworth is the location of a Site of Special Scientific Interest (SSSI). The site is one of a very small number of unimproved neutral grasslands remaining in the Severn Vale. The vegetation is a good example of old ridge and furrow grassland traditionally managed for hay with aftermath grazing. There is a good range of grass and herb species.

- 2.31 The brooks form an important feature of the natural environment, adding to ecological diversity, and interest for walkers, particularly as public rights of way often run alongside.



Norman's Brook runs along Brickhampton Golf Course and into Innsworth – an important habitat for character species such as water voles

- 2.32 Both parishes lie less than one kilometre away from the boundary of the National Landscape Area of the Severn Vale. The latter's Strategic Nature Area is characterised by a 'flat pastoral landscape of the Severn floodplain', which includes grazing marsh and wet grassland. Old orchards also form a strong part of the traditional landscape character of the area. The nearby Twigworth and Maisemore Strategic Nature Areas (SNAs) have targets for the management, restoration and creation of a number of English List Priority Habitats, including meadows, orchards, ponds and reedbeds.
- 2.33 The natural environment is a particularly strong theme of the Neighbourhood Plan. The Natural Environment Green Infrastructure Plan 2016 was prepared by the Gloucestershire Wildlife Trust ('Wild Service') to inform the preparation of the Neighbourhood Plan. Residents of all ages have expressed great pleasure in having access to countryside and open spaces. They clearly value 'greenness', want to be able to see wildlife, and consider this part of the character of the area, which they want to be maintained. New development should take account of this.



View up to Chosen (Churchdown) Hill. Credit: Ann Smith

2.34 Some of the natural environment consists of small sites and green features, such as individual veteran trees providing homes for wildlife, and remaining pockets of traditional orchards and ponds which are a special habitat which were once abundant in Churchdown and Innsworth. These are still visible in place names, such as Parton Farm and Pirton Brake which are names indicating the importance of perry trees and perry orchards historically. Orchards and ponds have historically been a defining characteristic of the Neighbourhood Area and help to give character and distinctiveness to the locality.



Relic orchard Parton Manor. Credit: Ann Smith



Churchdown Perry pears at Home Farm Credit: Ann Smith

2.35 The Natural Environment section of the Neighbourhood Plan goes into more detail about the ways in which these landscape features – orchards and ponds – can be integrated into new development in the area to reflect and strengthen the local built and natural heritage.



Fruity hedge, Churchdown. Credit: Ann Smith



Churchdown Park ponds. Credit: water21.org.uk

2.36 The natural environment in Churchdown and Innsworth is also characterised by a number of strategically important sites which are important for both wildlife and people. Innsworth Meadow SSSI is a site protected from development because of its value to wildlife, and the Neighbourhood Plan sets out how development plans in this part of Innsworth represent an opportunity to enhance this important site of ecological value.



*Veteran horse chestnut tree, Chosen (Churchdown) Hill.
Credit: Ann Smith*



*View of Chosen (Churchdown) Hill from John Daniels Playing Field.
Credit: Ann Smith*

- 2.37 Other sites which provide a home to nature, which are also accessible to people for recreation and learning are highlighted in the Neighbourhood Plan, including Chosen (Churchdown) Hill and Churchdown Hill Meadows, and Churchdown Park with its award-winning pond complex and community orchard.
- 2.38 Other large sites include the wildlife corridors, Norman's and Hatherley Brooks (with unimproved grassland alongside), within Gloucestershire Airport and within Brickhampton Golf Course.



Grassland and meadow by brook, Gloucestershire Airport. Credit: Ann Smith

Local planning policy

- 2.39 The key planning policies are provided by the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) 2011 to 2031 (adopted in 2017) and some 'saved' policies of the Tewkesbury Borough Local Plan to 2011 (adopted in 2006).
- 2.40 In particular, the JCS allocates land at Innsworth and South Churchdown for development. Whilst a Neighbourhood Plan cannot determine 'strategic' planning policy, it can influence the detailed 'local' matters and it is many of these matters that the Neighbourhood Plan policies are seeking to address through the development of both strategic sites. This offers a significant opportunity to address many of the issues raised by the community regarding life in Churchdown and Innsworth, and so the intention is to use the Neighbourhood Plan to achieve this.
- 2.41 There are a number of policies in the JCS which are of direct relevance to the Neighbourhood Plan, because the Neighbourhood Plan needs to be in general conformity with them. These are:
- Policy SD3: Sustainable Design and Construction
 - Policy SD4: Design Requirements
 - Policy SD5: Green Belt
 - Policy SD6: Landscape
 - Policy SD8: Historic Environment
 - Policy SD9: Biodiversity and Geodiversity
 - Policy SD15: Health and Environmental Quality
 - Policy INF1: Transport Network
 - Policy INF2: Flood Risk Management
 - Policy INF3: Green Infrastructure
 - Policy INF4: Social and Community Infrastructure
 - Policy INF6: Infrastructure Delivery
 - Policy INF7: Developer Contributions
 - Policy SA1: Strategic Allocations Policy
 - Policy A1: Innsworth and Twigworth
 - Policy A2: South Churchdown

3 NEIGHBOURHOOD PLAN OBJECTIVES

Challenges for Churchdown and Innsworth

- 3.1 The Neighbourhood Plan seeks to address, as far as is possible, the challenges that face the communities of Churchdown and Innsworth. In summary these challenges are:
- Ensuring that strategic developments identified in the JCS at Innsworth and South Churchdown are integrated into the existing communities of Churchdown and Innsworth so that they do not function as separate places.
 - Ensuring that the strategic developments do not look and feel like ‘bolt-ons’ to the existing community by embracing the best examples of local design and layout.
 - Recognising that alternatives to the private car as a means of travel need to be provided for and their use encouraged. In particular, this relates to cycling and walking.
 - Ensure that the growth in population arising from new development does not put an unacceptable strain on existing community infrastructure; instead, new development should, where necessary, contribute to the expansion of community infrastructure to address needs.
 - Protect the significant biodiversity assets in the parishes, provide new green and blue infrastructure and provide new accessible green space for the growing population.
- 3.2 Many of these challenges have been brought into focus by the number of strategic developments that will come forward over the plan period. These strategic developments have been identified in the JCS and consist of:
- Land at Innsworth – to include approximately 1,300 residential units and 9.1 hectares of employment land
 - Land at South Churchdown – to include approximately 1,100 residential units and 17.4 hectares of employment land

Vision

- 3.3 The following overarching vision has been developed for Churchdown and Innsworth over the next 13 years:

‘In 2031, the parishes of Churchdown and Innsworth will be a prosperous area with excellent amenities for all ages and with a distinctive green character defined by its orchards and water features. It will value its community, its business and retail capabilities, and community events, providing people with a supportive and sustainable environment where people can live, work, rest and play. Pedestrians and cyclists will feel safe and traffic will be managed to minimise its impact. There will be a range of jobs and housing to support and maximise choices for residents, and excellent public services across education, healthcare and leisure for all residents. The green and blue environment will continue to be protected, cherished and enhanced as the area is recognised for the quality of its natural and built environment and its distinctiveness from Gloucester and Cheltenham.’



Parton Manor, Churchdown, c 1900, showing distinctive orchardscape and pondscape

Aims and Objectives

- 3.4 The objectives of the Neighbourhood Plan as identified through engagement with the community are as follows:

Built Environment and Design
<p>Aims: <i>'A mix of well-designed and well laid out development that is integrated into the settlement of Churchdown and Innsworth in a way that minimises the impact on the natural environment' and provides new habitat for wildlife.'</i></p>
<p>Objective: To ensure that Churchdown and Innsworth remain distinct settlements, separated physically and visually from one another and visually from Gloucester and Cheltenham through well designed and landscaped green infrastructure.</p> <p>Objective: To create comfortable residential environments, that improve community well-being and enhance the quality of the urban and rural environment they sit within.</p> <p>Objective: To integrate specific measures within the design and layout of the built environment to support wildlife and to provide opportunities for it to thrive.</p>

Community Infrastructure
<p>Aims: <i>'A cohesive community consisting of well connected neighbourhoods having a range of leisure and social facilities for all ages, making best use of the area's qualities and the energy of the community, ensuring that children can choose to walk safely to school, shops and other community facilities and providing easily accessible, good quality green spaces as a priority, the green spaces to be equipped with high quality equipment and facilities which truly meet the needs of users, especially children and young people.'</i></p>
<p>Objective: To maximise leisure opportunities for all ages by identifying what is needed and where.</p>

- Objective:** To ensure easy access for pedestrians and cyclists to leisure facilities.
- Objective:** To identify mechanisms for delivering new and improved facilities in appropriate locations to meet demand and to ensure that delivery is carried out in accordance with stated needs.
- Objective:** To ensure high quality broadband connectivity for all residents, businesses and community uses.

Natural Environment

Aims: *'A high quality natural environment with a built character that protects and enhances the natural landscape and multi-benefit green and blue spaces which support people and wildlife'*

- Objective:** To protect and enhance key views.
- Objective:** To improve public access to neighbourhood level natural green and blue spaces, and the wider countryside.
- Objective:** To protect and enhance natural assets within the urban and rural environment, from the individual building scale up to the landscape scale, and to create new and imaginative green and blue habitats to foster greater ecological diversity and reflect the landscape character and local distinctiveness of the Severn Vale
- Objective:** To reinstate old ponds and create new ponds and pond complexes.
- Objective:** To provide a blue environment which maximises the opportunities for habitat creation and enhancement, flood alleviation, recreation and community use.
- Objective:** To protect and enhance locally distinctive habitats including orchards, particularly Perry Pear Orchards, and ponds for ecological value and natural water management.
- Objective:** To ensure adequate flood mitigation (fluvial and surface water) measures are in place.
- Objective:** To incorporate a wide range of orchard habitats from the individual fruit tree to fruity streets, pocket orchards, community orchards and working orchards for fruit production.
- Objective:** To protect veteran trees within new development sites by incorporating these landscape icons into existing and new public open spaces and green infrastructure, for both wildlife and amenity benefits.
- Objective:** To promote connectivity between habitats by creating wildlife corridors and protecting existing hedgerows for the enhancement of biodiversity.
- Objective:** To provide for character species of fauna and flora including, but not limited to: water voles, dragonflies, bats, yellowhammers, house sparrows, swifts, local varieties of orchard fruits.

Movement

Aims: *'A community which is accessible and safe for walking and cycling, has good public transport and a safe and efficiently functioning road network'*

- Objective:** To ensure the new development supports the vision by providing cycling and walking connectivity to the existing network and the existing settlement
- Objective:** To promote walking, cycling and public transport as first choice modes for all residents and to ensure that the infrastructure and services supporting these modes are in place.

Objective: Develop a circular footpath/cycle track in the Churchdown and Innsworth area to improve movement and for the general enjoyment and wellbeing of the community.

Objective: To ensure new development adequately mitigates highway issues at key junctions.

4 BUILT ENVIRONMENT AND DESIGN

- 4.1 Given the amount of growth and change that they will bring, ensuring that the strategic developments identified in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) are integrated into the existing community is vital. Whilst Churchdown and Innsworth will change, it is important that the new residents are able to feel part of the local community and that the developments at Innsworth and South Churchdown do not function as separate places.
- 4.2 Churchdown and Innsworth each have a distinct character, shaped by their respective histories. Over recent years there has been a range of development, some which has been successful and well received, whilst some has been recognised as of poor quality or failing to integrate successfully into the existing community because of its design and lack of connectivity to the rest of the settlement and/or between developments built in phases. It will be important that development of the strategic allocations addresses this.



Padlocked fence, a jarring element, Apple Tree Close/Highgrove Estate, Churchdown



Lack of connectivity between Southfield and Westfield developments, Churchdown – the opportunity was lost here to make a path between the two developments

- 4.3 There are a number of important aspects that should shape development coming forward, including the strategic developments:
- Layout
 - Appearance
 - Landscaping and Environment
 - Connectivity between developments built in phases.
- 4.4 Policy SD10 of the JCS requires residential development to,

“...achieve the maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.”

Layout

- 4.5 Many new estates experience problems with parking, resulting in on-street parking which is a potential hazard for pedestrians attempting to cross the street, particularly at junctions. It also impedes traffic flow and detracts from the appearance of the area.



Examples of parking problems, Rookery Road, Innsworth:

In the left-hand picture, the verge has been badly damaged and stone laid by householder to try to make a parking surface, which spoils the grass verge and detracts from street scene.

In the right-hand picture, the grass verge has been removed and laid to stone, which is untidy. The car has been forced to park on the footpath due to the narrowness of the road, which could create a hazard on the bend.

- 4.6 This would be avoided if sufficient space were allocated to allow vehicles to park on land attached to the house, or allocated parking bays were provided in parking courts or courtyards. Alternatively, providing some on street parking perpendicular to the road would be an efficient way of providing parking spaces and would also widen the street vista.



Examples of good design for parking: Housing adjacent to Prince of Wales Sports Stadium, Cheltenham

- 4.7 Garages which are remote from the houses are to be avoided as they can become unkempt and detract from the street scene and become a site for fly tipping.



Swallow Crescent garages, Innsworth – fly tipping



Garages, Westover Court, Churchdown



Dilapidated garages at Swallow Crescent, Innsworth



Graffiti on garages at Swallow Crescent, Innsworth

4.8 In the images below, the Manor Farm development is an example of where parking has been provided perpendicular to the houses, which does widen the street scene, but the slabs are unattractive (as shown in the right hand photo of the Highgrove Estate, Churchdown), therefore care must be taken to provide proper hardstanding but with good landscaping.



Parking Bays to front of houses, with good landscaping, Manor Farm, Up Hatherley, Cheltenham



Parking bay framed by trees, Manor Farm, Up Hatherley, Cheltenham



A good example of a concealed, rear parking courtyard with brick feature, Highgrove Estate, Churchdown



Highgrove Estate, Churchdown (good space provision for cars but inadequate hardstanding materials)

4.9 In order to minimise the impact of on-street parking on pedestrian safety and to maximise the potential of what is traditionally ‘inactive’ space, development is encouraged is to integrate street parking with green infrastructure and water drainage systems. The ‘Green Streets’ concept is a stormwater management approach that incorporates vegetation and engineered systems (e.g., permeable pavements) to slow, filter, and cleanse stormwater runoff from impervious surfaces (e.g. streets). Green streets are designed to capture rainwater at its source, where rain falls. This differs from a traditional street which is designed to direct stormwater runoff from impervious surfaces into storm sewer systems (gutters, drains, pipes) that discharge directly into surface waters, rivers, and streams.



EXISTING



OPPORTUNITY



IMPLEMENTATION

Examples of permeable paving (credit: EPA: A Conceptual Guide to Effective Green Streets)

POLICY CHIN1: PARKING TO SUPPORT RESIDENTIAL DEVELOPMENT

A. For new residential developments (Use Class C3), the following parking standards for the provision of off-road parking should be achieved where possible:

- 1-bed dwelling 1 off-road car parking space
- 2-bed dwelling 2 off-road car parking spaces
- 3-bed dwelling 2 off-road car parking spaces
- 4-bed dwelling 3 off-road car parking spaces
- 5+ bed dwelling 4 off-road car parking spaces

B. Parking provision should be well designed, contribute to a high-quality environment and not contribute to cluttered and unsafe streets. Parking should be provided on-plot in the first instance and where this is not possible, on specifically allocated parking bays. Parking spaces should be designed to take into account of the size of modern cars and use permeable surface materials.

C. For major developments (as defined in the NPPF), the provision of off plot visitor parking at a ratio of 0.25 space per dwelling is encouraged.

D. The design of on-street parking is encouraged to follow the 'Green Streets' concept to integrate street parking with green infrastructure and water drainage.

Appearance

- 4.10 Good design can make the difference between a high quality and successful development and a mediocre or unsuccessful one. Development at any scale and location should make a positive contribution to providing better places for people. The quality of the local environment can also play a crucial role in the economic success of an area.
- 4.11 The existing community identified various matters which they felt were important in ensuring that the strategic developments provide good quality development and feel part of Churchdown and Innsworth. In particular, there were concerns that many less successful examples of local developments and those elsewhere were overly dense and felt cramped. This relates not only to the proximity of the individual properties but also the way streets are laid out and how green and public open spaces are interspersed. Often, whilst the development is not considered to be dense based on the total number of dwellings per hectare, a poor layout makes them feel dense.
- 4.12 Two particular estates were identified by the existing community that were felt to represent examples of good practice in housing design and layout, which had resulted in the creation of a more positive community feel. These are:
- The Highgrove estate of approximately 700 dwellings, located off Highgrove Way, together with the adjacent Tudor Close of approximately 70 dwellings.
 - The estate located to the south of the Churchdown Community Centre.
- 4.13 Character Area Assessments have been prepared for each estate¹. Whilst development proposals may not necessarily be located near to these Character Areas, development is still expected to demonstrate how it

¹ These are contained in the *Churchdown and Innsworth Character Area – Good Practice – Assessment Guide*.

will incorporate the aspects of this character which will help to ensure that new development is in keeping with the best examples of development in Churchdown and Innsworth.

- 4.14 One particular issue of importance regarding residential development on greenfield sites is the importance, where possible, of retaining and using natural features to delineate properties.
- 4.15 In addition to these areas that show good character and should inform development across the Neighbourhood Area, engagement with the community identified further features which were considered to represent good design.
- 4.16 Residents prefer developments with modelled facades, for example projecting single/two storey bays and porches, together with a mix of materials – brick (including variegated brick), render and timber boarding, for example. Timber boarding is present in some old buildings (see Appendix A – old elm boarding) and use of this in new build would be a locally distinctive design feature.



Rustic farmhouse style with mix of materials The Green, Churchdown



Modelled façade on modern house, Parton Road, Churchdown

- 4.17 Residents did not like flat fronted houses, tall and narrow houses, the chalet style, ‘60’s boxes’ and terraced housing, and also did not like “modern style” community buildings with barrelled or flat roofs.
- 4.18 It is important to take into account the design and character of existing dwellings when developing adjacent land, to avoid incongruity.



Chalet style houses are visually unappealing against the background of a large rectangular block of flats, Rookery Road, Innsworth

- 4.19 Provision should be made for wheelie bins so that they can be placed in a concealed area as they are detrimental to the street scene.
- 4.20 These matters are further articulated in Appendix A.

POLICY CHIN2: LAYOUT AND APPEARANCE OF RESIDENTIAL DEVELOPMENT

- A. Proposals for new development or the redevelopment of existing buildings should contribute towards the local distinctiveness of Churchdown and Innsworth. They should demonstrate high quality, sustainable and inclusive design and architecture that respects and responds positively to the best examples of the Neighbourhood Area’s character, as described in the Churchdown and Innsworth Character Area – Good Practice – Assessment Guide.**
- B. New development is also encouraged to integrate positively received local design features and avoid negatively received local design features, as shown in Appendix A.**
- C. New development should use existing natural features to define the boundaries between properties and on the edge of the site.**

Landscaping and Environment

- 4.21 An important part of any development is its setting. Green spaces, verges, trees and mixed hedgerows creating colour variation are part of the character of Churchdown and Innsworth.
- 4.22 Soft edges to footpaths and permeable surfacing could help to provide a more natural boundary between public areas and private space. In addition, the application of open front boundaries creates a good impression of space, where the back of the pavement meets a lawn, for example.



Open front boundaries are low maintenance, and present open, uncluttered appearance, Chaffinch Close, Innsworth



Picket fences give crowded appearance, Falcon Close, Innsworth

- 4.23 Rear and side boundaries adjacent to public space should be formed from robust materials such as brick, rather than timber fencing which is both easily damaged and can look weather worn within a short space of time.
- 4.24 As well as the protection of existing orchards, the creation of new orchards is seen by the community as an important way to retain arguably the most iconic historical biodiversity asset within the Neighbourhood Plan area. Within this context the creation of new orchards is seen as an important part of the strategic scale of growth that is planned for the area.

- 4.25 The creation of new orchards is supported by the Joint Core Strategy (Policy SD9).
- 4.26 The communities of Churchdown and Innsworth regard the proposed strategic allocation sites as opportunities to create new community orchards. Historically, orchards have been located throughout the Neighbourhood Plan area, for example at Parton Farm, Parton Manor, Parton Court, Home Farm, Brockworth Road and Innsworth Lane.



Newly planted espalier fruit trees at award winning Applewood development, Cashes Green, Stroud



Use of fruit cordons/espaliers to form a boundary (Days Cottage)



Espalier design features: Credit Sue Gibson

- 4.27 Local distinctiveness could be enhanced by using orchard fruit trees throughout larger scale development. Use of these trees could be integrated into the landscape design, including boundary treatments. Careful selection of suitable species and varieties is important and advice should be sought from Gloucestershire Orchard Trust. The Applewood development at Cashes Green, Stroud serves as an exemplar for this approach.
- 4.28 These matters are further articulated in Appendix B.

POLICY CHIN3: ENVIRONMENTAL CONSIDERATIONS IN THE DESIGN OF RESIDENTIAL DEVELOPMENT

- A. New residential development proposals should demonstrate how they retain and, where possible enhance, the environmental setting of Churchdown and Innsworth. Proposals should include a range of green features appropriate to the size and scale of the development - in particular, the provision of green spaces, verges, trees and hedgerows and orchard planting such as fruity streets, espaliers, forage trails, pocket orchards and community orchards.**
- B. Where possible Green corridor connections should be made between existing and new orchards and to other green infrastructure.**
- C. Boundary treatments are particularly important to the setting of development. Residential proposals should include details of boundary treatments and other means of enclosure and demonstrate how the boundaries between properties and public space will enhance the environmental setting. Boundary treatments must be appropriate to ensure they are long lasting**
- D. The use of soft edges to footpaths and permeable surfacing will be strongly supported.**

5 COMMUNITY INFRASTRUCTURE

- 5.1 Over time, the growth in infrastructure has not kept pace with the growth in population of Churchdown and Innsworth. This particularly applies to community infrastructure. The Parish Councils have been successful at delivering new community infrastructure that has been needed, the most striking example of which is Churchdown Park. This has won a number of awards for its large play area, skatepark and its pond scheme, as documented in Section 2.
- 5.2 Additionally, the local community have been very successful in providing community centres with meeting rooms and large halls for social events/sporting use, ie, Churchdown Community Centre, Innsworth Community Hall and GL3 Community Hub (the latter having been transferred to charitable ownership from the County Council on a community asset transfer).
- 5.3 However, the strategic scale of growth planned for the area means that a considerable amount of new infrastructure also needs to be provided. This includes in particular sports facilities, public green spaces and play facilities.

Sports facilities

- 5.4 Engagement with local sports clubs as part of the Neighbourhood Plan has shown that there is a need for more football pitches for youth football and additional cricket pitches for adult and youth cricket.
- 5.5 The existing outdoor sports pitches in the Neighbourhood Plan area are particularly well used, especially for cricket. Churchdown Cricket Club has a shortage of space at the John Daniels Playing Field to be able to accommodate the players that it has. The pitch has been given a poor rating by the local league. The Club reports that many local cricketers have no choice but to play at clubs outside the local area. Additionally, the Pavilion does not have a bar or social facilities, which is a major drawback for the Club which seeks to develop and improve its facilities. There is no room to expand the Pavilion at the John Daniels Playing Field and the car parking is also very limited there. A new facility with bar and function room is needed. An ideal location for this would be on the strategic allocation at Innsworth as this would bring together the two parishes and serve as a focal point in the community of Innsworth, which does not have a pub. An alternative may be to enlarge John Daniels Playing Field which is adjacent to the South Churchdown strategic allocation.



Pavilion, John Daniels Playing Field

- 5.6 Such a facility could be shared with the local football clubs – Churchdown Panthers (youth) and Churchdown Parish FC (adults) – representing a year-round facility. In particular, Churchdown Panthers is a very successful youth football club and is growing. It has a shortage of pitches to meet the increasing

demand for youth football. Increasingly the club is finding it difficult to manage fixtures for a range of youth ages (which require different sized pitches as children get older).

- 5.7 The strategic developments represent one possible opportunity to address this need, whilst recognising that such provision must address the needs arising from growth. In this regard it may be more appropriate, where possible, to integrate new facilities alongside existing provision. The JCS Infrastructure Delivery Plan² identified a need for between 6 and 8 playing pitches³ (for football, rugby, hockey and cricket) over the plan period to 2031 to address the additional needs.

POLICY CHIN4: PROVISION OF LEISURE FACILITIES

- A. Proposals to provide new leisure facilities to serve the community of Churchdown and Innsworth will be strongly supported. These proposals must be of a scale commensurate with the site and its surroundings, particularly in terms of the built form, traffic generation and parking.**
- B. In particular, the provision of the following will be strongly supported:**
 - i. new football pitches to appropriate playing standards; and**
 - ii. improvements to existing cricket pitches, new cricket pitches and provision of supporting facilities, including changing rooms, a pavilion, bar and function room.**
- C. The location of the new facilities must be generally accessible by foot/bicycle and within or adjacent to the existing built up area of Churchdown and Innsworth.**
- D. Such provision as part of the strategic allocations will be strongly supported.**

Play facilities

- 5.8 The needs of children and young people were very clearly expressed in the community engagement. They stated a strong preference for large parks with exciting and challenging play equipment, eg, large multi-play units, large climbing frames and zip wires, along with space to run around. The children wanted variety, to be able to use their imagination and pieces of equipment large enough to use with many friends at the same time. The overall favourite park was Churchdown Park (which is large, and has many different areas/features, including a play area, a pocket wood – “the forest” - a MUGA, a skatepark, dirt jumps, a football field and ponds area/nature areas). Therefore small play areas with very limited range of play equipment suitable only for very young children should be avoided as children clearly get bored with them very quickly and they are inadequate for their needs. Suggestions for facilities at a large park included a MUGA, football pitches, running track, and tennis courts.

- 5.9 Children and young people further expressed an interest in nature, wildlife and animals, and an interest in water play. They stated a liking for the ponds at Churchdown Park and a desire for an aquarium, beaches, ponds and a lake. This could be provided by having a large pond/small lake as part of any new park provision. The Innsworth and Twigworth strategic allocation (A1) would be an ideal location for such provision.

² Arup (2014) *JCS Infrastructure Delivery Plan*, for Gloucester City Council, Cheltenham Borough Council & Tewkesbury Borough Council

³ Table 40 of JCS Infrastructure Delivery Plan report

- 5.10 Churchdown is well provided for in terms of other play areas and parks: Chapel Hay Recreation Ground at the “top” end of the village, St John’s Play Area on the St John’s estate in mid Churchdown, John Daniels Playing Field which has a play area, Zinnia Close Play Area on the Coriander Drive estate and Tudor Mead Park (including a play area and gym equipment) on the Highgrove estate. Churchdown Parish Council has done an excellent job of providing and maintaining these areas, Additionally, there is a play area and mini football field at Oakhurst Close in mid Churchdown close to the A40 which has been transferred to the ownership of Churchdown Parish Council (from the Borough Council).
- 5.11 However it is clear that Churchdown Park is the favourite, due to the variety and range of its facilities.
- 5.12 Innsworth has limited play space, so the new development is an excellent opportunity to provide new play space and to create a local park which can be a focal point for recreation in the same way that Churchdown Park is for Churchdown.



Rookery Road Play Area, Innsworth Road

- 5.13 The play equipment at Rookery Road in Innsworth comprises basketball net and hardstanding, small MUGA, baby swings, multiplay unit, nest swing, slide, balancing beam and small climbing frame. Equipment for under 4 year olds was added in 2018, consisting of a pirate ship and other play items.
- 5.14 The equipment is in fair condition and is well used but the play area is small (approximately 1,600m²) and cramped and there is no room for informal games. It is a play area only, rather than being a proper park for leisure and recreation such as walking. Similarly, there is a play area at Luke Lane with multiplay units, swings and mini football field (a total of approximately 2,000m²) but again there is no area for general recreation and leisure.



Play Area and mini football pitch, Luke Lane

- 5.15 Another play area is located at Shamrock Close. This is in poor condition and is not well located, being to the rear of houses, not well overlooked and lacking a sense of security and safety. Churchdown Parish Council has taken over this play area from Tewkesbury Borough Council and has begun a programme of improvement.

- 5.16 Dog walking is tolerated on the MOD sports field at Roberts Road, but this does not fulfil the need for a community park for Innsworth which provides a range of leisure opportunities, is owned and managed by the community and serves as a focal point within the settlement.
- 5.17 The strategic developments represent one possible opportunity to address this need, whilst recognising that such provision must address the needs arising from growth. In this regard it may be more appropriate, where possible, to integrate new facilities alongside existing provision. The JCS Infrastructure Delivery Plan⁴ identified a need for between 1.3ha and 1.6ha⁵ of play space over the plan period to 2031 to address the additional needs.
- 5.18 Evidence from the success of the Churchdown Park play facilities is that this is better provided with a smaller number of larger play areas, e.g. Neighbourhood Equipped Areas for Play (NEAPs) which serve all needs rather than small Local Areas for Play (LAPs) that only serve a limited age range.
- 5.19 It is considered that the provision of a NEAP at each of the strategic allocations would be the best way of addressing play needs. The best way of addressing this at the strategic allocation at South Churchdown would be to extend the existing play areas at John Daniels Playing Field and Oakhurst Close to provide a wider range of larger, more exciting play equipment to complement the smaller, more local play equipment which is there at present.
- 5.20 There is a stated desire from young people of Innsworth for a place to ride their bikes, but not necessarily a BMX track. Any such provision would be most appropriately provided as part of the strategic allocation at Innsworth as there is no other available space elsewhere in Innsworth and this would serve to improve provision for young people in the area. Further consultation should be done with children and young people to define the requirement.
- 5.21 The community engagement throughout the neighbourhood area demonstrated the popularity of the skatepark at Churchdown Park and requests were made for further provision, particularly for riding of scooters. It is suggested that any new provision for skating/skateboarding should not be a replication of the facility of Churchdown Park, but should be complementary to it, such as a street-skating area.

POLICY CHIN5: PROVISION OF PLAY FACILITIES

- A. Proposals to provide additional play facilities to serve the community of Churchdown and Innsworth will be strongly supported.**
- B. To support the play needs of the new population, provision of Neighbourhood Equipped Areas for Play (NEAPs) is encouraged. This could be new provision or an extension to existing play provision at John Daniels Playing Field and Oakhurst Close. Provision will be expected to demonstrate that it provides a wide range of play equipment which addresses the needs of children of all ages.**
- C. To support the needs of older children, the provision of infrastructure to support wheeled sports (such as BMX track/dirt jumps and a scooter/skate park) is encouraged. Such provision should ideally be located close to any existing or new NEAP provision identified in CHIN5(B).**
- D. The provision of a large pond or small lake for the enjoyment of the community on any of the strategic allocations will be supported.**

⁴ Arup (2014) *JCS Infrastructure Delivery Plan*, for Gloucester City Council, Cheltenham Borough Council & Tewkesbury Borough Council

⁵ Table 45 of JCS Infrastructure Delivery Plan report

Local Green Spaces

5.22 Under the NPPF, Neighbourhood Plans have the opportunity to designate Local Green Spaces which are of particular importance to the local community. This will afford protection from development other than in very special circumstances. Paragraph 100 of the NPPF says that Local Green Spaces should only be designated where the green space is:

- *"in reasonably close proximity to the community it serves;*
- *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *local in character and is not an extensive tract of land."*

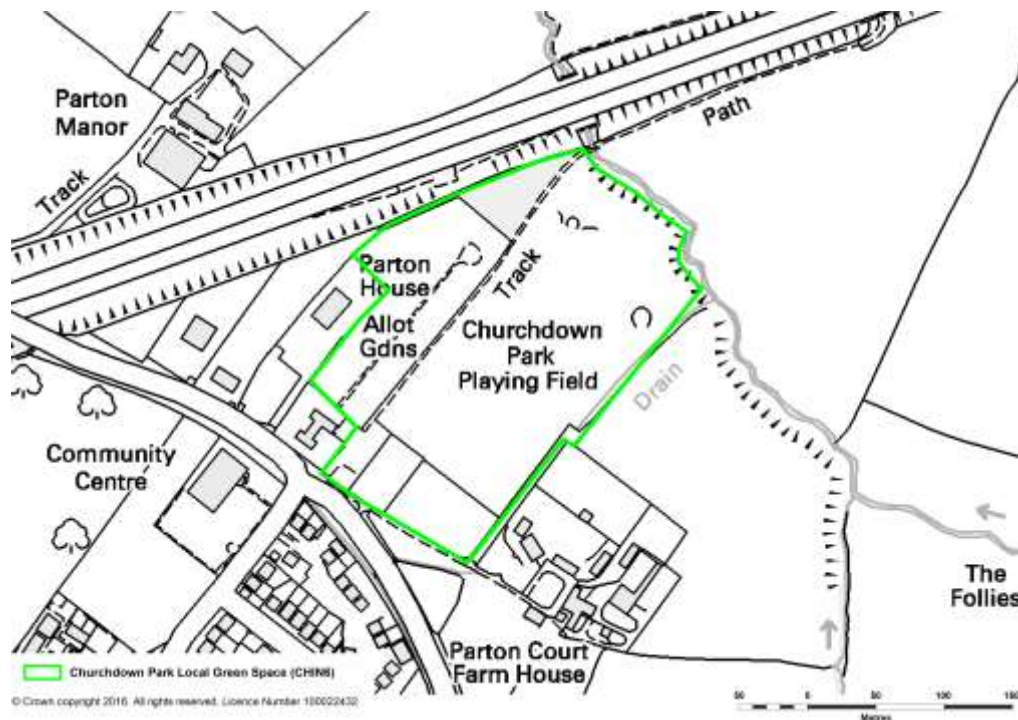
5.23 Churchdown Park is considered to meet these criteria. The Park is located in mid Churchdown close to areas of housing and the Community Centre and the new Medical Centre and is easily accessible from the old village and Cheltenham Road East end, plus from Pirton Lane via Meads Alley.

5.24 It is demonstrably special due to the variety and quality of facilities – the MUGA, state of the art skatepark, large play area, pocket wood, football pitches with changing facilities, dirt jumps, ponds area, nature reserve, allotments, tree plantations and community orchard. Additionally, it has won a number of awards as summarised in Section 2.



5.25 The Park is local in character and is used mainly by residents, though the skatepark attracts users from afar. It is not extensive, being just over 3.5 hectares.

Figure 5.1: Map showing extent of Churchdown Park



5.26 Only limited development on these designations will be permitted in order to enhance their function. An example could include improvements to changing room facilities at sports pitches or enhancement of a play area. In making a judgement on what constitutes 'limited' development, the expectation is that the amount of built development should only take up a small minority of the land area and that it should be ancillary to the function of the local green space in question.

POLICY CHIN6: PROTECTION OF CHURCHDOWN PARK LOCAL GREEN SPACE
 Churchdown Park, as shown on the Policies Map, is designated as a Local Green Space. Proposals for built development on Churchdown Park will only be permitted in very special circumstances.

Community facilities

Burial space

5.27 There is an existing burial ground on Chosen (Churchdown) Hill which is available for residents of both Churchdown and Innsworth, but which has limited space and it is estimated that it will be full in terms of full interments in about 15 years. There are local churches: one has an old churchyard with limited space and only serves part of Churchdown (and not Innsworth); the other only has a memorial garden and does not have an area for full interments. The growing population means that new burial space is vital and its provision as part of any of the strategic allocations will be strongly supported.

Allotments

- 5.28 Churchdown has two allotment sites with a total of 130 allotments (not all full size) and has a waiting list of 5 people as of April 2018. This is despite all allotment spaces that become available being halved in size in order to cope with demand. In turn this has resulted in allotment holders stating that the allotments are not large enough. Again, the growing population means there will be additional need for allotments and their provision as part of each of the strategic allocations is required.

POLICY CHIN7: PROVISION OF COMMUNITY FACILITIES

Provision of the following community facilities will be strongly supported:

- Burial space.
- Allotments and community growing spaces.

All strategic allocations will be expected to make provision for allotments.

Communications

- 5.29 The modern economy is changing and increasingly needs good communications infrastructure as a basic requirement. Increasing numbers of people are working from home, with many being self-employed. Commonly this will be in service activities that simply require access to a computer and a broadband connection.
- 5.30 The area is already served by superfast broadband, provided by Virgin Media. However, many properties are not yet able to receive it and additional funding is needed to address this. Many in the community that are not yet connected to superfast broadband have reported poor broadband speeds. This a fundamental constraint to the continuing expansion of self-employed activity for those working from home or from a small office.
- 5.31 Whilst BT has an obligation to provide a landline to every household in the UK and developers are expected to want to facilitate high speed broadband provision otherwise their developments will be substantially less marketable, there have been instances where developers have not contacted Next Generation Access (NGA) Network providers early enough in the process for fibre and ducting to be laid, or they have a national agreement with a cable provider that is not active in the area, leaving new housing developments with little or no connections.
- 5.32 The Fastershire project was established as a partnership between Gloucestershire County Council and Herefordshire Council to overcome the market's failure to provide high speed broadband in hard to reach areas of both counties. It uses funding from a range of local, central and European government funding sources to match private sector funds and deliver the infrastructure required to increase the availability of high speed broadband. The project has developed a strategy to increase the availability of fast broadband across the two counties. Whilst this project will help to speed up provision, it is important that developers work with the appropriate providers to ensure superfast broadband connections are provided to all types of new development.
- 5.33 'Connectivity Statements' are to be encouraged when planning applications are submitted for new developments, including but not limited to commercial, retail and residential premises. Connectivity Statements can address such matters as:
- the intended land use and the anticipated connectivity requirements of the development;
 - known nearby data networks and their anticipated speed;
 - realistic assessments of connection potential or contribution to any such networks.
- 5.34 Wherever possible and desirable, additional ducting should be provided that also contributes to a local access network for the whole community. All ducting installations should comply with the current relevant best practice
- 5.35 Policy CHIN8 seeks to ensure that all new housing, community and commercial development in the neighbourhood area is connected to superfast broadband. This supports the recognition in JCS Policy INF6 that broadband is a key part of the infrastructure network which is required to support new development.

POLICY CHIN8: BROADBAND CONNECTIVITY

- A. All new residential, commercial and community properties within the Neighbourhood Plan area should be served by a superfast broadband (fibre optic) connection. This should be installed on an open-access basis with the realistic future-proof upgrade capability.
- B. The only exception will be where it can be demonstrated, through consultation with NGA Network providers, that this would not be either possible, practical or economically viable. In such circumstances sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date on an open access basis.
- C. Applicants are encouraged to demonstrate how matters relating to broadband connectivity for new development – particularly residential, commercial and community properties – will be addressed through the use of Connectivity Statements.

6 NATURAL ENVIRONMENT

- 6.1 Residents of Churchdown and Innsworth value its rural, village feel, and appreciate access to the surrounding countryside which is characteristic of this area of the Severn Vale. The main concern of the community is for the protection and enhancement of existing green and blue spaces, including accessible natural green spaces important for active lifestyles and quality of life, and terrestrial and water-based habitats which are important for Churchdown and Innsworth's distinctive flora and fauna. Connectivity between sites of ecological value, using green corridors, enhances the multi-benefits for wildlife and enhances public access through the provision of active travel routes, which in turn enhances the benefits for human health and wellbeing.
- 6.2 Much of the importance of the natural environment to local residents stems from the fact that the area has a particularly rich network of habitats. It is less than a kilometre away from the Severn Vale National Character Area and shares some of its characteristics. The Severn Vale is characterised by a flat pastoral landscape of the Severn floodplain. It holds a significant proportion of the county's coastal and floodplain grazing marsh and wet grassland, and is a major wintering ground for important populations of swans, geese, ducks and wading birds. Old orchards also form a strong part of the traditional landscape character of the area.
- 6.3 The Severn Vale National Character Area is made up of landscape-scale blocks of land called Strategic Nature Areas (SNAs). The two SNA areas which are located less than a kilometre away from the area of the Neighbourhood Plan are Twigworth SNA and Maisemore SNA. Both of these SNAs have identified targets, opportunities and constraints. The SNA targets for both areas include the management, restoration and creation of the following priority habitats: lowland meadows, coastal and floodplain grazing marsh, traditional orchards, ponds (particularly pond complexes), wet woodland, hedgerows, arable field margins, and reedbeds.



Frogfurlong Hedge, Innsworth. Credit: Ann Smith



Innsworth Lane veteran pear trees. Credit: Ann Smith

- 6.4 Innsworth Meadow Site of Special Scientific Interest (SSSI) is located within the Maisemore SNA and is protected and designated.
- 6.5 Churchdown (Chosen) Hill, a Key Wildlife Site, is a valued green infrastructure asset for the residents of Churchdown and Innsworth, and people enjoy having views to the Hill from where they live. Churchdown Hill Meadows is also a Key Wildlife Site and is a valuable natural resource for the area.



View of Chosen (Churchdown) Hill. Credit: Ann Smith



Chosen (Churchdown) Hill bluebell woodland. Credit: GWT

6.6 Mature trees, hedges, ponds, orchards, meadows in open spaces and gardens are particularly important. The existing ponds in Churchdown Park are very popular and further provision is encouraged, accompanied by wildflowers and trees. Young people enjoy studying the pond animals and other wildlife, so education and recreation is an important benefit of this.



Veteran Corsican pines, Cheltenham Road East, a distinctive landscape feature. Credit: Ann Smith



Churchdown Park ponds Credit: Gemma Jerome



Yellow Loose Strife June 2013. Credit: Colin Twissell



Ragged Robin June 2013. Credit: Colin Twissell

6.7 One of the defining features of Churchdown and Innsworth is its orchards. The existing and historic remnant orchards and veteran fruit trees are part of Churchdown's landscape character (eg, Home Farm historic perry orchard, Parton Farms, Dry Meadow Lane with its old pear trees in hedgerows, Elmbridge Court). The community consider it vital that they are protected and opportunities to create more are taken. The Churchdown Tree Trail is appreciated by residents and fruit forage trails could be added for people and wildlife.



Churchdown Community Orchard. Credit: Gloucestershire Orchard Trust



Crushing apples at junior school to make juice. Credit: Gloucestershire Orchard Trust



Heritage Cooking Apple which is unique to Churchdown (Charles Martell's Glos Apple Pomona). Credit: Alan Watson



Pear trees on Roberts Road, Innsworth. Credit: Ann Smith

- 6.8 For maps showing the location of traditional and relic orchards and individual veteran fruit trees, see Appendix C.
- 6.9 With much development planned for the area, there is a danger that the rich network of habitats will be under threat. Well planned development is capable of retaining and enhancing these networks, as recognised by the NPPF. However, there are many issues, both at a strategic and 'local' practical scale that need addressing.

Design for wildlife

- 6.10 At the strategic scale, the importance of retaining habitats and designing development to incorporate and link up to existing wildlife corridors is paramount to the viability of protected species.
- 6.11 At the local scale, the design of individual buildings and of neighbourhood scale green and open spaces, including private gardens, will help to ensure that many of the species that are in Churchdown and Innsworth can not only survive but thrive. This is crucially in line with the national planning guidance for achieving net biodiversity gain through all new development. Examples include:

- Designing houses and neighbourhood scale green and blue features so that there is space for wildlife. For example, at the individual building scale, incorporating integral bird and bat boxes under the eaves of the new houses, or creating artificial nests sited in places away from windows and doors, can create vital new roosting sites to support populations of birds and bats.



Integral bird and bat boxes and hedgehog friendly fencing

- Boundaries between dwellings can be made hedgehog friendly by including pre-cut holes for hedgehogs to more effectively move across neighbourhoods to forage.
- New planting schemes can support bees and other pollinators by including nectar-rich plants. Tenants in new housing developments can be encouraged to adopt a wildlife-friendly approach to gardening through inclusion of educational literature in 'home-information' packs.
- Veteran trees should also be incorporated into landscaping in new developments and protected from damage by fencing or provision of circular hedging. This can make a very attractive feature and focal point for a public open space. Even dead trees can be retained safely in this way.



Good examples of veteran tree retention and protection, making a striking focal point in public open space, Coopers Edge, Brockworth

- 6.12 Sustainable Drainage Systems (SuDS) can be designed and managed to include soft, green landscaping features and wetland habitats, providing opportunities to enjoy wildlife close to where people live. Information about the multi-benefits of SuDS can be included in ‘home information’ packs in new development, or in on-site interpretation in open and green spaces, to encourage understanding and engage community members in supporting its long-term management.

POLICY CHIN9: PROVISION FOR WILDLIFE IN NEW DEVELOPMENT

Development proposals (particularly residential developments), that incorporate into their design features which encourage local wildlife to thrive will be strongly supported.

Orchards, hedgerows and veteran trees

- 6.13 Traditional orchards are a priority habitat in the Severn Vale. In particular, perry orchards have historic significance for the parishes of Churchdown and Innsworth. There are a number of historical orchards (1845-1945) and existing orchards within the parish boundaries – these are shown in Appendix C.
- 6.14 There is a traditional orchard at Elmbridge Court Farm which is of particular concern as it could be surrounded by new employment development and become isolated. It is important to provide sufficient green infrastructure around it, and corridors to connect it to other green areas.
- 6.15 The Churchdown Community Orchard is considered to be a great success. This orchard is managed and maintained by community volunteers and the proposed orchards would be managed on the same basis, creating opportunities for environmental education.



Churchdown Community Orchard. Credit: Gemma Jerome

- 6.16 Apart from orchards, the considerable number of hedgerows and veteran trees are an important feature of the landscape and should be retained as part of development.

POLICY CHIN10: ORCHARDS, HEDGEROWS AND VETERAN TREES

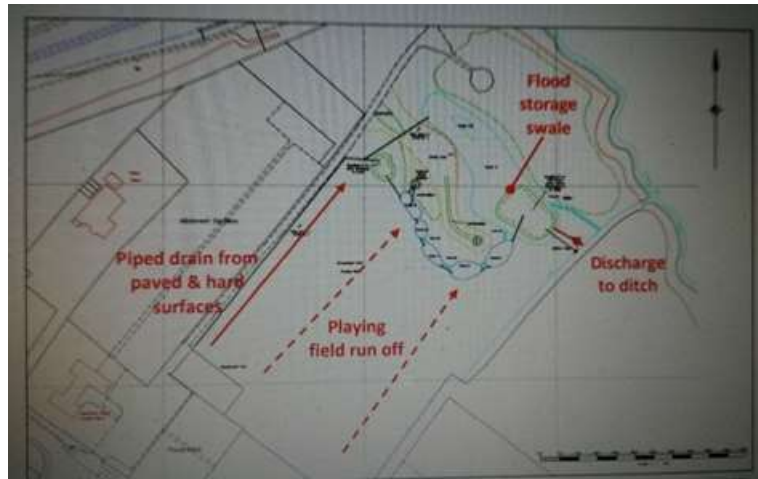
Development should ensure that it does not have a significant detrimental impact on existing orchards, including those identified in Appendix C. In particular, development proposals will be expected, where possible, to retain hedgerows and veteran trees, including veteran perry pear trees. This is particularly important where the loss of any such features would result in harm to or loss of irreplaceable habitats.

Water courses and flooding

- 6.17 The landscape character of the Neighbourhood Plan area, in close proximity to the Severn floodplain, indicates the importance of water in maintaining wetland, marsh and wet woodland habitat. Strategic management of the water courses running through the area, in particular Hatherley Brook and Norman’s Brook, is key to ensuring these blue corridors continue to provide vital habitats for wildlife and enhance the overall quality of the environment by minimising run-off from agricultural land and sensitively designing drainage and water catchment in all new developments to enhance water quality and prioritise attenuation of water on-site.
- 6.18 The main water courses running through the Neighbourhood Plan area are shown in Appendix D.
- 6.19 There have been sightings of water voles at Norman’s Brook, and as a European Protected Species, managing the water courses throughout the parishes for the enhancement of habitat for water voles would have benefits to many other species, and improve the environmental quality more generally for the enjoyment of residents.
- 6.20 Where possible, water courses and wetland habitats, ponds and pond complexes should be created, preserved and improved. When appropriate, access to water courses for wildlife educational purposes is encouraged; however, the priority for management of blue features throughout the Parish area is for the provision of high quality habitat to support wildlife
- 6.21 SuDS included in all new developments should include green, soft landscaping features and enhance the multi-benefits of attenuation of water on-site, rather than encouraging water to be channelled off site and into existing water courses, thus negatively impacting on their quality. This approach will require high

quality design of green and blue features, and long-term management of these features will be included in development proposals to ensure sustainability.

- 6.22 The ponds at Churchdown Park are an excellent example of a well designed scheme which provides for flood alleviation, purification of water by use of reedbeds, creation of habitat and a focal point for recreation. This very successful scheme could be used as an exemplar for development of more ponds and pond complexes in the Neighbourhood Plan area.



Purpose of ponds scheme. Credit: Water 21

- 6.23 Although not located within the Neighbourhood Area, the Horsbere Brook Flood Alleviation Scheme which is at the foot of Chosen (Churchdown) Hill on the Barnwood side serves as an excellent example of a flood alleviation scheme which has been well designed and is of great benefit to wildlife including rare species of birds. It is jointly managed by the Environment Agency and the local authority (in this case Gloucester City Council). The latter takes responsibility for managing part of the site as a nature reserve to benefit the local community and wildlife around the area). Local community groups also play a valuable role in enhancement and management of the site. A similar scheme and management approach could be implemented at A1 in Innsworth and the Parish Council will work with the appropriate bodies to deliver such a scheme.



Horsbere Brook Flood Alleviation Scheme

- 6.24 Where water courses flow through development sites, on-site design of SuDS and other natural water management features could enhance opportunities for strategic SuDS at the landscape scale. For example,

stream features within a development should be maintained and enhanced, including meanders, backwaters, pools and riffles, braiding and the presence of woody debris where not a flood risk. This is in line with 'rural SuDS' approaches being pioneered in Stroud District, Gloucestershire.



*Balancing 'pond', Highgrove Estate, Churchdown –
A pleasant spot but a missed opportunity to have a pond as focal point*

POLICY CHIN11: BLUE INFRASTRUCTURE

- A. Existing water courses should be enhanced through new development, by sensitively managing drainage and providing attenuation features on-site, such as SuDS, to minimise new volumes into the water course, particularly from agricultural land.
- B. New developments should adopt a blue infrastructure approach to the design of water and flood management, enhancing the provision of wetland habitat for wildlife and thus opportunities for the enjoyment of wildlife close to where people live. New developments should include an imaginative and varied range of water features, including swales with standing water all year round, ponds and pond complexes of varying sizes and designs, reed beds/rushes/grasses and enhancement for character species such as water voles and dragonflies.
- C. Brooks should be protected and enhanced for the benefit of wildlife.

6.25 Churchdown and Innsworth suffered greatly in the large-scale flooding event of 2007 in Gloucestershire and to a lesser extent in 2008, 2009 and 2014.



*Brookfield Road at junction with
Brookfield Lane, 2007*



*Brookfield Lane,
2007*

Credit (both photos): Leo Fletcher



Field next to M5 motorway, off Brookfield Road, containing a public right of way, 2007



Down Hatherley Bridge, Frogfurlong Lane, January 2008

Credit (both photos): Bill Whelan

6.26 The Neighbourhood Plan Area does contain areas of identified fluvial and surface water flooding, as shown in Figures 6.1 and 6.2. These mainly follow the route of the Horsbere Brook, Norman’s Brook and Hatherley Brook. Within the existing community there are particular flooding problems associated with the John Daniels Playing Field and Pirton Fields. Such problems frequently interrupt community activities, with playing pitches regularly flooded.

Figure 6.1: Fluvial flood zones



Source: Environment Agency

Figure 6.2: Surface water flood zones



Source: Environment Agency

6.27 The Neighbourhood Plan seeks to ensure that flooding and surface water runoff are properly managed so as to minimise risk of serious flooding events which threaten both people and property.



House in Rookery Road, vicinity of Nightingale Croft, July 2007, sandbagged



Driveway to house in Rookery Road and car park for Nightingale Croft in Innsworth flooded, 2007

- 6.28 Policy INF2 of the JCS on flood risk management requires new development to incorporate suitable Sustainable Drainage Systems (SuDS), where appropriate, to manage surface water drainage. These mitigation measures are expected to be fully funded over the lifetime of the development by developers, including provision for ongoing maintenance.
- 6.29 It is important that these principles are adopted by development so that it can properly manage flood risk and, where possible, contribute to a reduction in existing flood risk. A common example of a measure which provides a short-term solution but is often seen to have detrimental impacts over the long term is culverting of open watercourses. Culverts often become blocked and reduce the effectiveness of the watercourse in diverting water during significant rainfall events (such as in 2007, 2009 and 2014).



Innsworth viewed from the west with A38 in the foreground, 16th February 2014 (credit: Innsworth Parish Council)

- 6.30 Much work has been done since that time by the relevant authorities and agencies with respect to flood alleviation, not least the long overdue maintenance work on local ditches and watercourses.



Flooding in Churchdown on the Golden Valley A40 by-pass between Gloucester and Cheltenham, 20th July 2007 (credit: Gloucester Citizen)

- 6.31 Additionally, a revised and updated Tewkesbury Flood and Water Management Supplementary Planning Document was adopted in 2018.

POLICY CHIN12: FLOOD MITIGATION

- A. Due to the levels of flood risk (fluvial and surface water) in Churchdown and Innsworth, development proposals are expected to demonstrate that they will not worsen the existing risks to the drainage network through the use of effective modern solutions. For surface water drainage, this means demonstrating that all reasonable and sustainable options have been considered in accordance with the surface water hierarchy.
- B. New development which is required to deliver flood mitigation measures and an accompanying ongoing management plan must ensure that this management plan includes the following:
 - i. Details of how the scheme will be professionally serviced in perpetuity.
 - ii. What resources will be required and how these will be provided to maintain good level of flood defence, water storage, enhancements to the landscape and wildlife habitat, as appropriate (and specifically meeting the requirements of Policy CHIN11).
 - iii. Opportunities for safe access, leisure and participation by local people to care for and enhance the scheme (and specifically meeting the requirements of Policy CHIN11).
- C. Existing open watercourses should not be culverted except where essential to provide access. Where feasible, opportunities to open up culverted watercourses should be sought to reduce the associated flood risk and danger of collapse whilst taking advantage of opportunities to enhance biodiversity and green infrastructure, as required by Policy CHIN11.

- 6.32 The following community actions have been identified as important. These will be taken forward by the Parish Councils:
- Promote flood prevention through commenting on and challenging proposed developments which could increase flood risk.
 - Ensure publicly funded car parks and areas of hard standing incorporate permeable surfaces.
 - Support community initiatives both within the Neighbourhood Area and in the locality to effectively support water management, eg, by retrofitting ponds and encouraging the use of permeable materials.
 - Develop an appropriate monitoring and maintenance programme in respect of existing culverts within the Neighbourhood Plan Area, including lobbying of relevant authorities to ensure clearance of debris and vegetation as and when required.
- 6.33 The Parish Councils also wish to state their commitment to working with the relevant authorities and agencies to achieve:
- reporting of accurate, detailed and up to date information on flooding events, whether caused by river flooding or surface water flooding;
 - provision of specific measures to mitigate risk of flooding in respect of both new and existing development, using public funds and developer contributions;
 - effective maintenance of flood alleviation measures/SUDs.

Important views

- 6.34 The high quality environment that is part of Churchdown and Innsworth is best appreciated from Churchdown (Chosen) Hill. The community was very clear as part of the engagement on the Neighbourhood Plan, that the view to and from Chosen (Churchdown) Hill was greatly valued. This is not to say that there are no other views of importance to the community, but that Chosen (Churchdown) Hill provides one of the best views and backdrops to Churchdown and also to parts of Innsworth.
- 6.35 As is noted on p25 of the Joint Core Strategy Landscape Characterisation Assessment and Sensitivity Analysis 2013⁶, ‘Chosen Hill is a prominent visual landmark of ecological, historic and recreational importance. Residential development has not significantly encroached to the foot of the hill, with only Churchdown abutting the area.’ It goes on to say that ‘Chosen Hill is a distinct landscape feature visible from all surrounding landscape. *Views from the hill can be locally interrupted by woodland, the covered reservoirs and the church but are generally panoramic and extensive.*’

⁶ Gloucester City Council, Cheltenham Borough Council, Tewkesbury Borough Council (2013) *Joint Core Strategy Landscape Characterisation Assessment and Sensitivity Analysis*



View of Chosen (Churchdown) Hill from Pirton Lane, Churchdown (Credit: Ann Smith)



View from Chosen (Churchdown) Hill towards Brockworth (Credit: Ann Smith)



View of Chosen (Churchdown) Hill and St Bartholomew's Church from Brockworth Road, Churchdown (Credit: Ruth Warne)

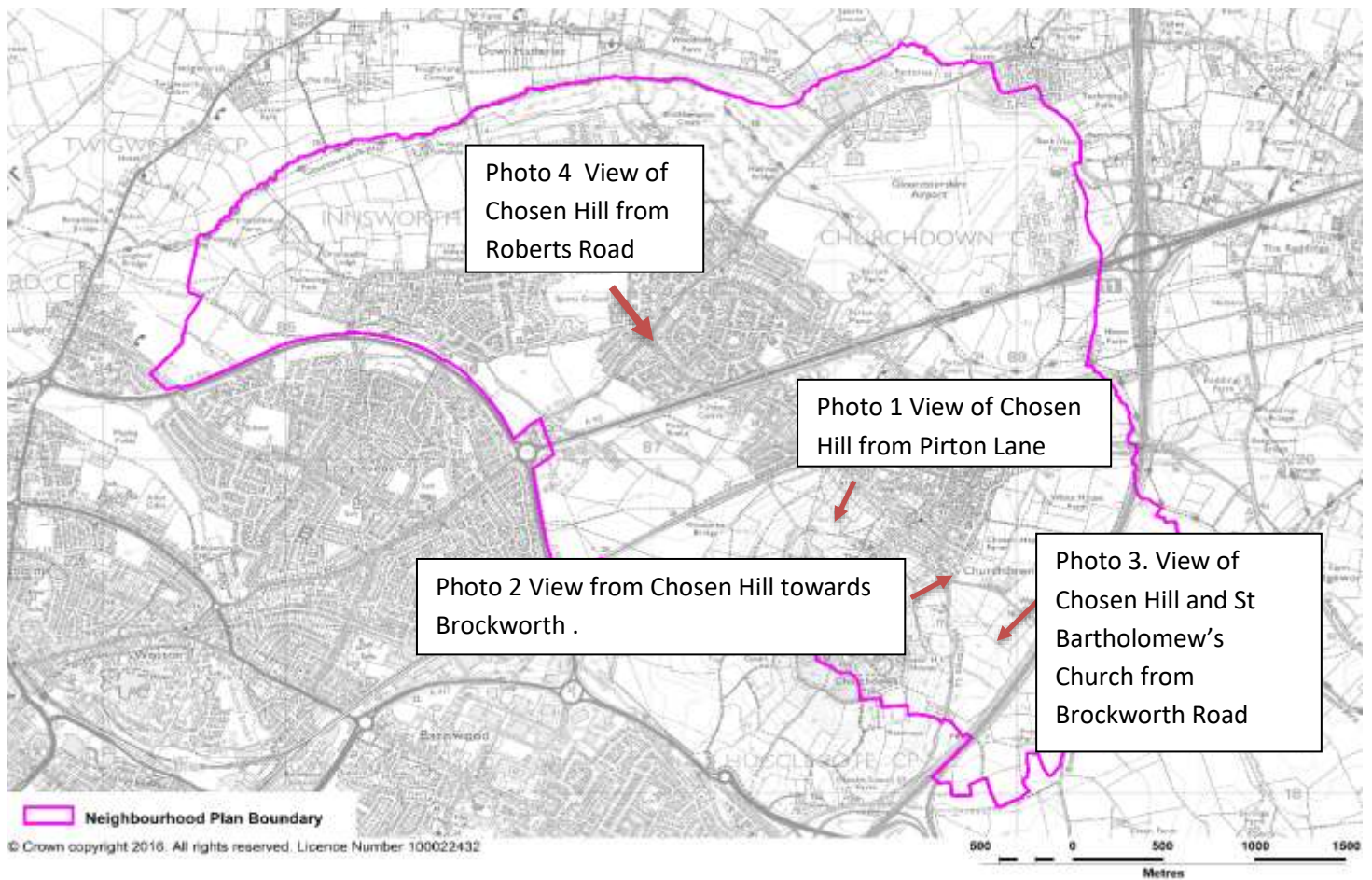


View of Chosen (Churchdown) Hill from Roberts Road, Innsworth (Credit: Ruth Warne)

POLICY CHIN13: VIEWS TO AND FROM CHOSEN (CHURCHDOWN) HILL

Chosen (Churchdown) Hill is a prominent visual landmark of ecological, historic and recreational importance. Development proposals should maintain the local landscape character as identified in the Joint Core Strategy Landscape Characterisation Assessment and Sensitivity Analysis 2013. Proposals which have a negative impact on views to or from Chosen (Churchdown) Hill as identified on the map at Figure 6.2 will be resisted.

Figure 6.1 – Views to and from Chosen (Churchdown Hill)



7 MOVEMENT

- 7.1 There is a recognition within the community of Churchdown and Innsworth that the growth in population means that more concerted efforts need to be made to travel by means other than the car. Without this, the existing traffic situation will become exponentially worse. This brings with it the related problems of air pollution, and CO₂ and NO_x emissions.
- 7.2 There is a need for people to make more of their journeys by public transport and also, in particular, on foot and by bicycle. Short distance trips within the community can particularly be made in this way. To encourage more people to do this, there need to be good, safe routes for pedestrians and cyclists which represent a credible alternative to travel by car.



Sustrans Cycle Route NCN41, bottom of Churchdown Park



The 'Ash Path' - an important route between Churchdown and Innsworth



The public right of way running parallel to the golf course and Tudor Mead Park – a pleasant walking route

7.3 Particular issues raised by the community as to why they don't walk or cycle as much as they could were:

- Footpaths are not kept clear and maintained, and are often used by cyclists, making pedestrians feel unsafe.
- Cycle routes are not maintained to a high standard and when hedge cutting is done the brash is not removed causing a hazard and inconvenience to cyclists whose tyres are frequently punctured. This acts to deter use of cycle paths.
- Cycle routes, including those in the National Cycle Network, are frequently interrupted at points on the road network where the dangers for cyclists are highest.
- There are insufficient dedicated pedestrian crossings in the right locations.



Flooding in NCN41 underpass under A40



Steep slope with chippings which can puncture tyres - NCN41 underpass under A40



A narrow 'urban' path makes pedestrians feel unsafe



The only crossing between the traffic lights along Cheltenham Road East

Cycling and walking



Glevum Way and NCN41 at entry to Churchdown Park

7.4 To inform the Neighbourhood Plan as to the best possible solutions, Sustrans was commissioned to undertake a 'Movement of People' study. This identified the key corridors of movement for people shown in Figure 7.1. This was not only within Churchdown and Innsworth but also to the larger centres of Cheltenham and Gloucester.

7.5 Key routes and locations for improvement are described below:

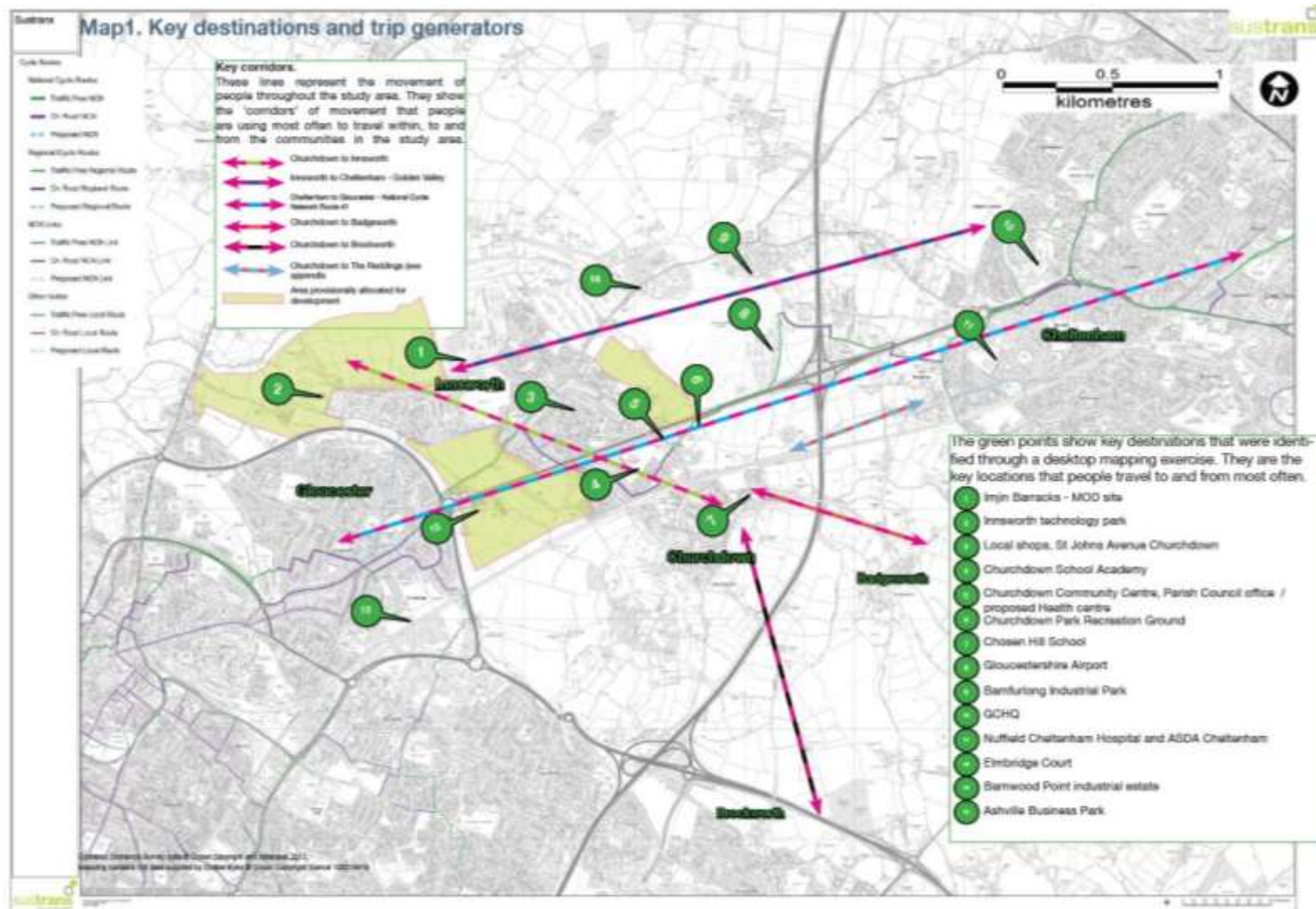
a. Upgrade the Ash Path

The existing 'Ash Path' (ECN66 – 'Whelan's Way') from Luke Lane to Parkside Close provides a valuable traffic-free route between Churchdown and Innsworth, where it connects with existing quiet roads to the Innsworth Technology Park. To make it all-weather, it should be upgraded and widened to a sealed surface 3 metres wide, and with lighting (designed for low impact on wildlife) for safety and security after dark. There is already an existing access point to Parkside Close, and the Ash Path could link the proposed new housing development to Innsworth and Churchdown. This has been costed by Sustrans at between £150,000 and £200,000.

b. Cycle track on Innsworth Lane

Innsworth Lane is an obvious direct link to Innsworth Technology Park and Longlevens, but it is 40 mph. There is room to construct a cycle path along this route, which would also relieve congestion expected from the proposed Innsworth housing development.

Figure 7.1: Key corridors of movement

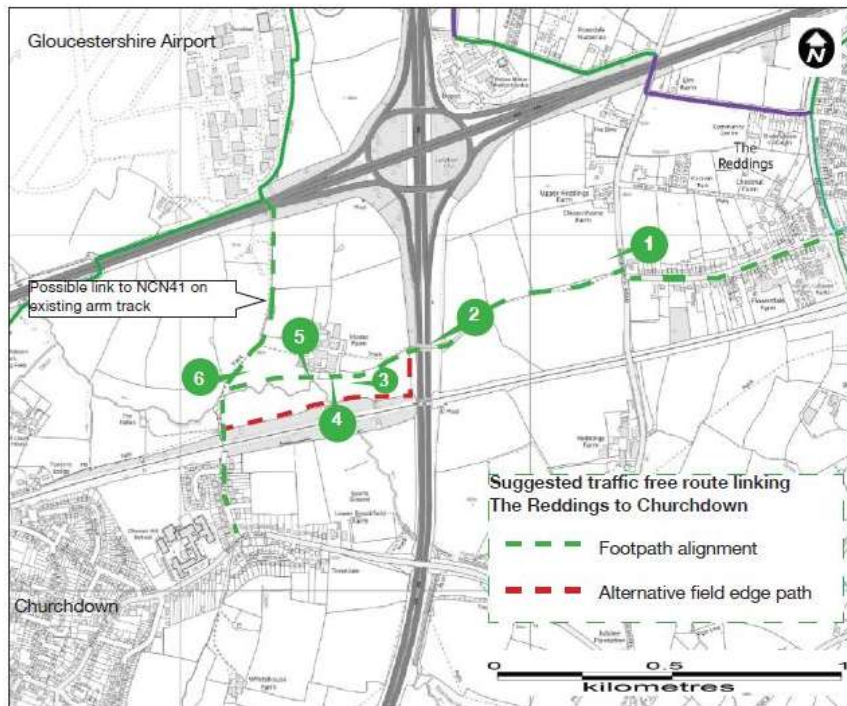


Source: Sustrans (2016) *Movement of People*, for Churchdown and Innsworth Neighbourhood Plan Group

c. Churchdown to Cheltenham via the Reddings

This would be a direct traffic-free route between Churchdown and The Reddings, and thence to Cheltenham. The present route via the airport and Bamfurlong Lane is circuitous, and has 50 mph traffic, as does the alternative via Brookfield Lane and Badgeworth Lane. This direct route would be much safer, and especially valuable to children at Chosen Hill School who live in The Reddings. It would use a farm traffic bridge over the M5 and follow the route of a public footpath. This route could also link to the airport via the A40 underpass (see Figure 7.2).

Figure 7.2: Suggested traffic-free route linking The Reddings to Churchdown



Source: Sustrans 2016

d. Elmbridge Court to Arle Court along the A40

The proposed Elmbridge Court Park & Ride will have cycle access to Gloucester. This is an opportunity to create a direct link between Pirton Lane and the Park & Ride. A new path could be built along the field boundary south of the A40 to Pirton Lane. East of there, the path would be on Highways England (HE) land. It could link to Churchdown School Academy, where the existing pathway could be widened through to Station Road. There is an existing route through Churchdown Park and alongside the A40, which is already well used. However, to bring it up to modern standards, it needs a new all-weather sealed surface, removal of barriers and gates, and easing of the slope on the northern side of the underpass below the A40. There can also be links to Churchdown Village, through the proposed housing development to Pirton Lane near John Daniels Way (A2).

e. Innsworth to Cheltenham Golden Valley, along B4063

The B4063 is a natural route between Churchdown, Ashville Business Park, Bamfurlong Industrial Park, and the Golden Valley roundabout. But the B4063 is 50 mph, busy, and suffers congestion during rush-hour, so a cycle route would ease congestion and benefit the 94 bus. There is space for a traffic free route along the edge of the carriageway, with traffic and cyclists separated by a verge.

7.6 For each of these corridors, specific opportunities for improvements to the existing infrastructure were identified with a view to encouraging more people to walk or cycle for their daily journeys to school, to

work and for trips to local services. As a result, a number of key routes and specific improvements have been identified which will improve the potential for greater levels of walking and cycling. For any new development which does come forward – in particular the strategic allocations – safe footpath and cycle path access must be provided to link in with these key routes. Without this, new developments will be isolated from the footway and cycleway network and will therefore become car-dependent estates.

- 7.8 Where improvements are needed, contributions received from the Community Infrastructure Levy (CIL) will be used to part-fund these and lever in match funding from other sources.

POLICY CHIN14: PEDESTRIAN AND CYCLE MOVEMENT ROUTES

A. It is essential that people can travel safely to the shops, public transport facilities, schools and other important facilities and amenities serving Churchdown and Innsworth. Where appropriate, new developments should ensure safe pedestrian and cycle access and, where achievable, link up with existing footways and cycleways that directly serve the Movement Routes.

C. Proposals should be designed to encourage cycling and walking as an alternative to driving.

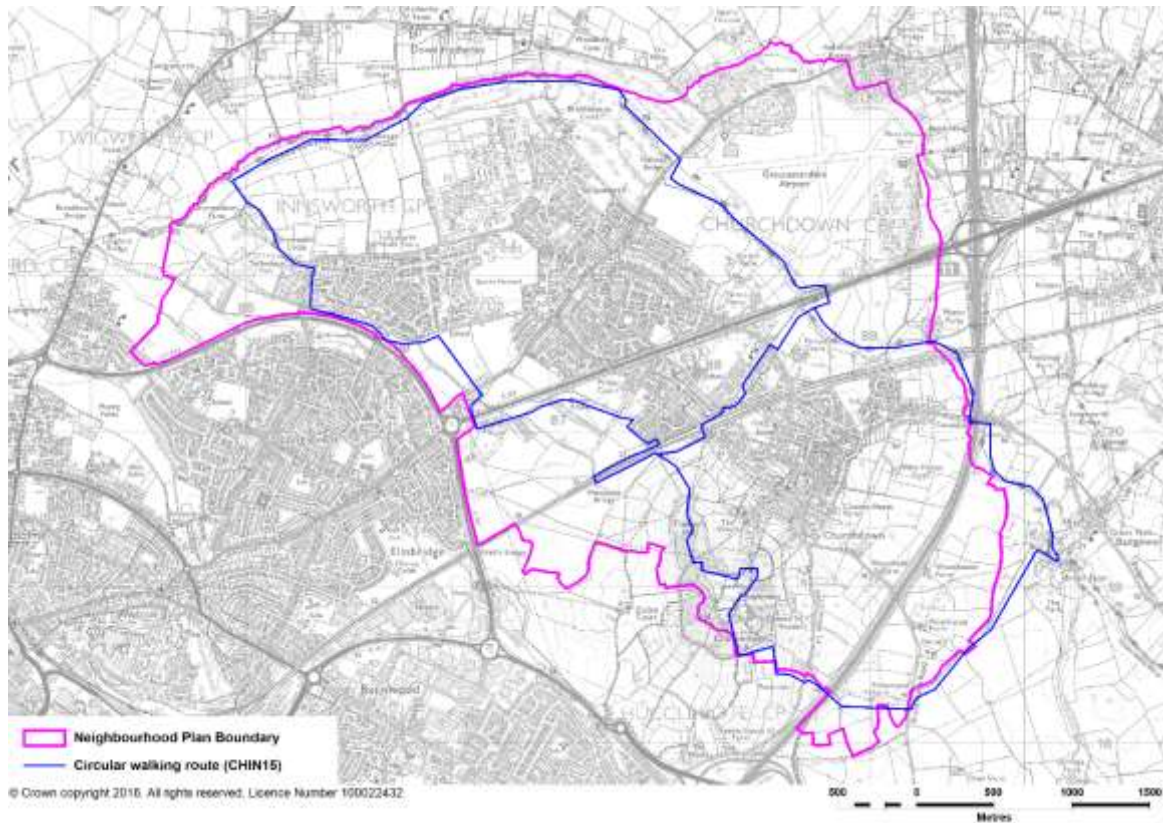
D. Development proposals should, where necessary, be supported by a Transport Assessment or Transport Strategy which assesses the impact on Movement Routes and provides a strategy to mitigate the impact of additional traffic movements on the safety and flow of pedestrian access.

Priority is given to proposals which appear most likely to encourage cycling and walking as an alternative to driving.

Circular walking route

- 7.9 A common theme raised by the community was that walking routes should also be for pleasure. This links in strongly with the Environmental theme of the Neighbourhood Plan, with many people identifying that there should be more opportunities to enjoy Churchdown and Innsworth’s rich natural environment.
- 7.10 Work with the community identified a broad route for a circular walk that would take in some of the key natural features of the area. This will also help to integrate the strategic developments into the wider environment. The location of the circular walk is shown in Figure 7.3.

Figure 7.3: Proposed route circular walk



Source: Sustrans 2016

- 7.11 In taking this forward, it will be important to work with voluntary groups, which are seeking to improve off-road networks across the wider area.
- 7.12 Funding will come from a number of sources. These include grants from organisations such as the Heritage Lottery Fund, through the Local Transport Plan and other funding streams available through Gloucestershire County Council (as the highways authority) and through developer contributions.

POLICY CHIN15: PROVISION OF CIRCULAR WALKING ROUTE
 In order to provide improvements for access and leisure purposes, proposals to provide a dedicated walking route around the parishes of Churchdown and Innsworth will be supported.

Highways

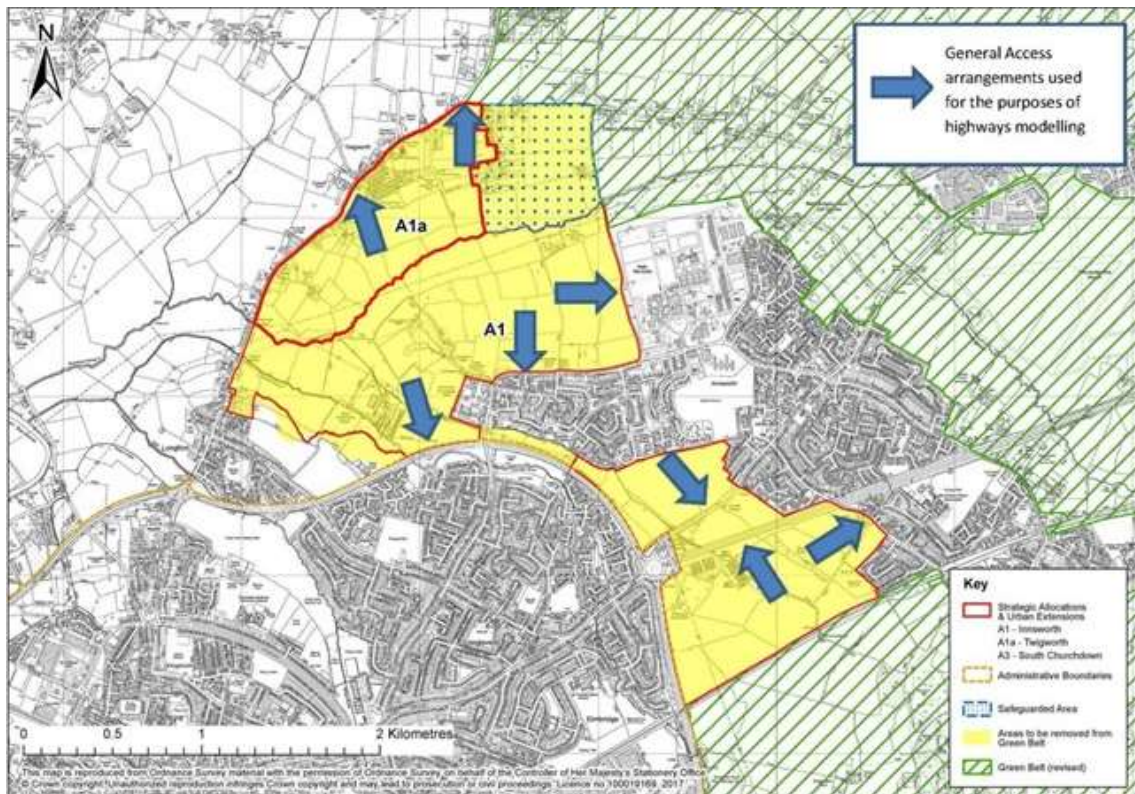
- 7.13 The location of the Neighbourhood Area between the major settlements of Gloucester and Cheltenham means that it is easily accessible to a number of strategic road routes. These include the M5 motorway (with both junctions 11 and 11a adjacent to the boundary of the Area), the A40 (which runs directly through the Area), the A417 (which links the M5 and A40 immediately to the west of the Area) and the A38 (which runs to the west and north towards Tewkesbury). As a result of these linkages however, significant volumes of traffic travel through and close to the Area, which often results in congestion, particularly at the major junctions. For the residents of Churchdown and Innsworth, making anything other than a local journey by

car almost certainly requires using one of these strategic routes and therefore facing the congestion which is created mainly by traffic seeking to access either Gloucester or Cheltenham.

- 7.14 This is reinforced by the Gloucestershire Local Transport Plan (LTP), which identifies these routes as ‘national links’ in its Link and Place Spectrum. These are defined as strategic routes whose function is for traffic only and which have ‘mainly no community interaction’. Only the B4063 (Cheltenham Road East) and Innsworth Lane are classified as ‘suburban links’ which are busy routes serving residential and commercial areas, characterised as creating ‘more significant interactions between highway users and place’. The LTP encourages communities to use the Link and Place Spectrum to inform the development of neighbourhood plans.
- 7.15 One of the major challenges for the delivery of the strategic allocations in the JCS will be the management of vehicular traffic accessing both these strategic routes (‘national links’) and the key local routes (‘suburban links’), particularly at peak periods. Work undertaken to inform the development of the JCS⁷ looked at a number of key junctions on the strategic network, including the A40/A38, the A40 Elmbridge roundabout and the M5 junction 11 (with the A40). All of these were identified as operating at capacity in 2014. The JCS was declared sound and adopted in 2017 on the basis that the package of transport measures identified would adequately mitigate the impacts of the growth created by the delivery of the strategic allocations on the road network.
- 7.16 Policy A1 in the JCS requires the strategic allocation at Innsworth and Twigworth to:
- deliver primary vehicle access from the A38 and Innsworth Lane;
 - explore the delivery of a new main junction onto the A40;
 - explore the potential for a highway link through both the Innsworth and Twigworth sites linking the A38 and A40.
- 7.17 Policy A2 in the JCS requires the strategic allocation at South Churchdown to:
- deliver primary vehicle accesses from the B4063 Cheltenham Road East and Pirton Lane;
 - explore the potential for a new access junction to the site from the A40.
 - These are shown in Figure 7.4 below:

⁷ Atkins (2014) *Joint Core Strategy: JCS Model Output Report v7*, for Gloucestershire County Council

Figure 7.4: Location and access points for the strategic allocations



Source: JCS Transport Strategy

- 7.18 The creation of these new junctions will provide access to and from the strategic allocations for residents and businesses. It will also provide access for other users, with the result being an expected increase of vehicular traffic on many of the routes through the Neighbourhood Plan Area, including these suburban links.
- 7.19 Engagement with the community to inform the development of the Neighbourhood Plan identified that most people considered the morning peak to be the worst time of day as regards congestion. Many people identified a major factor being the two large senior schools in Churchdown, with a great number of students travelling in from the surrounding area.
- 7.20 The following concerns were identified during community engagement in 2014 and confirmed by a survey of 120 residents in September 2017:
- Volume of traffic throughout the parishes, but particularly on the following roads:
 - Cheltenham Road East (B4063)
 - Innsworth Lane
 - Pirton Lane
 - Parton Road (blocking access to St John's Ave)
 - Albemarle Road
 - Drews Court
 - Brookfield Road
 - Station Road

- Congestion at the Hare and Hounds junction (B4063 Cheltenham Road East with Innsworth Lane and Parton Road)
- School traffic around Chosen Hill and Churchdown Schools (the senior schools)

- 7.21 The JCS Transport Strategy Evidence Base supported this, identifying the B4063 Cheltenham Road East as one of the routes where, as a result of congestion, traffic speeds were most significantly reduced, particularly at peak periods, when compared with the speed limits for the road.
- 7.22 As a result, four particular junctions have been identified at which significant volumes of traffic are experienced, particularly during the morning peaks when many people are taking children to the schools in the Area. In light of the proposed locations for strategic growth, coupled with other growth already in the planning pipeline and likely to come forward in the Area over the plan period, there is the potential for unacceptable impacts at the following junctions:
- B4063 Cheltenham Road East with Innsworth Lane and Parton Road (Hare and Hounds junction) – one of the key suburban links identified in the LTP Link and Place Spectrum.
 - Pirton Lane and Cheltenham Road East
 - Pirton Lane and Station Road
 - Albemarle Road and Brookfield Road
 - Pirton Lane and Winston Road
- 7.23 When proposals on sites within the Area come forward, it will be particularly important that they are able to demonstrate that they will not have a severe detrimental impact on any road junctions, including the five identified junctions.
- 7.24 In order to consider the cumulative impacts, any Transport Assessment or Transport Statement will need to provide a common methodology that relates to previous assessments or statements.

POLICY CHIN16: HIGHWAY CAPACITY AT KEY ROAD JUNCTIONS

All Transport Assessments (for larger sites) or Transport Statements (for smaller sites) - as required by Para 111 of the National Planning Policy Framework - should address to the satisfaction of the highway authority the cumulative transport impact on road junctions, in particular including the following, identified on the Policies Map:

- a. B4063 Cheltenham Road East with Innsworth Lane and Parton Road
- b. Pirton Lane and Cheltenham Road East
- c. Pirton Lane and Station Road
- d. Albemarle Road and Brookfield Road
- e. Pirton Lane and Winston Road

- 7.25 The Parish Councils are committed to working with the relevant authorities and agencies, as specifically recognised in the Gloucestershire LTP policies. to identify priorities for enabling development (Policy LTP PD 4.5) and to address road safety (Policy LTP PD 4.6). For the communities of Churchdown and Innsworth, the priorities are that the following are addressed:

- Undertake detailed investigations to properly understand the likely amount of extra traffic generated by new developments – Policy LTP PD 4.4 (Maximising investment in the highway network) and Policy LTP PD 4.5 (Enabling development).
- Identify and develop specific measures (engineering, enforcement and/or education, as appropriate) to improve the roads, traffic management and improvements to public transport, using public funds and developer contributions. This includes exploring measures to reduce congestion resulting from school traffic, including increased use of alternatives to the car – Policy LTP PD 4.5 (Enabling development) and Policy LTP PD 4.6 (Road safety).
- Identify and develop specific measures to reduce traffic speeds in residential areas – Policy LTP PD 4.6 (Road safety) and Policy LTP PD 4.8 (Pedestrians).
- Improve the capacity and traffic flow of the Hare and Hounds junction as a priority project – Policy LTP PD 4.4 (Maximising investment in the highway network). This should include consideration of widening of Parton Road at the junction.
- Improve the maintenance of roads and identify priorities for improvements.

8 NON-POLICY ACTIONS

Table 8.1: Non-land use issues to be addressed

Issue	Possible actions	Lead agencies	Supporting partners
Built Environment and Design			
Damage to grass verges and grassed areas from vehicles	Educate drivers and enforce against car owners where possible	GCC, Police	Parish Councils
	Installation of bollards and/or fencing	GCC, TBC, Severn Vale, or other land owner	Parish Councils
	Design to deter vehicle access to grassed areas	TBC	GCC
Shopping areas poorly maintained	Encourage owners of shop premises at Kestrel Parade and St John's Ave to clean up and keep the area well maintained (to include lining of parking bays)	Parish Councils	TBC
	Design for low maintenance in new build, paved areas in front of shops to be in public ownership	TBC	
Perceived lack of suitable accommodation for old people	Ensure a range of suitable accommodation is provided for old people, including bungalows.	TBC	Housing associations, Parish Councils
Improve use of renewables	Identify initiatives and actions to encourage wider use of renewable energy options by domestic and business users	TBC	Parish Councils
Community Infrastructure			
Lack of Bank	Support any initiative(s) for reinstatement of a bank.	TBC	Parish Councils
Litter	Provision of more bins in appropriate locations	Parish Councils	TBC
	Sustain and/or increase frequency of litter picking and collection	TBC	
Dog mess	(1) Provision of more dog bins in appropriate locations	Parish Councils	TBC Parish Councils, schools
	(2) Education of public to pick up dog mess	TBC	
	(3) More signs and enforcement against irresponsible dog owners	Parish Councils, TBC	
Overgrown vegetation on footpaths	Raise awareness of householders' statutory responsibilities, promote enforcement action as necessary	Parish Councils	GCC
Maintenance and improvement of parks and play areas	(1) Presence of litter – provision of more bins/more frequent litter picks/educate people to take litter home. (2) Grass cutting – increase frequency and pick up cut grass where appropriate (ie, areas of high recreational use, eg, for ball games), but note that certain areas are mown less frequently, such as meadows.	Parish Councils Parish Councils	TBC

Issue	Possible actions	Lead agencies	Supporting partners
	(3) Make improvements to the environmental quality of Innsworth Park.	Innsworth Parish Council	
Community Events	Explore opportunities to meet expressed wishes for village fete/events/street parties/events “throughout Churchdown” (not just at Churchdown Park)	Parish Councils, community organisations	TBC
Community Events	Identify demand for community events in Innsworth	Innsworth Parish Council	TBC
Shortage of places for Catholic primary school education	Explore opportunities for increasing number of school places (specific request from St Mary’s School)	GCC, Clifton Diocese	St Mary’s School
Insufficient activities for CYP	Promote activities and clubs for children, particularly in Innsworth	Parish Councils, community centres, Churches	TBC
Lack of pub in Innsworth	Explore opportunities for establishment of a pub in Innsworth	TBC, developers	Parish Councils
Lack of police station and insufficient police/PCSO presence	Investigate options to improve police presence, lobby for neighbourhood policing to be reinstated.	Parish Councils	Police
Long standing desire for swimming pool	Provision of a swimming pool in the neighbourhood area not considered achievable, there are swimming pools within 15 minutes’ drive time. Alternative is provision of swimming lessons and leisure trips for CYP by schools and Parish Councils/CYP organisations in school holidays	Schools	Parish Councils, CYP orgs (e.g. Scouts/Guides)
Limited range of shops	Explore opportunities to increase the number and range of local shops in both Churchdown and Innsworth	TBC	Parish Councils
Lack of village centre in Churchdown	Promote any initiatives to create village centre in mid Churchdown	Parish Councils	TBC
Desire for a Church in Innsworth	Investigate possibility of establishing a Church in Innsworth	Church authorities	TBC, Parish Councils
Concern for future of fishing lake in Innsworth	Protect the fishing lake; investigate options for provision of more facilities for fishing	TBC	Developers, Parish Councils
Desire for train station	Support any proposals for reinstatement of station in Churchdown or provision of a Parkway Station	Parish Council	GCC, TBC
Improved facilities for sport and fitness	Support any initiatives for provision of better facilities for sport, eg, MUGA (e.g., at Tudor Mead), running track, basketball courts, tennis courts. Explore potential for better use of school sports facilities outside of school hours. Assess demand for additional outdoor exercise equipment.	Parish Councils	TBC, developers, grant funders
Burial land	Identify options and pursue any options for purchase of burial land.	Parish Councils	GCC
General upkeep	Foster a sense of civic pride	Parish Councils	TBC

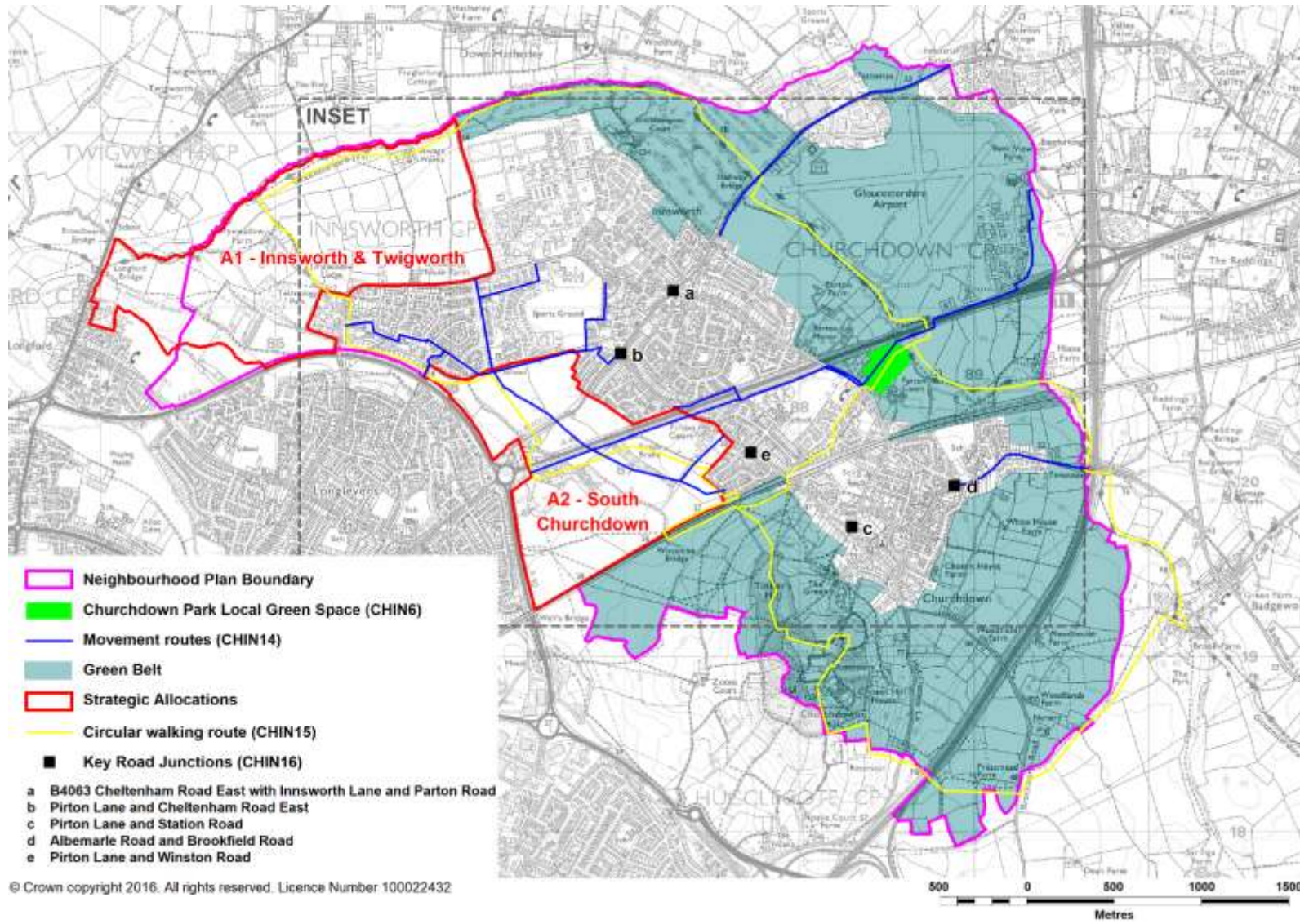
Issue	Possible actions	Lead agencies	Supporting partners
Improve community action and cohesion	Support volunteer groups and organisations, eg, grants, publicity, networking	Parish Councils	Community Centres
Natural Environment			
Desire for community garden, meadow, flowers, sensory garden and tree planting, including woods	Explore opportunities for more planting of flowers and trees in parks and on grass verges, including use of bee friendly plants. Organise community planting days. Maintain and enhance existing areas of planting at Churchdown Park. Develop new areas of planting. Identify site(s) to establish new woodland	Parish Councils	TBC, Ubico, GWT. Community groups
Loss of orchards (a key feature of Severn Vale Nature Area)	Promote establishment of orchards of varying sizes on public land and in private gardens, using rootstock appropriate to the plot size.	Conservation charities	Parish Councils, TBC
Desire for more hedgerow planting	Identify opportunities for planting more hedgerows	Parish Councils	TBC, GWT, developers
Loss of ponds (waterscape is key feature of Severn Vale Nature Area)	Encourage creation of more ponds and pond complexes by householders	Conservation charities (inc Pond Conservation Trust)	Parish Councils, TBC
Loss of habitat and threat to insect life	Provision of insect, bee, butterfly houses Education of public in appropriate management of private gardens. Sensitive management by Councils of public land to meet needs of wildlife. Encouragement to farmers to leave arable field margins for insects and birds	Conservation charities Conservation charities GCC, TBC, Parish Councils Glos FWAG	Parish Councils, TBC
Desire for Nature Reserve	Investigate possibilities for establishment of nature reserve, to be dog free, or include a dog free area	Parish Councils	TBC, GCC, GWT
Unattractive entrances to senior schools	Encourage well designed landscaping	Parish Councils	Schools, GCC, TBC
Provision of green space/amenity land on new business parks for recreation for workers	Encourage provision of well designed green space within new business parks, to include areas of planting, orchards ("Helping Hands" days)	Parish Councils	TBC, Developers
Regular cleaning of drains	Press for more regular clearing of drains to ensure network is adequate and does not result in flooding.	Parish Councils	GCC
Movement			
Overgrown footpaths impede walking	Report to appropriate owner/authority for action (being mindful of nesting season) Lobby for adequate funding to address cutbacks on Public Rights of Way	Parish Councils Parish Councils	GCC, TBC GCC, TBC

Issue	Possible actions	Lead agencies	Supporting partners
Paths on Chosen (Churchdown) Hill are worn and at times impassable due to mud	<p>Press for adequate maintenance</p> <p>Provide assistance to voluntary groups</p> <p>Consider ways to improve some footpaths, eg, hard surfacing and work with partners to achieve this.</p>	<p>Parish Councils</p> <p>Parish Councils</p> <p>Parish Councils</p>	<p>GCC, landowners</p> <p>Friends of Churchdown Hill</p> <p>GCC</p>
Footpaths (pavements) – poor surface	Review condition of footpaths, work in partnership with Parish Councils to identify areas requiring resurfacing.	GCC	Parish Councils
Cycle lane maintenance	Ensure proper maintenance of cycle lanes	GCC	Parish Councils
Review of existing cycle routes	Review of cycle routes, especially NCN41 by County Council with a view to improving.	GCC	Parish Councils
Road surfacing	Review condition of road surfaces and lobby central government for increased funding to ensure long lasting repairs are effected	GCC	Parish Councils
Traffic calming and safety issues	Identify areas where traffic is speeding and lobby County Council to take appropriate action (eg, signage, engineering). Suggested areas for attention are Springwell Gardens, Parton Road, Pirton Lane, Sandycroft Road, Marleyfield Way, Drews Court, Innsworth Lane)	Parish Councils	GCC, Police
Insufficient parking	Review of grass verges to identify possible locations where parking bays could be made, particularly in Innsworth	Parish Councils	GCC, land owners
Illegal/Anti-social parking	Enforcement of parking/waiting restrictions, education of drivers with regards to anti-social parking, especially outside schools	Police	Parish Councils
White lining of Roads	Conduct review of existing lining, then review at regular intervals, and refresh as required.	GCC	Parish Councils
Traffic calming	Undertake review of speed limits as considered necessary, especially in and close to the strategic allocations. Parish Councils to lobby GCC as appropriate.	Parish Councils	GCC
Volume of school traffic	Support any initiatives to reduce volume of school traffic, e.g. car sharing	Parish Councils	GCC, schools
Air pollution from vehicular traffic	Lobby TBC/GCC to undertake monitoring of air pollution levels at key locations and to take action as appropriate	Parish Councils	TBC, GCC
HGV traffic	Undertake monitoring of HGV traffic and lobby GCC to review restrictions and implement new ones as appropriate	Parish Councils	GCC
Pedestrian crossings	<p>(1) Investigate possibility of converting zebra crossing outside Tesco, Cheltenham Road East to a light controlled crossing</p> <p>(2) Consider installation of pedestrian crossing on Pirton Lane for pedestrians crossing from Chosen Way to Winston Road</p>	<p>GCC</p> <p>GCC</p>	<p>Parish Council</p> <p>Parish Council</p>
Frequency of bus service	Review frequency of 97/98 service, especially in the morning, with a view to increasing the	Stagecoach	GCC, Parish Councils

Issue	Possible actions	Lead agencies	Supporting partners
	<p>service, especially on Station/Parton Road for easier access to new Medical Centre.</p> <p>Buses now run every 20 instead of 30 minutes between 9.10 am and 7.40 pm , Monday to Friday , and operate on an hourly business later into the evening.</p> <p>There will be two extra buses on Sundays: one in the morning, and another in the evening. Bus Service frequency & times should be monitored .</p>		
Overspill of stones/gravel from householders' driveways causing hazard to pedestrians and cyclists	Advise householders regarding importance of having works done to correct specification.	TBC	County, Parish Councils
Children and young people			
Expressed wishes to see more animals and birds	<p>Explore opportunities for establishment of nature reserve(s)</p> <p>Arrange trips to zoos, safari parks, farms and St James City Farm</p>	<p>Parish Councils</p> <p>Parish Councils, Schools, Community Orgs</p>	TBC, GCC
Future of GL3 Community Hub	Sustain activities for CYP at the Hub	Parish Councils	TBC, GCC, grant funders
Desire for scooter park	Conduct research to define the requirement and consider providing a scooter park either at existing park or at new park within strategic allocation	Parish Councils	TBC, developers, GPFA, grant funders
Desire of teenagers for biking facility	Conduct research to define the requirement and consider providing a biking facility (eg, dirt track, BMX track) within existing park or at new park within strategic allocation	Parish Councils	TBC, developers, GPFA, grant funders
Desire for water park and fountain	Consider provision of water play area within existing park or at new park within strategic allocation	Parish Councils	TBC, developers, GPFA, Grant funders
Desire for sculpture/statues	Consider installation of public art	Parish Councils	TBC, Schools
Desire for newer play equipment/ improved play areas	Survey existing equipment and consider provision of new play equipment	Parish Councils	TBC, developers, grant funders
Desire for "exciting" play equipment	Consider provision of adventure playground, zipwire and/or other equipment which is exciting for children	Parish Councils	TBC, developers, grant funders

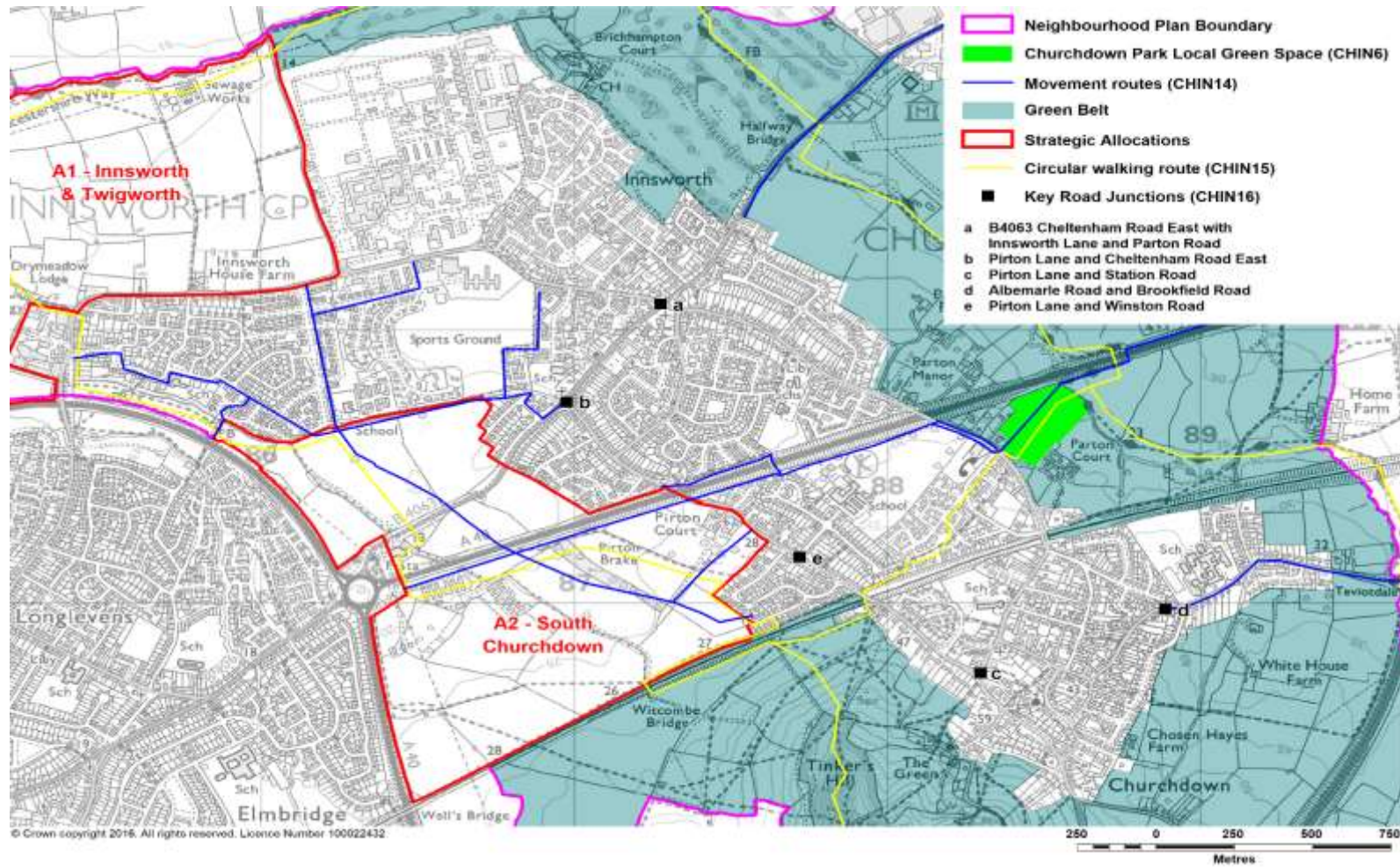
9 POLICIES MAPS

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10 INSET MAP

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Glossary

- **Community Infrastructure Levy** - A charge per square metre on the net additional floor area constructed on a site. CIL charges can be differentiated in a number of different ways, with the most common way being by type of development, eg, residential, retail, commercial, etc. CIL pays for the additional cost burden to the Council and the community of the building, such as health, education, roads, library, open spaces, waste and other services. Parishes with a Neighbourhood Plan can keep 25% of CIL to spend as they choose on addressing the needs arising from growth.
- **Fruity street** – Incorporation of fruit trees, particularly in a linear arrangement, into urban landscaping (whether public or privately owned), for the benefit of people and wildlife.
- **Forage trail** – Inclusion of trees, shrubs and other plants bearing edible fruits and nuts for people and wildlife to pick and eat.
- **Infrastructure** - A broad term to describe the things which make places acceptable for people to live in. Services to land include road and utilities such as power and water; services to people include schools, GP surgeries, community facilities etc.
- **NPPF** - National Planning Policy Framework, a document that sets out national planning policy. All neighbourhood plans must have due regard to it.
- **Pocket orchard** – A small orchard situated on a patch of spare ground.
- **Swale** - Drainage pond for surface water.

Appendix A Examples of good and bad design and particular design features

The following photos show the houses which scored the highest in respect of their design (out of a total of 40 designs):



Modern House, Parton Road, Churchdown



Estate type houses, Highgrove Estate, Churchdown



Rustic farmhouse style, The Green, Churchdown



Estate type house, Highgrove, Churchdown



Large detached house, Innsworth Lane, Innsworth



Modern House, Morley Avenue



Westfield Estate, St John's Avenue, Churchdown



Sandycroft Road, Churchdown

People were clearly flexible as to whether the house looked modern or more traditional, though there is a clear preference for pitched roofs. They expressed a preference for variety and that the new houses be in keeping and have character and not be like “rabbit hutches”. There was a liking for red brick (but not too dark), render, timber and Tudor style. Most of the houses chosen had attractive greenery around them. There was a liking for wood effect used as a feature, some symmetry and not too “fussy” in appearance. There is a clear delineation between public and private space. There is clearly no objection to estate type houses. The styles range from mock Tudor to half-rendered, fully rendered and brick, but all present a ‘softer’ front to the road by having the facades broken up by lean-to single storey porches and/or bay windows, etc.

Residents did not like flat fronted houses, tall and narrow houses, the chalet style, ‘60’s boxes’ and terraced housing, and also did not like modern style community buildings with barrelled or flat roofs.



Churchdown Community Centre, Parton Road



60's chalet style, Yew Tree Way area



Innsworth Community Hall, Rookery Road



Westfield estate, St John's Ave, Churchdown



Pirton Lane, Churchdown



Churchdown Day Nursery, Parton Road



The Hive, Innsworth



Albemarle Road, Churchdown

Looking at these photos there is an absence of 'softening features'. The façade is flat or relatively flat, sometimes with dominant square shapes. The face that is presented to the public realm is quite harsh, with a literal absence of relief.

The photograph below shows a new build on Cheltenham Road East, which was not included in the consultation on built environment, but which many people have subsequently remarked is unattractive due to the flat façade.



New build flat façade, gives dull appearance, Cheltenham Road Estate

Illustrated below are houses in Innsworth which originally had flat facades, but to which porches were added which give interest.



Later addition of porches to relieve flat façade, Innsworth Lane, Innsworth

Comments were made during the consultation that people do not like tall and narrow houses which can be oppressive, cut out light and there is often no landscaping, but this does not have to be the case. In the example below, this block of flats is in a corner, where it does not impinge on others.



Manor Farm, Up Hatherley, Cheltenham

Provision should be made for wheelie bins so that they can be placed in a concealed area as they are detrimental to the street scene.



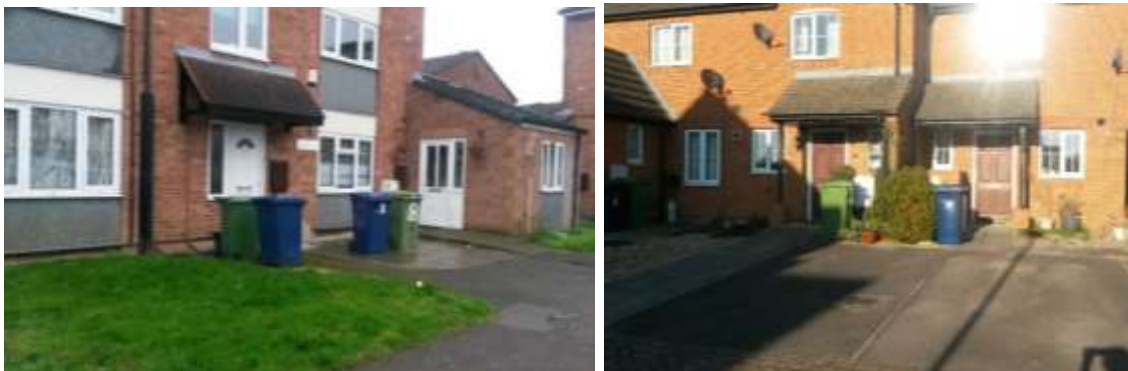
Lovely street scene, wheelie bins detract, Bader Ave Estate, Churchdown



Row of wheelie bins, Highgrove estate mars street scene



Good design for concealing wheelie bins, Tandey Walk, Innsworth, and Oldbury Orchard, Churchdown



Wheelie bins evident at Coriander Drive and Tudor Close, Churchdown



New development (Westfield), Churchdown where wheelie bins are concealed

Local design features

Variegated brick is found in some older buildings in the area, eg, Woodlands Farm, Pirton Court and has been replicated in some newer ones, eg, houses on the old garage site at the junction of Cheltenham Road East and Sandycroft Road, and on development of the old garage site at junction of Church Road and Brookfield Road. The variegated brick is characteristic of not just the Neighbourhood Area but further afield and results from the clay used for the bricks which was dug locally (eg, at the field adjacent to the junction of Brockworth Road and Barrow Hill – the clay varies between yellow, red and blue lias). The use of variegated brick is widespread throughout Churchdown and Innsworth, it has a pleasing, rustic appearance. Use in new build would enhance the character of Churchdown, reflect its history and providing a unifying “motif” for the new developments.



Variegated brick at Sweetbriar House, Chapel Hay Lane



Variegated brick used in new wall, Pirton Lane



Good example of new build using variegated brick and good landscaping, Church Road



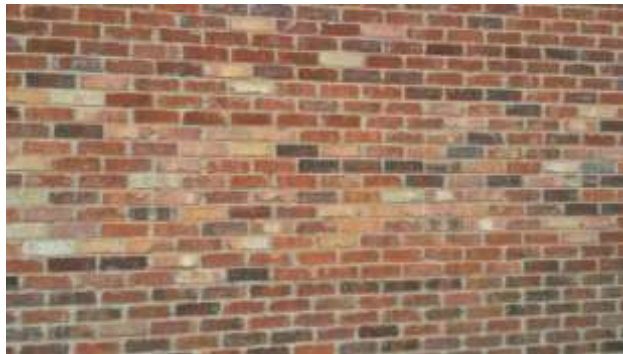
Woodlands Farm - old farmhouse rebuilt using old variegated brick and new. Very characteristic of the local brick made from clay dug out in field nearby (Brockworth Road, Churchdown)



Close up of variegated brick at Woodlands Farm



Variegated brick used in new build at Pirton Meadow



Close up of variegated brick at Pirton Meadow



Old Post Office, Brookfield Road



Old Farm House, Brookfield Road



Old Bakery, Church Road



The Plocks, Albemarle Road



Variegated brick used for house and boundary wall, Innsworth Lane



Pirton Court, red brick and render



Pirton Court – old farm buildings with steeply pitched roofs, small windows



New Build, Pirton Meadow, opposite old buildings of Pirton Court, the new design reflects the older farm buildings and is pleasing



Innsworth House Farm – traditional farm building with steeply pitched roofs, small windows and elm boarding

In Innsworth, brick and white/off-white render contrast red features such as tiles and roofs. The contrasting red and white is pleasing and the red lifts the appearance of the houses.



Characteristic red and white/off white, use of red tiles lifts the appearance, Mottershead Drive, Innsworth (housing for military families)



Contrast light render with red roofs and brick, Innsworth (newer private housing)



Pleasing contrast between red brick and render, and feature red brickwork around door contrasts with white render, Innsworth (older semis, private housing)



Mix of brick and render, Nightingale Croft (Severn Vale Housing Association)

Elm boards



Sweetbriar House, Chapel Hay Lane, built in style of old farm buildings as shown below – use of variegated brick and replica elm boards in style of old farm building



Original Farm Buildings, now Sweetbriar House with variegated brick, and mix of materials including timber, stone and brick





Elm boarding on farm building at Pirton Court, Pirton Lane (credit: R Warne)

Appendix B Landscaping in residential developments

An important part of any development is its setting. Green spaces, verges, trees and mixed hedgerows creating colour variation are part of the character of Churchdown and Innsworth.



Contrasting colour, size and shapes of hedges, Innsworth Lane, Innsworth



Mixed hedging brightens the street scene, Bader Avenue estate



Variety of colour in hedging, St John's Ave Estate, Churchdown



Creative landscaping at Highgrove Estate, Churchdown with shaped evergreen shrubs

Soft edges to footpaths and permeable surfacing could help to provide a more natural boundary between public areas and private space. In addition, the application of open front boundaries creates a good impression of space, where the back of the pavement meets a lawn, for example.



Varied landscape features, including some wildness, gives interest, Highgrove Way Estate, Churchdown



Wildness give informal, relaxed feel, Highgrove Way Estate, Churchdown



Trees provide wildness and shade, Old Parton Road



Walls bordering public space give cramped, stark and cluttered appearance, Grove Road area, Churchdown



Open front boundaries are tidy and give an impression of neatness and space, Bader Avenue estate, Churchdown



Use of hedging for boundary is appealing, Tudor Close, Churchdown



Traditional front boundary hedge, softens street scene and provides privacy, Rookery Road, Innsworth



Open boundary to public space, effective use of space, Westfield Court, Churchdown

Rear and side boundaries adjacent to public space should be formed from robust materials such as brick, rather than timber fencing which is both easily damaged and can look weather worn within a short space of time.



Good use of brick at side of property, robust, has endured well, Bader Avenue Estate, Churchdown



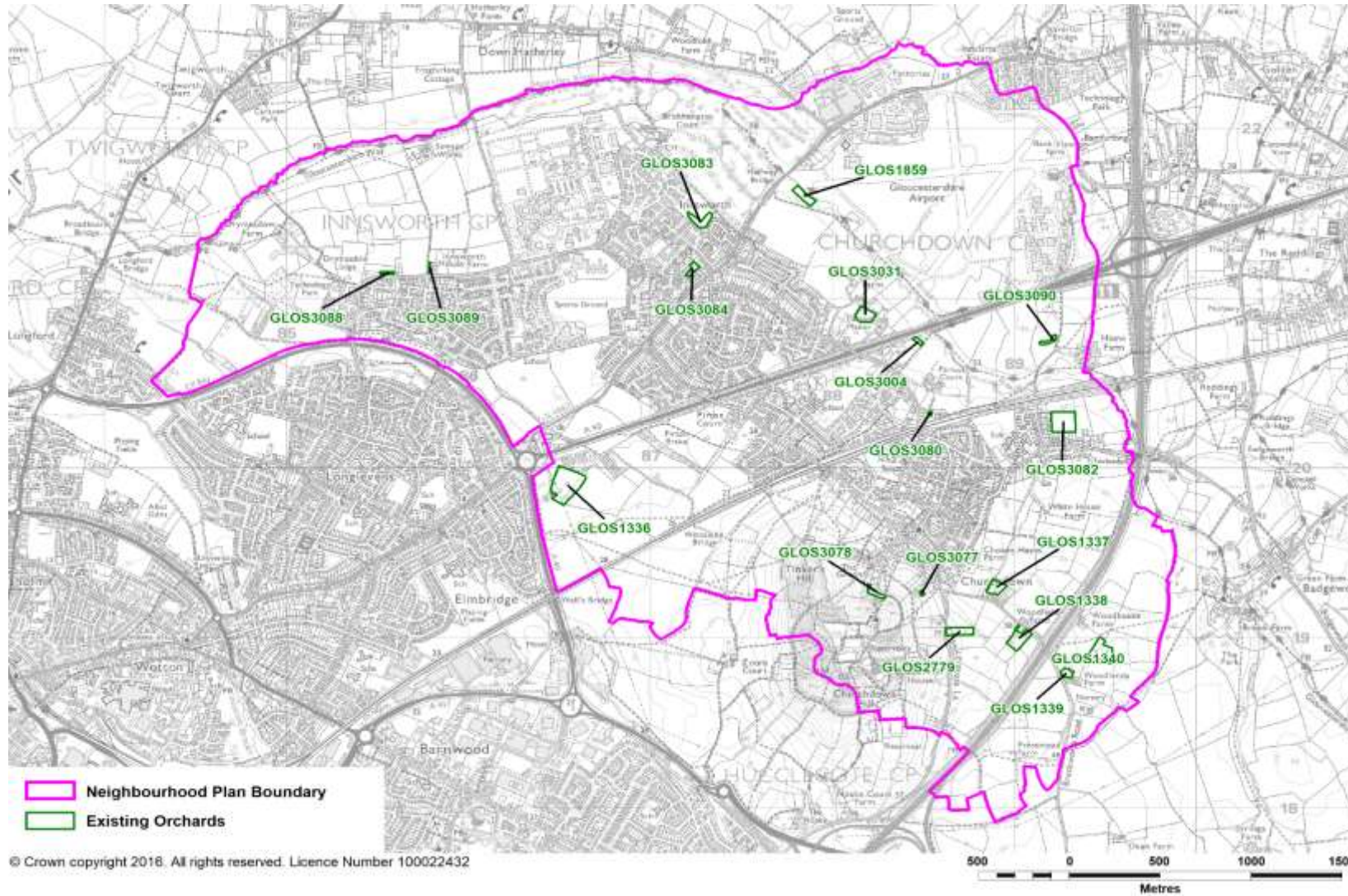
Wooden fence (and wheelie bin) mars the street scene, Bader Ave Estate



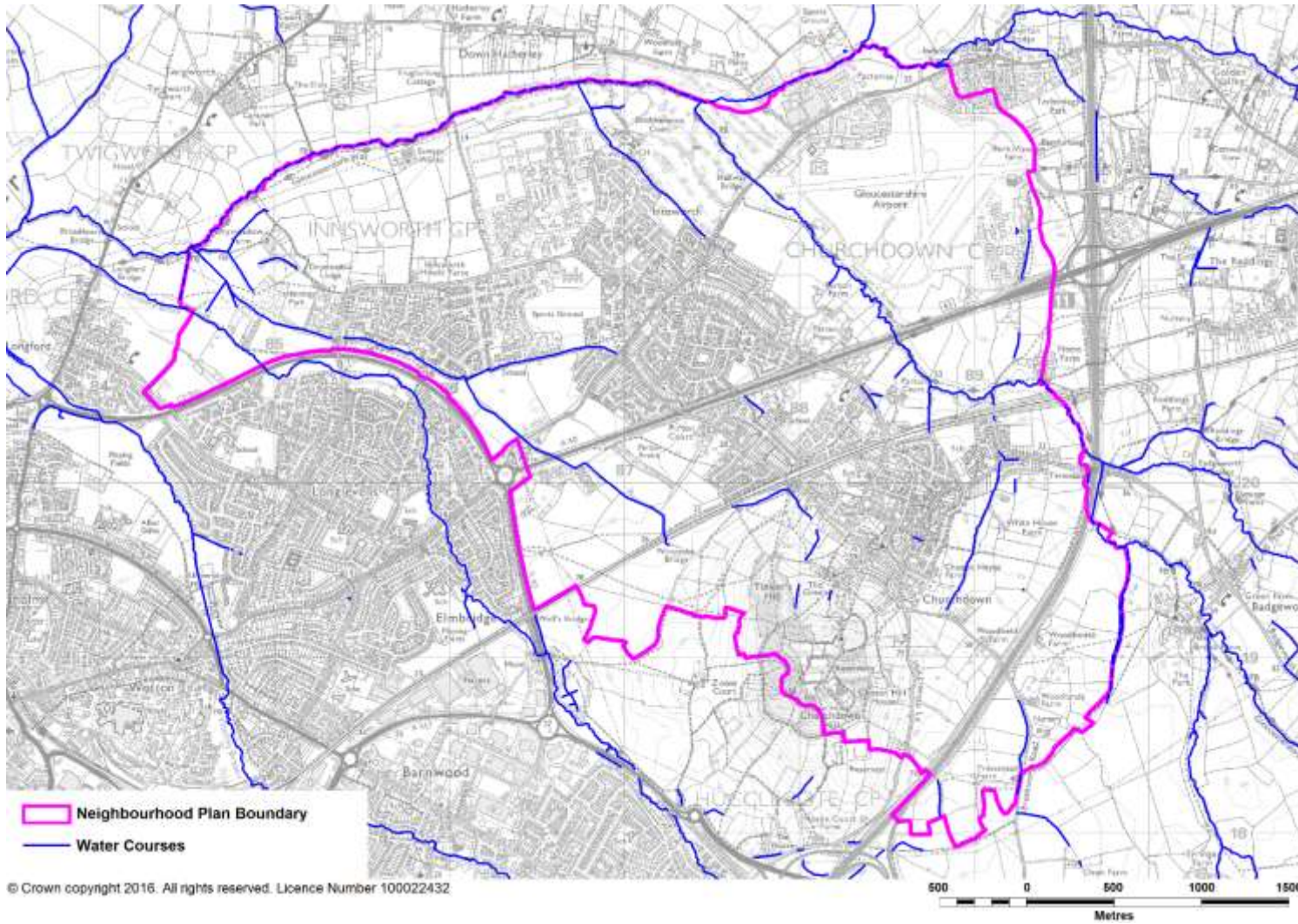
Dilapidated and mismatched fences, Innsworth

Appendix C Location of historic and existing orchards

Source: Peoples Trust For Endangered Species



Appendix D Location of watercourses



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DECLARATION OF RESULT OF POLL

Tewkesbury Borough Council

Neighbourhood Planning Referendum

for the

Churchdown and Innsworth neighbourhood area

on Thursday 12 March 2020

I, Linda O'Brien, being the Deputy Counting Officer at the above Referendum, do hereby give notice that the number of votes recorded at the said Referendum is as follows:

Question		
Do you want Tewkesbury Borough Council to use the Neighbourhood Plan for Churchdown and Innsworth to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a Yes	1680	91.20%
Number cast in favour of a No	155	8.41%

The number of ballot papers rejected was as follows:		Number of ballot papers
A	want of an official mark	0
B	voting for more than one answer	0
C	writing or mark by which the voter/proxy could be identified	0
D	unmarked or wholly void for uncertainty	7
Total		7

Electorate: 10,532

Ballot Papers Issued: 1842

The total number of votes recorded represented 17.49% of the registered electors.

And I do hereby declare that the result of the Referendum for Churchdown and Innsworth neighbourhood area is as follows:

More than half of those voting have voted in favour of Tewkesbury Borough Council using the Neighbourhood Plan for Churchdown and Innsworth to help it decide planning applications in the neighbourhood area.

Dated Friday 13 March 2020

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Linda O'Brien
Deputy Counting Officer

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	30 June 2020
Subject:	Covid-19 Emergency Decisions Taken Under Urgency Powers In Accordance with Part 3 of the Constitution
Report of:	Chief Executive
Lead Member:	Lead Members for Economic Development/Promotion; Finance and Asset Management; Clean and Green Environment; and Community
Number of Appendices:	Four

Executive Summary:

A number of decisions have been taken by the Chief Executive under the urgency powers set out in Part 3 of the Constitution as a result of the COVID-19 pandemic. This report advises Members of the decisions that have been taken in order to comply with the requirements of the Constitution.

Recommendation:

That the Council NOTES the decisions taken by the Chief Executive in consultation with the appropriate Lead Members as set out in Appendices one to four attached to this report.

Reasons for Recommendation:

To comply with the requirements of the Constitution and ensure all urgency decisions taken as a result of the COVID-19 pandemic are reported to Members for information

Resource Implications:

Contained in Appendices one to four.

Legal Implications:

Where applicable contained in Appendices one to four.

Risk Management Implications:

Where applicable contained in Appendices one to four.

Performance Management Follow-up:

Where applicable contained in Appendices one to four.

Environmental Implications:

Where applicable contained in Appendices one to four.

1.0 INTRODUCTION/BACKGROUND

1.1 A number of decisions have been taken under urgency procedures as a result of the COVID-19 pandemic. As required, each decision has been documented as follows:

Appendix one – Suspension of car parking charge payment mechanisms.

Appendix two – Car parking charges payment collection.

Appendix three – COVID-19 emergency grant funding for charitable and community groups.

Appendix four – Discretionary business grants scheme.

1.2 The decisions have been published on the Council's website and, in accordance with the Constitution, are now being reported to Members for information.

2.0 OTHER OPTIONS CONSIDERED

2.1 Not applicable.

3.0 CONSULTATION

3.1 Appendices one to four identify the consultations which were undertaken in respect of each decision.

4.0 RELEVANT COUNCIL POLICIES/STRATEGIES

4.1 The Council's Constitution sets out the requirements in respect of urgency decisions.

5.0 RELEVANT GOVERNMENT POLICIES

5.1 Not applicable.

6.0 RESOURCE IMPLICATIONS (Human/Property)

6.1 Where applicable detailed in Appendices one to four.

7.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

7.1 Not applicable.

8.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

8.1 Not applicable.

9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

9.1 None.

Background Papers: None.

Contact Officer: Chief Executive Tel: 01684 272001
Email: chief.executive@teWKesbury.gov.uk

Appendices:

1. Decision - suspension of car parking charge payment mechanisms.
2. Decision - car parking charges payment collection.
3. Decision – COVID-19 Emergency Grant Funding for Charitable and Community Groups
4. Decision - discretionary business grants scheme.

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

Suspension of car parking charge payments mechanisms

1. Decision:

To remove payment mechanisms from Borough owned car parks with immediate effect. This to be reviewed on an ongoing basis. Permit holders who have paid in advance to be compensated accordingly.

2. Background documents

None

3. Reasons for decision:

To support the health of individuals who have to visit the town centre for essential requirements by removing the payment requirements within car parks. In addition, supporting local residents who are forced to stay at home and don't have access to their own car parking facility.

4. Resource implications:

Normal parking income is circa £50k to £60k per month. However, with lockdown restrictions in place, we would likely get only a small percentage of this income. Therefore the decision to remove all payment mechanisms in our car parks is likely to only cost a further few thousand pounds per month.

5. Who has been consulted:

Corporate Leadership Team and Lead Members for Economic Development/Promotion and Finance and Asset Management.

6. What were the comments:

All were supportive of the proposals.

7. Background/context:

The imposition of Covid related lockdown measures will have a dramatic effect on car parking activity. Councils are responding in different ways with some continuing to charge as normal, some offering free parking to key workers only and some lifting the requirements for payment.

8. Alternative options considered and why they were rejected:

Options to retain parking payments were rejected due to the likely low levels of income being offset by collection charges. In addition, these options would not support our local communities.

9. Risk analysis:

Minimal risk from this decision as financial impact is low and the public are generally supportive of this temporary measure.

10. Any other relevant considerations:

None.

11. Chief Officer authorising decision:

Chief Executive.

12. Title of Officer completing report:

Head of Finance and Asset Management.

13. Date:

23 March 2020.

Any queries to be raised with democraticservices@teWKesbury.gov.uk

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

Car parking charges payment collection

1. Decision:

Approved the reintroduction of parking payments mechanisms and the standing up of enforcement within Borough owned car parks from 8am on 13 July 2020. In addition, to allow a temporary increase in the number of parking permits allowed across selected car parks to support residents either working from home or furloughed. The requirement for these temporary permits to be reviewed on a monthly basis.

2. Background documents

None.

3. Reasons for decision:

To provide further support for our Town centres and assist local residents with parking requirements in the short term.

4. Resource implications:

It is estimated, given the lower parking numbers than would be usually expected, that the extension of free parking by a further two weeks in July will cost the Council between £10k and £15k in lost income.

The extension of temporary permits after the free period ends will generate a small amount of additional income if taken up by residents.

5. Who has been consulted:

All Borough Council Members plus Tewkesbury and Winchcombe Town Councils.

6. What were the comments:

Five Members wished to see the continuation of 'free' parking; one Member was against. Tewkesbury Town Council asked for an extension of 'free' parking until the 13 July.

7. Background/context:

An urgent decision was made at the outset of the lockdown to remove payment facilities at our car parks and stand down enforcement activity. With the easing of lockdown measures, discussion has focussed on returning to normal arrangements in our car parks. A date of 29 June had been discussed informally at an Executive Committee/CLT meeting but following feedback received it was agreed to extend this date until 13 July.

8. Alternative options considered and why they were rejected:

- Immediate reintroduction of payment facilities – rejected as not supportive of the Town Centre economy.
- Indefinite suspension of payment facilities – financial impact on the Borough Council.
- Offering 1 or 2 hours free of charge – practical difficulties.

9. Risk analysis:

Opposition to the reintroduction of payment facilities will cause some to complain whenever that point is. Agreeing with the Town Council's request should mitigate some of that complaint.

The Borough Council will have lost circa £175k of parking income against normal income levels as a result of the lockdown and the extended free parking regime. A covid reserve has been established to meet the likely cost.

Suitable health and safety precautions will be taken with the reintroduction of parking payment facilities. In addition, the Council will be promoting the use of contactless payment methods.

10. Any other relevant considerations:

None.

11. Chief Officer authorising decision:

Chief Executive in conjunction with Lead Members for Finance and Asset Management and Economic Development/Promotion.

12. Title of Officer completing report:

Head of Finance and Asset Management.

13. Date:

12 June 2020.

Any queries to be raised with democraticservices@teWKesbury.gov.uk

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

**COVID-19 – Emergency Grant Funding for Charities and
Community Groups**

1. Decision:

To top up the £50,000 allocated by Gloucestershire County Council to award grants to local voluntary sector and community groups within the Borough, for eligible activity in support of vulnerable people during the COVID-19 emergency, by a further £50,000 and to put in place a criteria and mechanism for dealing with applications.

2. Background documents

<https://www.tewkesbury.gov.uk/forms/emergency-grant-for-charitable-organisations-and-community-groups>

3. Reasons for decision:

To provide a source of urgent funding for local voluntary sector agencies and community groups who are supporting vulnerable people during the COVID-19 crisis to cover additional costs they have incurred as a result of increased activity or functions that they have insufficient resources to meet.

4. Resource implications:

£50,000 allocated from the release of business rates provisions in 2020/21.

5. Who has been consulted:

Leader, Deputy Leader and Lead Members for Finance and Asset Management and Community.

6. What were the comments:

Very supportive of this decision.

7. Background/context:

On 23 March 2020, the government set out the measures to slow the spread of COVID-19 involving the closure of the majority of businesses, services and shops that were not deemed essential. At the same time guidance was published to protect medically vulnerable individuals known as the shielding cohort and those aged over 70 who were advised to stay at home for 12 weeks.

Local voluntary sector and community groups immediately mobilised to support the needs of vulnerable people in their basic food and essentials needs, collecting prescriptions and medicines, social support and daily tasks such as dog walking. The scale of the response required exceeded the resources of many community groups.

A community help hub portal was set up online on the County Council website for residents to register whether they could be a volunteer, whether they needed help or whether an organisation could offer help. The volume of requests for help created more demand on local community groups.

The Gloucestershire local authorities were concerned that local community groups would run out of money and agreed to set up an emergency COVID-19 grant scheme to support the voluntary sector activity.

Gloucestershire County Council allocated each District Council £50,000 from funding it had received from the government and Tewkesbury Borough Council matched that sum allocating £100,000 in total to support community groups.

The scheme was launched at the beginning of April with robust criteria and a processing mechanism including consultation with the Deputy Leader and Lead Member for Community.

8. Alternative options considered and why they were rejected:

Options involving other voluntary grant givers were considered but dismissed due to the need to provide immediate support.

9. Risk analysis:

Robust criteria put in place together with processing and monitoring mechanisms. Minimal risk to the Council that funds are not being used for community support.

10. Any other relevant considerations:

None.

11. Chief Officer authorising decision:

Chief Executive.

12. Title of Officer completing report:

Deputy Chief Executive.

13. Date:

3 April 2020.

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

DISCRETIONARY BUSINESS GRANTS SCHEME

1. Decision:

Approve the Discretionary Business Grants policy document attached to this report and specifically the local discretionary eligibility criteria set out in section 7.

2. Background documents

The Government announced a further round of COVID-19 support related Business Grants on 1 May 2020. Guidance on the Discretionary Grant Scheme was received on 14 May 2020 together with FAQ's. Guidance is attached as Appendix A.

3. Reasons for decision:

Government requires that the scheme is launched and open in early June. In order to achieve the required timetable a decision must be made using urgency powers as there is no Committee date available which would achieve the timetable.

4. Resource implications:

An £883k grant from government has been received to fund the grant payments. The scheme has been designed to limit the overall cost to this amount.

Resources required to administer the scheme exist within the Council. Some staff have previously been operating as part of a Business Grant Team and have been redeployed from other business as usual areas of the Council. Their work continues and the allocation of this grant will be administered by that team. The team will be expanded with redeployed staff depending on the volume of applications received. All grants associated with this scheme are expected to be paid by the end of w/c 29 June 2020.

5. Who has been consulted:

The policy document attached as Appendix B is a product of partnership working with GFirst LEP, Cheltenham Borough Council, Stroud District Council and Gloucester City Council. The decision to agree the policy has been taken in consultation with the Leader of the Council who is also the Portfolio Holder for Economic Development/Promotion.

6. What were the comments:

Comments received from all parties have been incorporated into the final policy wording.

7. Background/context:

The Government announced a further round of COVID-19 support related Business Grants on 1 May 2020. A government grant has been received to fund this expansion.

8. Alternative options considered and why they were rejected:

Setting up the scheme is a mandatory requirement of government within the timeframe set out. A joint approach with neighbouring authorities was considered a better approach than individual schemes.

9. Risk analysis:

Limited risk associated with this decision. The policy document is based on government guidance and has been developed in partnership with neighbouring authorities and the Local Economic Partnership. The funds are limited by government and the monies are finite. There is very limited local discretion in the final policy.

Should there be an excess of applications, individual amounts can be reduced so as to meet the overall funding. A further expansion and round of applications can be put in place should there be surplus funds.

10. Any other relevant considerations:

None

11. Chief Officer authorising decision:

Chief Executive.

12. Title of Officer completing report:

Head of Finance and Asset Management.

13. Date:

4 June 2020.

Appendix A – Government Guidance, Discretionary Grant Scheme.

Appendix B – Discretionary Business Grant Policy – Tewkesbury Borough Council.

Any queries to be raised with democraticservices@tewkesbury.gov.uk



Department for
Business, Energy
& Industrial Strategy

Grant Funding Schemes

Local Authority Discretionary Grants Fund –
guidance for local authorities



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Any enquiries regarding this publication should be sent to us at: enquiries@beis.gov.uk

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About this guidance

1. This guidance is intended to support local authorities in administering the Local Authority Discretionary Grants Fund announced on 1 May 2020. This guidance applies to England only.
2. This guidance sets out the criteria which local government should consider as they manage the Local Authority Discretionary Grants Fund. This does not replace [existing guidance](#) for the Small Business Grant Fund (SBGF) or the Retail Hospitality and Leisure Grant Fund (RHLGF).
3. Local authority enquiries on this measure should be addressed to businessgrantfunds@beis.gov.uk. Businesses seeking information should refer to their local authority for further information on their discretionary scheme.

Introduction

4. In response to the Coronavirus, COVID-19, the government announced there would be support for small businesses, and businesses in the retail, hospitality and leisure sectors, delivered through the Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund.
5. This additional fund is aimed at small and micro businesses who were not eligible for the Small Business Grant Fund or the Retail, Leisure and Hospitality Fund.

How will the grants be provided?

6. Local authorities will be responsible for delivering grants to eligible businesses. Section 1 of the Localism Act 2011 provides all local authorities with the vires to make these payments.
7. The cost to local authorities of these grant payments will be met in one of two ways:
 - Where they have or plan to spend all of the grants fund allocation for the Small Business Grants Fund and Retail, Hospitality and Leisure Grants Fund, they will receive an additional payment of 5% of their funding allocation (using a grant under section 31 of the Local Government Act 2003).
 - Local authorities that, having taken all reasonable steps to provide grants to eligible businesses for the Small Business Grants Fund and/or the Retail, Hospitality and Leisure Grants Fund, still have unspent initial grants funds allocation, will fund the grants from this unspent residual. Local authorities with a projected underspend of more than 5% cannot allocate awards above their 5% threshold.
8. In either case, we will continue to monitor each local authority's spend performance for the Small Business, Retail, Hospitality and Leisure Grants Funds and the Local Authority Discretionary Grants Fund and ensure they have sufficient funding and the correct 5% cap for the Discretionary Grants Fund and will top up funding where necessary.

9. We will use the data return from local authorities of Monday 4th May 2020, which includes a projection of spend totals for the Small Business and Retail, Hospitality and Leisure Grants Funds, as the baseline for calculating either:
 - The 5% funding envelope that each local authority can utilise to meet the costs of this discretionary grants scheme, where they have residual funding available;
 - Or, the allocation of the additional amount of grant to be paid to those local authorities expecting to have no residual funding or not enough residual funding from the initial allocation of Small Business and Retail, Hospitality and Leisure Grants Funds.
10. This is a baseline to provide the fixed minimum 5% allocation for each local authority, to give certainty. We do not want to penalise local authorities that subsequently manage to achieve a higher number of business hereditaments supported and grants awarded; their 5% allocation will be adjusted upwards.
11. We are committed to meeting the delivery costs to local authorities for this scheme and will meet associated New Burdens costs.
12. Local authorities that will be responsible for making payments to businesses and which will receive funding from government are billing authorities in England.
13. This grant scheme widens access to support to businesses who are struggling to survive due to the Corona virus shutdown but are unable to access other grant funding. Local authorities should make payments as quickly as possible to support struggling businesses. We anticipate that the first payments made under the scheme will be received by businesses by early June.

How much funding will be provided to businesses?

14. Local authorities may disburse grants to the value of £25,000, £10,000 or any amount under £10,000. The value of the payment to be made to a business is at the discretion of the local authority.
15. Grants under the Local Authority Discretionary Grants Fund are capped at £25,000.
16. The next level payment under the Local Authority Discretionary Grants Fund is £10,000.
17. Local authorities have discretion to make payments of any amount under £10,000. It will be for local authorities to adapt this approach to local circumstances, such as providing support for micro-businesses with fixed costs or support for businesses that are crucial for their local economies. We expect that payments of under £10,000 may be appropriate in many cases.
18. In taking decisions on the appropriate level of grant, local authorities may want to take into account the level of fixed costs faced by the business in question, the number of employees, whether businesses have had to close completely and are unable to trade online and the consequent scale of impact of COVID-19 losses.
19. Bearing in mind the above, local authorities should set out clear criteria for determining the appropriate level of grant to give businesses clarity.

Who will benefit from these schemes?

20. These grants are primarily and predominantly aimed at:
- Small and micro businesses, as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006.
 - Businesses with relatively high ongoing fixed property-related costs
 - Businesses which can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis
 - Businesses which occupy property, or part of a property, with a rateable value or annual rent or annual mortgage payments below £51,000.
21. To be a small business, under the Companies Act 2006, a business must satisfy two or more of the following requirements in a year—
- Turnover: Not more than £10.2 million
 - Balance sheet total: Not more than 5.1 million
 - Number of employees: a headcount of staff of less than 50
22. To be a micro business, under the Companies Act 2006, a business must satisfy two or more of the following requirements—
- Turnover: Not more than £632,000
 - Balance sheet total: Not more than £316,000
 - Number of employees: a headcount of staff of not more than 10
23. We want local authorities to exercise their local knowledge and discretion and we recognise that economic need will vary across the country, so we are setting some national criteria for the funds but allowing local authorities to determine which cases to support within those criteria.
24. We are asking local authorities to prioritise the following types of businesses for grants from within this funding pot:
- Small businesses in shared offices or other flexible workspaces. Examples could include units in industrial parks, science parks and incubators which do not have their own business rates assessment;
 - Regular market traders with fixed building costs, such as rent, who do not have their own business rates assessment;
 - Bed & Breakfasts which pay Council Tax instead of business rates; and
 - Charity properties in receipt of charitable business rates relief which would otherwise have been eligible for Small Business Rates Relief or Rural Rate Relief.

25. The list set out above is not intended to be exhaustive but is intended to guide local authorities as to the types of business that the government considers should be a priority for the scheme. Authorities should determine for themselves whether particular situations not listed are broadly similar in nature to those above and, if so, whether they should be eligible for grants from this discretionary fund.
26. Where limits to funding available for this scheme require local authorities to prioritise which types of businesses will receive funding, it will be at the local authorities discretion as to which types of business are most relevant to their local economy. There will be no penalty for local authorities because of their use of discretion to prioritise some business types.
27. Local authorities should set out the scope of their discretionary grant scheme on their website, providing clear guidance on which types of business are being prioritised, as well as the rationale for the level of grant to be provided (either £25,000, £10,000 or less than £10,000).
28. Local authorities may wish to consider collaborating as they design their discretionary schemes to ensure there is consistency where they are working across a functional economic area (e.g. a Mayoral Combined Authority or Local Enterprise Partnership area) and may want to engage with MCAs and LEPs to ensure alignment and reduce duplication with other local discretionary business grants that may have been established.

Eligibility

29. This grant funding is for businesses that are not eligible for other support schemes. Businesses which are eligible for cash grants from any central government COVID-related scheme (apart from SEISS) are ineligible for funding from the Discretionary Grants Fund. Such grant schemes include but are not limited to:
 - Small Business Grant Fund
 - Retail, Hospitality and Leisure Grant
 - The Fisheries Response Fund
 - Domestic Seafood Supply Scheme (DSSS).
 - The Zoos Support Fund
 - The Dairy Hardship Fund
30. Businesses who have applied for the Coronavirus Job Retention Scheme are eligible to apply for this scheme.
31. Businesses who are eligible for the Self-Employed Income support scheme (SEISS) are eligible to apply for this scheme as well.
32. Only businesses which were trading on 11 March 2020 are eligible for this scheme.
33. Companies that are in administration, are insolvent or where a striking-off notice has been made are not eligible for funding under this scheme.

Who will receive this funding?

34. It is recognised that local authorities will need to run some form of application process.
35. This will allow local authorities to undertake proportionate pre-payment checks to confirm eligibility relative to their local scheme and to allow each local authority to determine how to use its discretion in relation to the appropriate level of grant. Prepayment checks must include confirming that by accepting payments recipients are in compliance with State aid rules.
36. Local authorities must use their discretion in identifying the right person to receive this funding, based on their application process.
37. The local authority must call or write to the business, stating that by accepting the grant payment, the business confirms that they are eligible for the grant scheme, including that any payments accepted will be in compliance with State aid requirements. Suggested wording for State aid declarations is included at Annex B.

Will these grant schemes be subject to tax?

38. Grant income received by a business is taxable therefore funding paid under the Local Authority Discretionary Grants Fund will be subject to tax.
39. Only businesses which make an overall profit once grant income is included will be subject to tax.

Managing the risk of fraud

40. The government will not accept deliberate manipulation and fraud - and any business caught falsifying their records to gain grant money will face prosecution and any funding issued will be subject to claw back, as may any grants paid in error.
41. The government Grants Management Function and Counter Fraud Function will make their digital assurance tool, Spotlight, available to local authorities, and will offer support in using the tool and interpreting results. Alongside other checks conducted by local authorities, the tool can help with pre-payment and post payment assurance. We also want local authorities to work with us and each other in identifying and sharing good practice, including protecting eligible businesses which may be targeted by fraudsters pretending to be central or local government or acting on their behalf.

Post event assurance

42. Post payment, the government Grants Management Function and Counter Fraud Function will support local authorities to carry out post-event assurance work to identify high risk payments.

Monitoring and reporting requirements

43. Local authorities will be required to report on their progress in developing and delivering the Local Authority Discretionary Grant Fund weekly to BEIS alongside the existing reporting on the Small Business Grants Fund and Retail, Hospitality and Leisure Grants Fund. Criteria for local authority schemes must be published and shared with BEIS.
44. Once the scheme is developed and payments are made, reports from June onward will cover:
 - Numbers of businesses provided £25,000 grants
 - Numbers of businesses provided £10,000 grants
 - Numbers of businesses provided less than £10,000 grants
 - Total funding paid out in relation to the discretionary grant scheme paying less than £10,000
 - Expected date of completion of all grant payments to businesses
 - Issues encountered in implementing the scheme to allow BEIS to support development of solutions with local authorities.
45. We will also contact a sample of LAs each month to:
 - Check they are awarding in line with the mandatory criteria;
 - Understand the ways in which they are using their discretion.
46. Annex A contains information on Post Payment Monitoring requirements.

State aid

47. The United Kingdom left the EU on 31 January 2020, nonetheless under the Withdrawal Agreement the State aid rules continue to apply during a transition period, subject to regulation by the EU Commission. The local authority must be satisfied that all State aid requirements have been fully met and complied with when making grant payments, including, where required, compliance with all relevant conditions of the EU State aid De-Minimis Regulation, the EU Commission Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, the approved COVID-19 Temporary Framework for UK Authorities, and any relevant reporting requirements to the EU Commission.
48. Local authorities have a discretion to make payments to eligible recipients under either the De Minimis rules or the COVID-19 Temporary Framework for UK Authorities (provided all the relevant conditions are met).
49. Payments of up to and including £10,000 can be provided under the De Minimis rules, meaning applicants can receive up to €200,000 of aid within a three year period.
50. Payments of up to and including £25,000 (or £10,000 where the De Minimis threshold has been reached) should be paid under the COVID-19 Temporary Framework for UK Authorities. Local authorities should note the conditions attached to the Temporary Framework, including the €800,000 threshold per undertaking (€120 000 per

undertaking active in the fishery and aquaculture sector or €100 000 per undertaking active in the primary production of agricultural products), and requirement for recipients to declare they were not an undertaking in difficulty on 31 December 2019. An 'undertaking in difficulty' is defined by GBER (2014) as an undertaking in which at least one of the following circumstances occurs:

- a) In the case of a limited liability company (other than an SME that has been in existence for less than three years), where more than half of its subscribed share capital has disappeared as a result of accumulated losses. This is the case when deduction of accumulated losses from reserves (and all other elements generally considered as part of the own funds of the company) leads to a negative cumulative amount that exceeds half of the subscribed share capital.
- b) In the case of a company where at least some members have unlimited liability for the debt of the company (other than an SME that has been in existence for less than three years), where more than half of its capital as shown in the company accounts has disappeared as a result of accumulated losses.
- c) Where the undertaking is subject to collective insolvency proceedings or fulfils the criteria under its domestic law for being placed in collective insolvency proceedings at the request of its creditors.
- d) Where the undertaking has received rescue aid and has not yet reimbursed the loan or terminated the guarantee, or has received restructuring aid and is still subject to a restructuring plan.
- e) In the case of an undertaking that is not an SME, where, for the past two years:
 - i) The undertaking's book debt to equity ratio has been greater than 7.5 and
 - ii) The undertaking's EBITDA interest coverage ratio has been below 1.0.

51. Annex B of this guidance contains two sample declarations which local authorities may wish to use with either payments under the De Minimis rules or under the COVID-19 Temporary Framework for UK Authorities. Where local authorities have further questions about De Minimis or other aspects of State aid law, they should seek advice from their legal department in the first instance.

Annex A: Post-payment reporting

Background

1. Local authorities will be required to report weekly to BEIS on the Local Authority Discretionary Grants Fund, alongside the existing reporting on the Small Business Grants Fund and Retail, Hospitality and Leisure Grants Fund
2. Reports will cover:
 - Numbers of businesses provided £25,000 grants
 - Numbers of businesses provided £10,000 grants
 - Numbers of businesses provided less than £10,000 grants
 - Total funding paid out in relation to the discretionary grant scheme paying less than £10,000
 - Expected date of completion of all grant payments to businesses
 - Issues encountered in implementing the scheme to allow BEIS to support development of solutions with local authorities
3. The return will be completed using the DELTA Reporting system.

Process

4. Local authorities are required to complete the weekly return for BEIS by 10am Monday (from early June), reporting on the previous Monday – Sunday period.
5. Each weekly report will only cover grants provided by local authorities to eligible business during the period of the previous week as per paragraph 4. The Cities and Local Growth Unit will consolidate the reports to create a cumulative total and monitor progress against the allocation of funding per local authority.

Definitions

Total number of grants provided under each level of the scheme (£25,000; £10,000; and less than £10,000)	Number of grants paid (in that week) to the eligible businesses identified by the local authorities.
Total funding paid out in relation to the discretionary grant scheme paying less than £10,000	This should reflect the amount of money paid in grants against the under £10k grant in the reporting week under this scheme.
Expected Date of Completing all payments to Eligible Businesses	Date at which the local authorities believes it will have provided all grants under the scheme.
Comments	Highlight in this box issues that local authorities are encountering while implementing the schemes.

Annex B: State aid – Sample paragraphs that could be included in letters to grant recipients

Template to send to beneficiaries of aid awarded based on the UK COVID-19 Temporary Framework¹

Dear [Name of Aid Recipient]

Confirmation of State Aid received under the COVID-19 Temporary Framework for UK Authorities scheme

Following the outbreak of the Coronavirus, the European Commission has approved schemes to aid businesses affected by the Coronavirus outbreak on the basis of their Temporary Framework, including the COVID-19 Temporary Framework scheme for the UK.

The maximum level of aid that a company may receive is €800 000 (€120 000 per undertaking active in the fishery and aquaculture sector or €100 000 per undertaking active in the primary production of agricultural products). This is across all UK schemes under the terms of the European Commission's Temporary Framework. The Euro equivalent of the Sterling aid amount is calculated using the Commission exchange rate² applicable on the date the aid is offered.

Any aid provided under this scheme will be relevant if you wish to apply, or have applied, for any other aid granted on the basis of the European Commission's Temporary Framework. You will need to declare this amount to any other aid awarding body who requests information from you on how much aid you have received. You must retain this letter for four years after the conclusion of the UK's transition from the EU and produce it on any request from the UK public authorities or the European Commission.

Aid may be granted to undertakings that were not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation³) on 31 December 2019, but that faced difficulties or entered in difficulty thereafter as a result of the COVID-19 outbreak⁴.

This aid is in addition any aid that you may have received under the De Minimis regulation allowing aid of up to €200,000 to any one organisation over a three fiscal year period (i.e. your current fiscal year and previous two fiscal years), and any other approved aid you have received under other State aid rules, such as aid granted under the General Block Exemption Regulation.

¹ Approval reference.

² https://ec.europa.eu/info/funding-tenders/how-eu-funding-works/information-contractors-and-beneficiaries/exchange-rate-infoeuro_en

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02014R0651-20170710>

⁴ If you are an undertaking in difficulty within the meaning of Article 2(18) of the General Block Exemption Regulation you may still be entitled to de minimis aid if you have received less than €200,000 in de minimis aid in the last three years. You should contact us if you consider that you may qualify for de minimis aid on this basis.

Confirmation of State aid received under x Scheme, and Undertaking in Difficulty status

Please sign the attached statement confirming your eligibility, in principle, for aid.

I confirm that I have received the following aid under measures approved within the European Commission's Temporary Framework between March 2020 and December 2020.

I confirm that my undertaking was not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation) on 31 December 2019.

Body providing the assistance/ aid	Value of assistance (in €)	Date of assistance

Declaration

Company	
Company Representative Name	
Signature	
Date	

Template to send to beneficiaries of aid awarded based on De Minimis Rules

Dear []

The value of the grant payment to be provided to [name of undertaking] by [name of local authority] is £ [] (Euros []).

This award shall comply with the EU law on State aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of de minimis aid within the current financial year or the previous two financial years). The de minimis Regulations 1407/2013 (as published in the Official Journal of the European Union L352 24.12.2013) can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

Amount of de minimis aid	Date of aid	Organisation providing aid	Nature of aid

I confirm that:

- 1) I am authorised to sign on behalf of _____ [name of undertaking]; and
- 2) _____ [name of undertaking] shall not exceed its De minimis threshold by accepting this grant payment.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

I confirm that I wish to accept the grant payment in relation to the above premises.

DATE:

This publication is available from: www.gov.uk/beis

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Tewkesbury Borough Council

Discretionary Business Grant Scheme

Version Control

Version	Version date	Revised by	Description
1	May 2020	DA	Scheme
2	May2020	DA	Amendments- Gloucestershire Group
3	June 2020	DA	Amendments- Gloucestershire Group
4	June 2020	DA	Amendments- Gloucestershire Group
5	June 2020	DA	Amendments- Gloucestershire Group
6	June 2020	DA	Amendments- Gloucestershire Group
7	June 2020	DA	Final

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1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's Discretionary Business Grants Scheme.
- 1.2 The new Discretionary Business Grant Scheme has been developed in response to an announcement made by the Secretary of State for Business, Energy & Industrial Strategy made on 1st May 2020 which sets out circumstances whereby a grant payment **may** be made by the Council to a business who has not previously qualified for a direct business grant and is suffering a significant fall in income due to the COVID-19 crisis.
- 1.3 Whilst the awarding of grants will be at the total discretion of the Council, the Department for Business, Energy & Industrial Strategy (BEIS) has set down criteria which must be met by each business making an application for a discretionary grant. The Department has also indicated the types of business which should be given priority.
- 1.4 This document sets out the criteria which BEIS have provided to the Council to determine eligibility for the Discretionary Business Grant. It also outlines the approach the Council will take in determining whether an award should be paid or not.

2.0 Funding

- 2.1 Government has provided the Council with a sum of £883,000 which represents 5% of the projected allocation for the Direct Business Grants. The funding level is finite and therefore the Council, although keen to ensure that grants are given to the maximum number of businesses, is conscious that its expenditure cannot exceed that amount.
- 2.2 The Council will limit the total awards to the level of funding available from Government.

3.0 Eligibility criteria of the fund

- 3.1 Government, whilst wanting Councils to exercise their local knowledge and discretion, have set national criteria for the funds. In all cases, the Council will only consider businesses for Discretionary Business Grant where the relevant criteria are met.
- 3.2 Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a Discretionary Business Grant.
- 3.3 Government has stated that the intention of the scheme is to provide assistance to businesses that primarily and predominantly meet the following criteria:

- Small and micro businesses, as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006;
- Businesses with relatively high ongoing fixed building-related costs;
- Businesses which can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis;
- Businesses which occupy property, or part of a property, with a rateable value or annual rent or annual mortgage payments below £51,000. (Businesses that would otherwise meet the criteria but have a rateable value greater than £51,000 but below £105,001, may apply under the local fund priorities -see section 7); and
- Businesses must have been trading on 11th March 2020.

3.4 In addition, businesses which are **eligible** for any of the following are **ineligible for any Discretionary Business Grant**:

- Small Business Grant Fund;
- Retail, Hospitality and Leisure Grant;
- The Fisheries Response Fund;
- Domestic Seafood Supply Scheme (DSSS);
- The Zoos Support Fund;
- The Dairy Hardship Fund;

4.0 Definitions - Eligibility Criteria

For the sake of clarity, the following definitions are provided in respect of the criteria set out in paragraphs 3.3 and 3.4:

- **Small Businesses under the Companies Act 2006** must meet two of the following requirements in a year:
 - Turnover must not be more than £10.2 million per annum;
 - The Balance sheet total should not be more than £5.1 million; and
 - The number of employees should be less than 50.
 - Businesses will be required to provide evidence to the Council that they meet the criteria as a small business by providing accounts or draft accounts for the last trading period;
- **Micro Businesses under the Companies Act 2006** must meet two of the following requirements in a year:
 - Turnover must not be more than £632,000 per annum
 - The Balance sheet total should not be more than £316,000; and
 - The number of employees should be less than 10.
 - Businesses will be required to provide evidence to the Council that they meet the criteria as a micro business by providing accounts or draft accounts for the last trading period;

- **Both small and micro businesses** will be required to submit their latest accounts/draft accounts or evidence of turnover for the latest trading period;
- **Businesses must have relatively high ongoing fixed building-related costs** – for the purpose of this scheme, the Council determines fixed building-related costs to be;
 - Payments of mortgage, lease, rent or licence for business premises and **not** domestic premises (apart from the exception of Bed and Breakfast premises as defined in part 6 of this scheme);
 - The payments must represent a high proportion of expenses in relation to the overall income of the business; and
 - The payments are unavoidable and are ongoing.

The Council has determined that each business will have to provide evidence of high on-going fixed building- related costs. The Council will require the business to provide evidence of liabilities including mortgage, lease, tenancy, service charges or licence documentation. In the case of shared workspaces (see sections 5 and 6), only businesses which have fixed building costs of greater than £5,000 per annum shall be considered as priority;

- **Businesses must demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis** – the Council has determined that businesses must certify that there has been a significant fall in income (of at least 50%) for the period March to May 2020 compared with the same months in 2019 (where a business was not trading in March-May 2019, evidence for 3 months prior to March 2020 will be accepted).

Businesses will be required to provide evidence of this which must include bank statements supported by financial information which could be in the form of (but not limited to) management information contained in spreadsheets, evidence from an accountant or bookkeeper or information from a computerised accounting system (e.g. Sage, Xero etc.).

The Council must be sure that the fall in income is due to the COVID-19 crisis and not a general failure of business. Where necessary businesses may need to provide evidence to the Council to support their application;

- **Businesses must be trading on 11th March 2020** –Businesses must have been trading on 11th March 2020 and continue to be trading at the time the grant is paid. Businesses that have ceased trading since 11th March (apart from temporarily due to COVID-19), are dormant, subject to a winding up order, in administration or subject to striking off will not be eligible;
- **Eligible to a grant under the Small Business Grant Scheme or the Retail Hospitality or Leisure Scheme¹** – where the business is either eligible to receive or has received a grant under either of the two schemes administered by the Council, no Discretionary Business Grant shall be awarded;

¹ **Eligibility Criteria for either the Small Business Grant or Retail Hospitality and Leisure Grant** as determined by the Department for Business, Energy & Industrial Strategy and administered by the Council;

- **Eligible to assistance under the Fisheries Response Fund** – as administered by the Marine Management Organisation (MMO) and funded by HM Treasury and the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Domestic Seafood Supply Scheme (DSSS)** as administered by the Marine Management Organisation (MMO) and funded by HM Treasury and the Maritime and Fisheries Fund. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Zoos Support Fund** as administered by the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Dairy Hardship Fund** as administered by the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Businesses which occupy property, or part of a property, with a rateable value or annual rent or annual mortgage payments below £51,000** – The Council has decided that this shall be a key determinant of priority under the scheme and, as such, where businesses make payments of mortgage, lease, rent or licence of £51,000 or more per annum, no Discretionary Business Grant shall be awarded. Where businesses would otherwise meet the criteria but have a rateable value of £51,000 or more, they may be considered as a local fund priority (see Section 7).
For the avoidance of doubt, the Council has decided that in calculating the figure of £51,000, **all** buildings occupied by the business (or the responsibility of the business) shall be taken into account.

5.0 National Priority Businesses

- 5.1 Government are asking Councils to prioritise the following types of businesses for grants from within this discretionary fund:
- (a) **Small businesses in shared offices or other flexible workspaces** e.g. industrial parks, science parks, incubators etc., which do not have their own business rates assessment;
 - (b) **Regular market traders who do not have their own business rates assessment;**
 - (c) **Bed and Breakfast premises which pay council tax instead of business rates;** and
 - (d) **Charity properties in receipt of charitable business rates relief which would otherwise have been eligible for Small Business Rates Relief or Rural Rate Relief.**

6.0 Definitions - National Priority Businesses

6.1 In line with Government's priorities for the fund, the following definitions have been used to determine whether any particular business should be treated as a priority for the funding:

Small businesses in shared offices or other flexible workspaces which do not have their own business rates assessment

6.2 These are defined by the Council as businesses which do not have a separate assessment for Non-Domestic Rating (i.e. those businesses who do not occupy a separate hereditament within the 2017 Rating List) and who, on the 11th March 2020 were trading and shared the premises with other businesses.

6.3 Primarily, these businesses will not be assessed individually for Non-Domestic Rating on the basis that the landlord has paramount occupation of the premises.

6.4 The Council has decided that the following criteria will also apply to small businesses in shared offices or other flexible workspaces:

- The shared office or flexible workspace must be used by the business on a day to day basis and be for the sole use of the business;
- Homeworking will not be considered as shared offices or flexible workspaces;
- The business must be leasing or renting a defined office space or shared workspace, not just individual desk spaces; and
- The business must trade from the shared office or flexible workspace. It must not be wholly or mainly for storage or used as Post Office / Mailing address or Registered Office only.

Regular market traders who do not have their own business rates assessment

6.5 As with the other priority businesses for this fund, these will be businesses who do not have a separate assessment for Non-Domestic Rating (i.e. those businesses who do not occupy a separate hereditament within the 2017 Rating List).

6.6 The Council has decided that for the purpose of this scheme, market traders shall be defined as: " a business or person who sells goods wholly or mainly to visiting members of the public from a stall, pitch or similar, from a place or market recognised by the Council as a market".

Where the business is street trading, the business or person must hold a valid street trader licence issued by the Council.

6.7 All market traders must prove to the Council that as at 11th March 2020, they had a regular pitch or stall in a fixed location within the Council's boundary from which they sold goods to visiting members of the public.

- 6.8 For the purposes of this scheme, 'regular' is defined as at least 5 days per week. Where the market trader traded less frequently, the Council will not consider the business as priority for a grant.
- 6.9 Where a market trader operates in more than one local authority area, the applicant will need to certify that they trade primarily in the Council's boundary or have fixed business base within the Council's boundary. Where a grant is claimed from another authority, no grant will be awarded by the Council.

Bed and Breakfast premises which pay council tax instead of business rates

- 6.10 For the purpose of this scheme, these businesses are those who do not occupy a separate hereditament within the 2017 Rating List and who the Valuation Office Agency would deem to fall within the council tax Valuation List.
- 6.11 For the avoidance of doubt, the Council will consider this as a priority business if:
- (a) the Bed and Breakfast property is domestic and therefore subject to council tax rather than business rates;
 - (b) It provides short stay accommodation for no more than six persons at any one time within the past year;
 - (c) The property is the sole or main residence of the proprietor(s) and the bed and breakfast use is subsidiary to the private use;
 - (d) The business was trading on 11th March 2020 (see paragraph 4.1); and
 - (e) There must be at least two rooms capable of being let separately.
- 6.12 In determining subsidiary use the Council shall take into account:
- Whether the majority of the premises is being used for business purposes: and
 - If the premises have been adapted to alter the character of the property beyond that of a private house.
- 6.13 Where the Council has determined that the Bed and Breakfast premises should have been subject to Non-Domestic Rating, the business shall not be considered as a priority for a Discretionary Business Grant.
- 6.14 The Council has determined that, any premises where it considers that the Bed and Breakfast business is basically 'home sharing' and where advertising is wholly undertaken through 'home sharing' websites, will be excluded from the fund.

Charity properties in receipt of charitable business rates relief which would otherwise have been eligible for Small Business Rates Relief or Rural Rate Relief

- 6.15 In certain cases, where a charity was in receipt of mandatory relief under Section 43 of the Local Government Finance Act 1988, it would not have been entitled to either Small Business Rates Relief

or Rural Rate Relief. As such it would not have been able to receive a grant under the Small Business Grant Fund.

- 6.16 The Council will give priority to charities who, were it not for the receipt of mandatory relief, would have met the qualifying criteria for the Small Business Grants. It should be noted that this only relates to premises that would, but for the receipt of mandatory rate relief, have received a percentage reduction under the Small Business Rates Criteria. In the main this will be premises with a Rateable Value of £15,000 or less and where the ratepayer occupies only one premises (excluding any premises which would be disregarded under the Small Business Rates Relief scheme).

7.0 Local Fund Priorities

- 7.1 In addition to the national fund priorities, the Council has decided that it will accept applications from all local independent businesses meeting the criteria.
- 7.2 The Council has decided priority local independent businesses are those that are in the hospitality sector such as bars, restaurants, cafés, nightclubs, public houses and boutique hotels which are eligible for the Expanded Retail Discount and have a rateable value of £51,000 or greater but below £105,001. Businesses that are part of national chains or franchises will receive no Discretionary Business Grants.
- 7.3 In all cases however, the business **must** meet the eligibility criteria stated in sections 3 and 4.

8.0 How will grants be provided to businesses?

- 8.1 The Council is fully aware of the importance of grants to assist businesses and support the local community and economy. The Discretionary Business Grant scheme will offer a lifeline to businesses who are struggling to survive due to the COVID-19 crisis.
- 8.2 In all cases, an application form **is** required, and this can be completed on-line at the Council's website: <https://www.tewkesbury.gov.uk/forms/covid-19-discretionary-business-grant-fund>
If the requested information is not provided with the application form the application may be deemed invalid.
The Council may ask for supplementary information. If this is not provided as requested the application may be deemed invalid.
- 8.3 An application for a Discretionary Business Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

8.4 The Department for Business, Energy & Industrial Strategy (BEISS) has issued a guidance document which will be used in administering the scheme along with any updated versions and supplementary guidance.

9.0 How much grant will be payable

9.1 Government has determined that there shall be a 'cap' on grants of £25,000 per business and that the next level of grant shall be £10,000. However, the Council under Government guidance, has the following discretion:

- (a) Whether to award grants at the £25,000 or £10,000 level; and
- (b) To determine whether grants of less than £10,000 should be awarded.

9.2 The Council has decided that, for the purposes of this scheme, the following grants will be awarded:

- Market traders – up to a maximum of £5,000 subject to demand;
- Bed and breakfast – up to a maximum of £5,000 subject to demand;
- Small and micro businesses in shared office space - up to a maximum of £10,000 subject to demand; and
- Local Priority Businesses as defined in section 7 and meeting the criteria in sections 3 and 4 of this scheme up to a maximum of £25,000 subject to demand.

9.3 The Council reserves the right to alter the level of grant awarded where the number of successful applications received exceed the level of funding available.

9.4 Only one Discretionary Business Grant will be awarded to any business. This will also apply if more than one business has the same proprietor (either sole traders or partnerships).

10.0 Limitation of funds and applications

10.1 All monies paid through the Discretionary Business Grant scheme will be funded by Government and paid to the Council under S31 of the Local Government Act 2003. However, as mentioned in section 2, the funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.

10.2 In order to fairly administer the scheme, the Council has decided that awards will be determined as follows:

- (a) There will be a two-week period during which applications can be made. This will be between 6pm on 9th June 2020 until midnight 21st June 2020;
- (b) Any businesses wishing to claim should complete the necessary form on the Council's website as shown in paragraph 8.2. This will also include the provision of such evidence as required by the Council;
- (c) All claims will be made online;

- (d) Once the application period is closed, all awards will be considered against the criteria laid down within this scheme. The Council aims to commence paying grants from 25th June;
- (e) Depending on the number of applications and the amount left in the grant fund, the Council reserves the right to provide other application periods if appropriate.

11.0 EU State Aid requirements

- 11.1 Any Discretionary Business Grant is given as aid under the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak published on 19 March 2020. This means that businesses receiving support under these provisions can receive up to €800,000 in aid over three years (being the current and the previous two years).
- 11.2 Any grant awarded is required to comply with the EU law on State Aid. This will involve the applicant declaring to the Council if they have received any other de minimis State aid or aid provided under the EU Commission Covid-19 Temporary Framework.

12.0 Scheme of delegation

- 12.1 The Chief Executive in consultation with the Lead Member for Economic Development has approved this policy under urgency powers.
- 12.2 Officers of the Council will administer the scheme and the Lead Member for Economic Development and Chief Executive are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Government guidance.

13.0 Notification of decisions

- 13.1 Applications will be considered by the Business Grants Team.
- 13.2 All decisions made by the Council shall be notified to the applicant by email. A decision shall be made as soon as practicable after the closure of the application period.

14.0 Reviews of decisions

- 14.1 Each application will be reviewed by a separate review team before a refusal is issued and the applicant will be notified by email.
- 14.2 The applicant can then appeal this decision within 2 working days, clearly stating the grounds for appeal, and this will be undertaken by the Head of Finance and Asset Management and agreed with the Lead Member for Finance and Asset Management. Their decision is final.

- 14.3 The review process will be the mechanism used to review decisions to award or not award grant payments. The Council's complaints procedure will be applied in respect of other grievances in relation to the scheme.

15.0 Complaints

- 15.1 The Council's complaints procedure (available on the Council's website) will be applied in the event of any complaint received about this scheme apart from the decision to award or not award a discretionary business grant.

16.0 Other scheme conditions

- 16.1 The Council has been informed by Treasury that all grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

17.0 Managing the risk of fraud

- 17.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them.
- 17.2 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.
- 17.3 The Council reserves the right to reclaim any grant paid in error.