

24 May 2022

<b>Committee</b>	Executive
<b>Date</b>	Wednesday, 1 June 2022
<b>Time of Meeting</b>	2:00 pm
<b>Venue</b>	Tewkesbury Borough Council Offices, Severn Room

## **ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND**

### **Agenda**

#### **1. ANNOUNCEMENTS**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

#### **2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and advise of any substitutions.

#### **3. 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.



	Item	Page(s)
<b>4.</b>	<b>MINUTES</b>  To approve the Minutes of the meeting held on 30 March 2022.	1 - 7
<b>5.</b>	<b>ITEMS FROM MEMBERS OF THE PUBLIC</b>  To receive any questions, deputations or petitions submitted under Rule of Procedure 12.  <i>(The deadline for public participation submissions for this meeting is 26 May 2022)</i>	
<b>6.</b>	<b>EXECUTIVE COMMITTEE FORWARD PLAN</b>  To consider the Committee's Forward Plan.	8 - 14
<b>7.</b>	<b>INTERIM MEDIUM TERM FINANCIAL STRATEGY</b>  To receive an update on current financial projections over the next two financial years and recommend the interim Medium Term Financial Strategy to Council for adoption.	15 - 30
<b>8.</b>	<b>HIGH LEVEL SERVICE PLAN SUMMARIES</b>  To consider the key activities of each service grouping during 2022/23.	31 - 79
<b>9.</b>	<b>COUNCIL PLAN 2020/24 REFRESH</b>  To consider the Council Plan and make a recommendation to Council.	80 - 102
<b>10.</b>	<b>COUNCIL TAX ENERGY REBATE DISCRETIONARY SCHEME</b>  To consider the Council Tax Energy Rebate Discretionary Scheme.	103 - 114
<b>11.</b>	<b>ASHCHURCH BRIDGE OVER RAIL (ABOR)</b>  To receive a project update and forward delivery plan.	115 - 121
<b>12.</b>	<b>THE LEIGH NEIGHBOURHOOD DEVELOPMENT PLAN REFERENDUM</b>  That the Leigh Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, be progressed to Community Referendum and that authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to the Referendum.	122 - 161
<b>13.</b>	<b>ASHCHURCH RURAL NEIGHBOURHOOD DEVELOPMENT PLAN REFERENDUM</b>  That the Ashchurch Rural Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, be progressed to Community Referendum and that authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to the Referendum.	162 - 191

**DATE OF NEXT MEETING  
WEDNESDAY, 6 JULY 2022**

**COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: R A Bird (Chair), G F Blackwell, M Dean, M A Gore, D J Harwood, E J MacTiernan, J R Mason (Vice-Chair), C Softley, R J Stanley, M G Sztymiak and R J E Vines

**Substitution Arrangements**

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

**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 and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chairman will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

## TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Wednesday, 30 March 2022 commencing at  
2:00 pm**

**Present:**

Chair  
Vice Chair

Councillor R A Bird  
Councillor J R Mason

**and Councillors:**

M Dean, M A Gore, D J Harwood, M L Jordan (Substitute for C Softley), E J MacTiernan,  
R J Stanley and R J E Vines

**EX.99 ANNOUNCEMENTS**

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

**EX.100 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

100.1 Apologies for absence were received from Councillors G F Blackwell, C Softley and M G Sztymiak. Councillor M L Jordan would be acting as a substitute for the meeting.

**EX.101 DECLARATIONS OF INTEREST**

101.1 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.

101.2 There were no declarations of interest made on this occasion.

**EX.102 MINUTES**

102.1 The Minutes of the meeting held on 2 March 2022, copies of which had been circulated, were approved as a correct record and signed by the Chair.

**EX.103 ITEMS FROM MEMBERS OF THE PUBLIC**

103.1 There were no items from members of the public.

**EX.104 EXECUTIVE COMMITTEE FORWARD PLAN**

104.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 11-17. Members were asked to consider the Plan.

104.2 Accordingly, it was

**RESOLVED:** That the Committee's Forward Plan be **NOTED**.

**EX.105 COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER THREE 2021/22**

- 105.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 18-109, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the Quarter Three 2021/22 Council Plan performance tracker and COVID-19 recovery tracker information.
- 105.2 In the absence of the Chair of Overview and Scrutiny Committee, the Head of Corporate Services explained that the Committee had noted the performance management report, including areas where actions or key performance indicators were not progressing as smoothly or quickly as envisioned. Questions raised by the Committee could be found in Paragraph 2.1 of the report. Similar to quarter two, there was not one real area of focus but a range of questions across all the actions within the Council Plan and recovery plan. The key questions/observations to bring to the attention of Executive Committee were: the trade waste project - the March 2022 date within the tracker was a date by which the project plan would be up and running with the project lead appointed. The project was progressing well and the action would be carried forward into 2022/23 - the Overview and Scrutiny Committee received six monthly progress reports; the Joint Core Strategy timetable – as verbally reported to Overview and Scrutiny Committee, a revised timetable was being presented to the Executive Committee as part of the Local Development Scheme item; planning applications – speed of processing - the Interim Development Manager explained that Officers were working hard to address the backlog of applications and it was hoped that an upturn would be reflected in the figures over the next two months – he had provided assurance that new applications were being dealt with in a timely manner; review of licensing service – the continued shift of implementation dates was questioned, particularly as the date had now been moved to December 2022, and it was explained that the original action was in relation to moving certain aspects of the service to an online option, however, the scope had significantly widened since the initial action was introduced with a whole review of the service now being undertaken - the project contained four workstreams IT, governance, HR and the team structure, and finance with support for each element being provided by the relevant services; response to complaints - a Member had noted there was a downward trend with 80% of formal complaints answered in time during quarter one, 68% in quarter two and 65% in quarter three which was 73% overall against a target of 90% and it was explained that complaints could be complex and services were under pressure. The downturn had been discussed by Management Team and improvement was anticipated during quarter four. Top tips for dealing with complaints were communicated to staff, for instance, agreeing an extension of time with the complainant at an early stage if the complaint could not be resolved quickly. Although the demand on services was recognised, it was important that complaints were being dealt with in a timely manner. Overall, the picture was positive despite the ongoing challenge to recover from the pandemic. Early in quarter three, the Business Cell was re-mobilised to administer the Omicron related business grants. In addition to this, the Council Tax Energy Rebate Scheme had been announced which was a significant scheme and a dedicated team had been established to address that. The Overview and Scrutiny Committee was also advised that both the Council Plan and recovery plan were currently being refreshed. Recognising the success of the recovery plan, it was the intention to integrate this back into one Council Plan strategic document. This would be presented to Executive Committee in June.
- 105.3 A Member indicated that he had a number of questions from a Member of the Overview and Scrutiny Committee and he would send them to the Head of Corporate Services following the meeting to ensure they had been picked up as actions from the Overview and Scrutiny Committee meeting.
- 105.4 Accordingly, it was

**RESOLVED:** That the findings of the Overview and Scrutiny Committee's review of the quarter three performance management and recovery information be **NOTED**.

#### **EX.106 DISCRETIONARY RATE RELIEF POLICY**

106.1 The report of the Head of Corporate Services, circulated at Pages No. 110-126, sought approval for an updated Discretionary Rate Relief Policy which considered the current eligibility criteria for discretionary rate relief. Members were asked to adopt the updated policy and delegate authority to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to implement any further business rate reliefs introduced by the government.

106.2 The Revenues and Benefits Manager explained that the revised policy was the same as the existing with the exception of a couple of changes to incorporate legislation which had been introduced over the last three years in respect of the addition of rural rate relief and relief for local newspapers. A Member questioned how rural was defined in terms of rural rate relief and was advised that this was included at Paragraph 7.4 of the policy which defined it as "designated settlements in a rural area which had a population of 3,000 or less".

106.3 Accordingly, it was

- RESOLVED:**
1. That the Discretionary Rate Relief Policy, as attached at Appendix A to the report, be **ADOPTED**.
  2. That authority be delegated to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to implement any further business rate reliefs introduced by government.

#### **EX.107 DISCRETIONARY HOUSING PAYMENTS POLICY**

107.1 The report of the Head of Corporate Services, circulated at Pages No. 127-139, proposed an updated policy to incorporate internal audit recommendations and to ensure consistent decisions were made. Members were asked to adopt the Discretionary Housing Payments Policy with effect from 1 April 2022.

107.2 The Revenues and Benefits Manager explained that discretionary housing payments were short term awards the Council could administer to help residents with housing costs where they were in receipt of housing benefit or the housing element of Universal Credit. The policy had been due for review in 2021 but had been delayed due to COVID-19. The new policy incorporated recommendations from Internal Audit, following its review, along with updated guidance provided by the Department for Work and Pensions. It also placed greater emphasis on the actions the applicant needed to take to avoid long term reliance on discretionary housing payments.

107.3 A Member noted that the government allocated funding and then it was at the discretion of the Council whether it would top up the fund and questioned whether there was an expectation that a large top up would be made and, if so, how that was incorporated into the budget. In response, the Revenues and Benefits Manager explained that the Council had an allocation and there were opportunities in the financial year to submit an initial estimate and a mid-year estimate to the Department for Work and Pensions and the funding was then adjusted on that basis. The Council could top up from its own resources but that was unlikely to be

required this year.

107.4 Accordingly, it was

**RESOLVED:** That the Discretionary Housing Payments Policy, as attached at Appendix A to the report, be **ADOPTED** with effect from 1 April 2022.

## **EX.108 STATEMENT OF COMMUNITY INVOLVEMENT**

108.1 The report of the Interim Planning Policy Manager, circulated at Pages No. 140-187, asked the Executive Committee to recommend to Council that the revised Statement of Community Involvement be adopted.

108.2 Members were advised that the Statement of Community Involvement set out how Tewkesbury Borough Council would engage with the local communities and stakeholders in the development of planning policy documents and the determination of planning applications within the Borough. The requirement to prepare a Statement of Community Involvement was introduced in the Planning and Compulsory Purchase Act 2004 and there was now a requirement for the document to be reviewed every five years and to set out how the Council would support communities undertaking neighbourhood planning. There was no legal requirement to consult on the review of the Statement of Community Involvement; however, the views of Members and Parish Councils had been sought as part of the preparation of the document – the main changes were summarised as: the inclusion of important principles for community involvement; greater reference to the role and use of digital consultation and engagement; the inclusion of guidance relating to how the Statement of Community Involvement procedures would need to change in response to any possible future emergency/pandemic situations which impacted business as usual; reference to the approach to community involvement for the Joint Core Strategy review, including reference to the Garden Town; the inclusion of the Council’s policy for providing support for neighbourhood planning; and updates to development management consultation requirements, particularly a move to using neighbour notification letters instead of just green site notices.

108.3 During the discussion which ensued, a Member expressed the view that the proposed neighbour notification letters were very welcome. However, another Member stated that the proposition but did not sit well with her. She was of the view that it was presumptuous of the Council to assume people had access to the internet and it was risky to abolish the use of the green notices as they were very visible to people in the area of an application. In response, the Head of Development Services advised that some applications would still have site notices as well as neighbour notification letters – some people had indicated that they had not seen site notices in the past and therefore had not been notified so the new system was designed to be more inclusive. She felt there was never an answer which suited everyone but the Council tried to engage as best it could. Neighbour notification letters were intended to ensure people directly adjoining the area were notified. In terms of neighbouring properties, the Head of Development Services advised that the number of people who received the letters depended on the type of application e.g. a larger development would have a greater impact on more residents so each case would be different. It was agreed by several Members that it felt safer to write to neighbours than to rely on them to see a site notice but they also felt there was some onus on Councillors to get the message out to the wider area if necessary. Parishes could put up a local notice about an application if they wished to draw additional attention to it but the Borough Council could not ask Parishes to undertake a role which was its responsibility so it would not be possible

to ask Parishes to put up the formal green notices.

- 108.4 A Member questioned who made the decision as to what went to Committee and how the objections of Parish Councils were taken into account. In response, the Head of Democratic Services advised that the Planning Scheme of Delegation contained within the Council's Constitution set out whether an application could be determined by Planning Officers or whether a Committee decision was required. The scheme included applications that a Parish Council had raised objection to being submitted for Committee determination subject to the objection raising substantive planning issues.

- 108.5 Accordingly, it was

**RESOLVED:** That it be **RECOMMENDED TO COUNCIL** that the revised Statement of Community Involvement be **ADOPTED**.

#### **EX.109 LOCAL DEVELOPMENT SCHEME**

- 109.1 The report of the Interim Planning Policy Manager, circulated at Pages No. 188-199, attached an updated Local Development Scheme which Members were asked to recommend to Council for adoption.

- 109.2 Members were advised that the Local Development Scheme outlined the timetable for preparation of statutory development plan documents in the Borough. The existing published version, which had been adopted by the Council in January 2021, required revision as the timetable was now out of date and an up to date Local Development Scheme was required as part of the preparation of the Gloucester, Cheltenham and Tewkesbury Joint Strategic Plan (formerly the Joint Core Strategy). The amended key dates for the Joint Strategic Plan and Tewkesbury Borough Plan were contained within the Local Development Scheme. Neighbourhood Development Plans also formed part of the Development Plan for Tewkesbury Borough and a number of plans had been 'made' or were currently in production. Although eventually adopted by the Borough Council, Neighbourhood Development Plans were developed by local communities. Therefore those plans were not directly progressed by the Borough Council and their timetable for development was largely dependent on local communities. As such, the Local Development Scheme did not contain detail on the timetables for any emerging Neighbourhood Development Plans.

- 109.3 Accordingly, it was

**RESOLVED:** That it be **RECOMMENDED TO COUNCIL** that the updated Local Development Scheme for Tewkesbury Borough, as attached at Appendix 1 to the report, be **ADOPTED**.

#### **EX.110 MANAGING CONTRACTORS SAFELY POLICY REVIEW**

- 110.1 The report of the Environmental Health Manager, circulated at Pages No. 200-216, asked Members to approve the revised Managing Contractors Safely Policy.

- 110.2 The Environmental Health Manager explained that the Council had a documented policy in place which provided Officers with guidance on the safe management of contractors. Following consultation with managers, the policy had been reviewed to ensure it was fit for purpose and reflected current best practice. The review had resulted in additional guidance on the role and responsibilities of the Council's client officer and the pre-contract checks that should be made prior to selecting and engaging a contractor. The main policy changes were outlined within the report at Paragraph 2.0 and included clarification of responsibilities for carrying out

background checks on a contractor such as identification, right to work, qualifications, Disclosure and Barring Service (DBS) clearance and character references; a requirement on behalf of the client officer to make reasonable checks to verify the competence of a contractor, compliance history and membership of trade accreditation schemes; minor amendments to wording with the addition of sub-contractors alongside references to contractors; and consideration of COVID-19 where relevant. During the brief discussion which ensued, a Member questioned whether there should be reference made to the accident policy and working conditions in terms of checking workers were not being forced to have zero-hour contracts etc. In response, the Environmental Health Manager confirmed that the Council had such policies in place but not within the contractor's policy – he undertook to find out if those factors needed to be considered within the current policy. In addition, a Member questioned whether the Council would consider engaging a smaller contractor to undertake work and whether the Council asked equality and diversity questions. In response, the Environmental Health Manager explained that the Council would consider smaller contractors as well as larger ones as long as they met the checks necessary. Sub-contractors would be checked and verified through the trade chain and the contractors would do their own reasonable checks. Equality and diversity were covered under the procurement process and the procurement team had been involved in drafting the policy.

110.3 Accordingly, it was

**RESOLVED:** That the revised Managing Contractors Safely Policy be **APPROVED.**

#### **EX.111 SOLAR CAR PARK CANOPY**

111.1 The report of the Head of Finance and Asset Management, circulated separately at Pages No. 1-5, provided an update on the solar car park canopy which the Council would like to install, and Members were asked to approve the use of up to £447,200 from the asset management and carbon reduction earmarked reserves to enable its delivery. A typographical error was pointed out in the executive summary of the revised report which meant that the total cost should read £663,200 rather than £633,200.

111.2 The Head of Finance and Asset Management explained that the report mirrored the information he had recently reported to Members informally; however, a new paper had been issued because the lowest bidder had pulled out of the process and next lowest bidder meant an extra cost so £447,200 of reserves would be required instead of the previously suggested £317,000. Of the grant funding available, the Public Sector Decarbonisation Scheme had so far agreed to release £216,000 to support the delivery of the project and the project team was confident that figure could be increased and was hopeful of securing the full grant of £284,200 - this meant a funding shortfall of between £379,000 and £447,200 would need to be met by the Council to deliver the project. Despite the significant capital cost increase there remained a strong business case for investment – even at the current cost of energy an annual return of £45,222 against a maximum capital outlay of £447,200 allowed for a return on investment of 9.9 years; however, should the full external grant be available, the return on investment would drop to 8.4 years. The solar car park canopy would be a highly visible demonstration of the Council's commitment to carbon neutrality, would deliver an annual saving of approximately 76 tonnes of carbon dioxide emissions and would take the Council a long way towards the target for carbon neutrality of the offices. The scheme was even more important given the disappointing news that the Council's second bid for funding towards the replacement of the heating system had been unsuccessful

despite passing all of the assessment criteria. Investigations were ongoing to find alternative grant funding opportunities. The modular nature of the design for the solar canopy meant that, in future, it could be extended to help meet the remaining offsetting needs of delivering carbon neutrality against other aspects of service delivery such as the collection of waste and recycling and the leisure centre provision.

- 111.3 The Lead Member for Clean and Green Environment explained that the increases in prices were to be expected as the same had happened with the heating system – the problem was that costs were increasing all the time and if Members chose to wait to offer their support, they would find the canopy was even more expensive in a few months' time. Several Members agreed that it would be very short-sighted of the Council not to agree to the proposals. In terms of rising costs on all projects, a Member questioned whether the Ashchurch Bridge project costs would rise and if that would impact on Tewkesbury Borough Council. In response, the Head of Finance and Asset Management indicated that inflation impacted the Council in all sorts of ways both through projects but also the base budget. In terms of the Ashchurch bridge, he was currently in discussions with the Tewkesbury Garden Town Programme Director to get clarification on the costs. With regard to funding, there was a cap on the funding stream but he hoped there would be room for discussion and negotiation with Homes England as things had changed a lot in the three years since the bid had been submitted.

- 111.4 Accordingly, it was

**RESOLVED:** That the use of up to £447,200 from the asset management and carbon reduction earmarked reserves be **APPROVED** to enable the delivery of a solar car park canopy.

#### **EX.112 SEPARATE BUSINESS**

- 112.1 The Chair 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.

#### **EX.113 SEPARATE MINUTES**

- 113.1 The separate Minutes of the meeting held on 2 March 2022, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 3:15 pm

**EXECUTIVE COMMITTEE FORWARD PLAN 2022/23**

**REGULAR ITEM:**

- **Forward Plan – To note the forthcoming items.**

**Additions to 1 June 2022**

- Council Tax Energy Rebate Discretionary Scheme.
- The Leigh Neighbourhood Development Plan.
- Ashchurch Rural Neighbourhood Development Plan.

**Committee Date: 6 July 2022**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Outturn Report (including Capital Financing and Earmarked Reserves) (Annual).	To consider the Council's financial outturn.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Four 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter four performance management and recovery information.	Head of Corporate Services.	No.
<b>Council Tax, Business Rates and Housing Payment Overpayments Debt Recovery Policy.</b>	<b>To approve the Council Tax, Business Rates and Housing Payment Overpayments Debt Recovery Policy.</b>	<b>Head of Corporate Services.</b>	<b>Yes – from 1 June 2022.</b>
<b>Carbon Reduction Action Plan Update.</b>	<b>To consider an update on year 2 progress and agree a year 3 action plan.</b>	<b>Head of Finance and Asset Management.</b>	<b>No.</b>
<b>COVID-19 Additional Relief Fund Scheme.</b>	<b>To consider the COVID-19 Additional Relief Fund Scheme.</b>	<b>Head of Finance and Asset Management.</b>	<b>No.</b>
<b>Equalities and Diversity Policy.</b>	<b>To approve the Equalities and Diversity Policy.</b>	<b>Head of Corporate Services.</b>	<b>Yes – from 1 June 2022.</b>

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Agenda Item 6

**Committee Date: 6 July 2022**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
<b>Revocation of Air Quality Management Area – Tewkesbury Town Centre.</b>	<b>To agree the revocation of the Air Quality Management Area in Tewkesbury Town Centre.</b>	<b>Head of Community Services.</b>	<b>No.</b>

**Committee Date: 31 August 2022**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Update – Quarter One 2022/23.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.

(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

6

<b>Committee Date: 5 October 2022</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter One 2022/23.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management and recovery information.	Head of Corporate Services.	
Car Parking Strategy.	To approve the Car Parking Strategy.	Head of Development Services.	No.

<b>Committee Date: 16 November 2022</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Update – Quarter Two 2021/22.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

**Committee Date: 4 January 2023**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Medium Term Financial Strategy (Annual).	To recommend to Council the adoption of the five-year MTFs which describes the financial environment the Council is operating in and the pressures it will face in delivering its services and a balanced budget over the period.	Head of Finance and Asset Management.	No.
Housing Strategy Monitoring Report (Annual).	To approve the Housing Strategy Monitoring Report.	Housing Services Manager.	No.
Treasury and Capital Management (Annual)	To approve and recommend approval to Council, a range of statutorily required policies and strategies relating to treasury and capital management.	Head of Finance and Asset Management.	No.

11

<b>Committee Date: 1 February 2023</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Budget 2023/24 (Annual).	To recommend a budget for 2023/24 to the Council.	Head of Finance and Asset Management.	No.
Financial Update - Quarter Three 2022/23.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Two 2022/23.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter two performance management and recovery information.	Head of Corporate Services.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

<b>Committee Date: 1 March 2023</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
<b>Asset Management Strategy.</b>	<b>To approve the Asset Management Strategy.</b>	<b>Head of Finance and Asset Management.</b>	<b>Yes – from 1 June 2022.</b>

<b>Committee Date: 29 March 2023</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Three 2022/23.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter three performance management and recovery information.	Head of Corporate Services.	No.
Council Plan 2020/24 Refresh (Annual).	To consider the Council Plan and make a recommendation to Council.	Head of Corporate Services.	No.
High Level Service Plan Summaries (Annual).	To consider the key activities of each service grouping during 2022/23.	Head of Corporate Services.	No.

**PENDING ITEMS**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Date Item Added to Pending</b>
Community Infrastructure Levy Review – New Draft Charging Schedule.	To recommend to Council for approval.	Head of Development Services.	January 2022.
Spring Gardens Regeneration Phase 1a report.	To agree the recommendation of the preferred option for the regeneration of Spring Gardens.	Head of Finance and Asset Management.	4 September 2019.
Capital Funding for Additional Waste Vehicle.	To receive a report following exploration of the mechanism for requesting additional capital funding for an additional waste vehicle, and for adding the provision of a new waste collection depot to the Infrastructure List to enable Community Infrastructure Levy funding to be used.	Head of Community Services.	Request by Overview and Scrutiny Committee April 2022.
Economic Development and Tourism Strategy.	To approve the Strategy.	Head of Development Services.	9 May 2022

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	Interim Medium Term Financial Strategy 2023/24 – 2024/25
<b>Report of:</b>	Head of Finance and Asset Management
<b>Corporate Lead:</b>	Head of Finance and Asset Management
<b>Lead Member:</b>	Lead Member for Finance and Asset Management
<b>Number of Appendices:</b>	One

**Executive Summary:**

The Interim Medium Term Financial Strategy (MTFS), attached at Appendix A, provides a financial projection and plan for the Council for the period 2023/24 – 2024/25. It sets out the Council’s estimates of its commitment expenditure, identifies the spending pressures it faces and the budget savings needed to achieve the recommended council tax levels for each of the three years of the plan. The plan is based on assumptions of government funding levels during the period.

**Recommendation:**

**The Committee is asked to RECOMMEND TO THE COUNCIL the adoption of the Interim Medium Term Financial Strategy 2023/24 – 2024/25.**

**Reasons for Recommendation:**

The agreement of a medium term financial plan is crucial to the Council in ensuring sufficient resources are allocated to priority areas and that the Council remains financially sustainable. Without certainty from Government with regards to funding reform it is difficult to forecast levels of finance available over the final two years of the spending review period. It is even more difficult to project finance in the period after the spending review given the added uncertainties and therefore this interim strategy just focuses on the next two years.

**Resource Implications:**

The Council could face a deficit in its base budget of over £2.94m in the next two years. The assumptions that have been made in reaching this estimate are included in summary, within this report. The MTFS sets out some of the strategies that will need to be considered to deal with the deficit.

The Council must set a balanced budget on an annual basis – it cannot run deficits and cannot borrow to fund day-to-day service delivery. In the event that it does not have sufficient resource to meet its expenditure needs, a s114 notice will need to be issued and a balanced budget re-established within the financial envelope available to the Council.

**Legal Implications:**

The Council (the Executive Committee recommendation is sought in this report) must set a budget in accordance with provisions of the Local Government Finance Act 1992. The Council has a statutory responsibility to set and approve a balanced budget each year. Section 25 Local Government Act 2003 requires that the Council, in setting its budget, must have regard to the report of its s151 Officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of its proposed financial reserves.

**Risk Management Implications:**

Set out in in MTFS.

**Performance Management Follow-up:**

The MTFS will be kept under continual review and amended in line with significant policy changes, and performance will be monitored against the plan by Members through the quarterly performance monitoring reports. A full MTFS will be presented later in the financial year.

**Environmental Implications:**

None directly associated with this report.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** Financial planning is fundamental to good financial management and the Medium Term Financial Strategy sets out resource availability within recommended Council tax levels.

**2.0 INTERIM MEDIUM TERM FINANCIAL STRATEGY**

**2.1** The Medium Term Financial Strategy (MTFS) is a key element within the Council's overall strategic planning framework. The Strategy takes a medium term perspective and is reviewed, updated and rolled forward annually to set a framework for how budget pressures and priorities will be managed within the best estimates of available capital and revenue resources.

**2.2** Given the uncertainties around local government funding reform, the lack of information provided at the time of the Spending Review in October 2021 and the timing and rollover nature of the 2022/23 Local Government Financial Settlement, a detailed and reliable MTFS was unable to be produced over the winter 2021/22. This position does not support Members understanding the financial environment that the Council is operating in and does not lend itself to sensible financial planning.

**2.3** It had been hoped, given previous commitments, that the government would have engaged with local government in the early months of 2022 to provide some clarity on funding issues which would support the production of robust medium term financial plans. Unfortunately, this has not happened as yet and there remains a dense fog around the funding regime for local government. Nevertheless, it is important to provide members with information on the potential funding scenarios that may face the Council and hence and interim strategy, at the start of the annual budgeting process, has been produced to provide some analysis.

- 2.4** The Interim MTFS, attached at Appendix A, only covers the period from April 2023 to March 2025. Within this period, which is in line with the final two years of the Spending Review, there is still much uncertainty and a number of scenarios are laid out in the attached report. Beyond this timeframe, it becomes even more difficult to predict funding levels given the absence of control totals associated with Spending Reviews, the current economic uncertainty and potential political uncertainty given the need for a general election.
- 2.5** Further work will be undertaken in the coming months to look at options for the longer period and to produce a full five year MTFS for Member approval.
- 3.0 OTHER OPTIONS CONSIDERED**
- 3.1** None.
- 4.0 CONSULTATION**
- 4.1** Statutory consultation will be carried out with businesses and a public consultation is carried out through the winter.
- 5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**
- 5.1** MTFS sets out the level of resource availability to meet the Council priorities and pledges which form the Council Plan.
- 6.0 RELEVANT GOVERNMENT POLICIES**
- 6.1** Council tax levels must be set within Government limits to avoid the need to hold a referendum on 'excessive' increases.
- 7.0 RESOURCE IMPLICATIONS (Human/Property)**
- 7.1** Some of the savings streams identified may have implications on staffing levels and the asset portfolio. These will be set out specifically within the detailed reports surrounding proposed saving actions.
- 8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 8.1** These will be set out specifically within the detailed reports surrounding proposed saving actions.
- 9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 9.1** These will be set out specifically within the detailed reports surrounding proposed saving actions.

**10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**10.1** None.

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**Background Papers:** None.

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**Appendices:** A – Interim Medium Term Financial Strategy 2023/24 – 2024/25.

# Interim Medium Term Financial Strategy

## 2023 – 2025

### 1.0 BACKGROUND

- 1.1 The Medium Term Financial Strategy (MTFS) provides a financial framework for the council's strategic planning and decision making. The MTFS incorporates key factors such as the changes in Government funding, our spending plans and the level of savings and increased income that are likely to be needed. By anticipating financial pressures now, we can plan ahead early to meet the significant challenges in a way that ensures financial resources are targeted to the council's highest priorities and have the minimum impact on services.
- 1.2 The MTFS was last approved in January 2021 and covered the period 2021 to 2026. At the time of approval, there was much uncertainty around the local government funding system, the overall quantum of funding available to local government and the economic impacts from the exit of the European Union and the covid pandemic. This uncertainty was built upon a decade of austerity cuts to local government funding and the delays to funding reform originally earmarked for delivery some years ago.
- 1.3 In the period since, the Spending Review of October 2021 set a funding envelope for local government from April 2022 to March 2025. However, no progress has been made on the delivery of funding reform and the local government settlement continues to remain on a one year, rollover footing. In addition, we are now seeing the economic impacts of the issues in the previous paragraph being accentuated by the war in Ukraine and adding to the inflationary pressures and economic consequences that the country now faces.
- 1.4 Despite this fog of uncertainty, it is imperative that the Council understands the potential financial scenarios it may face so that it can take sound financial decisions. This interim strategy provides members with an update on current issues, the most likely funding scenarios the Council will face in the short term and describes some of the actions being taken to address the projected shortfall in funding. A full MTFS update will be produced later in the year.

### 2.0 LOCAL GOVERNMENT FINANCE SETTLEMENT 2023/24

- 2.1 The spending review in October 2021 set the Department Expenditure Limits (DEL) for the three years between April 2022 and March 2025. In terms of funding for local government, whilst there was significant additional funding in the first year, there was no additional funding in the second and third years outside of social care and some smaller grant funding pots. Therefore, the overall quantum of funding for local government, aside from social care, remains cash flat for the next two financial years and, given the current inflationary pressures, results in a real term cut in funding. Whilst it is possible that the Chancellor could provide further funding to ease the financial pressure in local government, this seems unlikely and, as a result, our expectations for funding in 2023/24 remain at the current levels.

- 2.2 It is also now anticipated that there will be no change to the funding mechanisms for local government in 2023/24 and, as a result, the finance settlement is likely to once again be a one year, rollover settlement. Whilst promises were made to engage with local government over funding reform at the time of the current settlement in December 2021, disappointingly, no such engagement has taken place. It is the view of most finance professionals in the sector that it is now too late in the cycle for the Government to consider, consult, design and rollout any funding reform in time for the 2023/24 settlement which is expected in December 2022. Whilst there is a possibility that the Government may amend some of the data that supports the current funding mechanisms, given the age of the current data, even this could generate significant distributional change, creating winners and losers that may be unprotected from significant change, which means that even this is unlikely at this late juncture.
- 2.3 Our central case for the 2023/24 finance settlement is therefore based on a roll forward of the status quo and providing, once again, for a one year only settlement. The details of this likely scenario are described in the following paragraphs.
- 2.4 Settlement Funding Assessment (SFA)  
The SFA is defined as the sum of a Council's Revenue Support Grant (RSG) and its Baseline Funding Level (BFL). It was highlighted at paragraph 2.1 that it is expected that there will be no additional funding available to local government and it is highly unlikely that there will be any change to distribution mechanisms. This means that the Fair Funding Review (FFR), first consulted on in December 2017, will not be progressed and will not impact on the 23/24 settlement and the SFA will be distributed under the current mechanism.

As a result of this the RSG will remain at its current level of £24k.

With regards to the BFL, this is also dependent on how much the Government decide to raise the business rates multiplier that effects the rates paid by business each year. Normally this is based on Consumer Price Inflation (CPI) in September each year but the Government has decided not to implement this in each of the last two years in order to support business. Given that inflation is likely to be in excess of 7.5% by September, we have assumed that the multiplier will again be frozen and, as a result, the BFL will be remain at £1.846m.

The retained rates scheme provides for a responsibility on Government to compensate local government for decisions that alter the financial benefit of the scheme. Therefore, it is assumed that a s31 grant for approximately £180k will be due in compensation to the council for this decision.

- 2.5 New Homes Bonus (NHB)  
The Government consulted on options for a replacement scheme for NHB in Spring 2021. No outcome of this consultation has been issued by the Government, only commentary restating its desire to work with local government on a replacement scheme. Given this lack of progress and the rollover nature of the projected 23/24 settlement, it is expected that NHB will continue for one more year.

As with the previous three years, it is likely that the Government will provide reward for one year only rather than the four years under the existing scheme. Based on current growth levels in the Borough, the reward for 2023/24 is likely to be similar to the current year and provide for around £667k worth of funding.

However, the current settlement provides for the one off year in 2022/23 and the fourth and final year of the 2019/20 reward year. Together they provide a total reward of

£1.63m. The likely settlement for 2023/24 therefore see a reduction in NHB funding of nearly £1m.

As the Government are reducing the reward available to local government under this scenario, it is anticipated that around £294m of funding will be released and should be distributed back to local government in line with proportionate BFL levels. If this was the case, a further £44k of NHB funding would come to Tewkesbury in 2023/24. This position has been included within our projection for 2023/24 but it cannot be ruled out that the Government may decide to redirect this funding through other funding streams and Tewkesbury may not see the benefit.

## 2.6 Other grants

Whilst the Services Grant (SG) was introduced for 2022/23 and made clear at the time it was for one year only, it is likely that it will be extended on the same basis into 2023/24 and is therefore worth £127k to Tewkesbury. This grant effectively covers the cost of the additional national insurance contributions for the Council as an employer effective from April 2022.

The Lower Tier Services Grant (LTSG) was introduced in the previous year and similar to the SG was put forward as a one year only grant. Again, it is expected that it will be rolled forward into 2023/24 and for Tewkesbury will effectively provide a cash floor so that our Core Spending Power (CSP) does not decrease. The LTSG provides the balancing figure within the Government's calculation of CSP which includes the funding listed in the previous paragraphs but also anticipated council tax income.

It is expected that the Government will once again set council tax referendum limits as per the current year which for Districts was the higher of £5 or 2% on a band D charge. It is also expected that the Government will assume that local government will increase council tax by the maximum permissible and that the tax base of the authority will grow at an average of the last five years. As a result, the Government will expect Tewkesbury to generate an additional £300k of council tax income in 2023/24 and thus will reduce its own grant funding accordingly.

Based on the assumption of a 0% floor on CSP, it is expected that Tewkesbury's LTSG will only grow to £1.75m an increase of £440k and will not compensate in full for the NHB losses.

## 2.7 Retained Business Rates

As with other areas of local government funding, it is believed that it is now too late to deliver a business rates reset in time for 2023/24. The reset is an integral part of the current retention scheme and was originally scheduled to be delivered in 2020/21. When it is delivered, it will take the growth generated by local government as a whole since the inception of the retention scheme and will redistribute based on the needs assessment within the BFL. When this does happen, Tewkesbury is likely to lose many hundreds of thousands of pounds of rates retention.

Should the scheme remain as is and without a reset, it is likely that Tewkesbury's retention levels will continue to grow and a total retention level of £1.25m has been assumed for 2023/24.

2.8 The following table, collated from the information of the previous paragraphs, produces the forecast of funding available to Tewkesbury in 2023/24 under current assumptions.

	2021-22	2022-23	2023-24
	£m	£m	£m
Settlement Funding Assessment	1.85	1.85	1.85
Revenue Support Grant	0.02	0.02	0.02
Compensation for business rates multiplier	0.10	0.15	0.34
Council Tax Requirement	4.58	4.81	5.10
New Homes Bonus	2.51	1.63	0.71
Rural Services Delivery Grant	0.01	0.01	0.01
Lower Tier Services Grant	0.93	1.31	1.75
2022/23 Services Grant	0.00	0.13	0.13
<b>Core Spending Power</b>	<b>10.00</b>	<b>9.91</b>	<b>9.91</b>
Business rates retention	0.34	1.03	1.25
<b>Total resources</b>	<b>10.34</b>	<b>10.94</b>	<b>11.16</b>

2.9 As can be seen from the table, the core spending power of the authority remains cash flat at £9.91m with the increases in funding from council tax, compensation for under indexing the multiplier and LTSG monies offsetting the reductions in funding within NHB. Given the forecasts for inflation over the current year, this results in a significant real terms cut in spending power between years.

The small increase in business rates retention means that the total level of funding resources available to the council will be £11.16m in 23/24.

The level of surplus or deficit from the collection funds for council tax and business rates are ignored for the purpose of this report.

### 3.0 LOCAL GOVERNMENT FINANCE SETTLEMENT 2024/25

3.1 For the following financial year, 2024/25, we have modelled two options for the settlement:

1. Another one year, roll over settlement
2. The roll out of funding reform

Of course, given the current levels of uncertainty it is possible that other options could be considered by the Government. There is also scope within the two options put forward in the following paragraphs for there to be changes to the assumptions made. Nevertheless, at this stage these are the two most likely options and the modelling for the roll out of funding reform is based on the direction of travel before it was suspended.

#### 3.2 Option 1 – one year, roll over settlement

Given that 2024/25 will be the final year of the three year Spending Review period and is most likely to include a general election, the Government could decide to once again pause funding reform. Funding will be rolled forward on the same basis as described in section 2 of this report and the following table highlights this position.

	2021-22	2022-23	2023-24	2024-25
	£m	£m	£m	£m
Settlement Funding Assessment	1.85	1.85	1.85	1.90
Revenue Support Grant	0.02	0.02	0.02	0.02
Compensation for business rates multiplier	0.10	0.15	0.34	0.34
Council Tax Requirement	4.58	4.81	5.10	5.40
New Homes Bonus	2.51	1.63	0.71	0.71
Rural Services Delivery Grant	0.01	0.01	0.01	0.01
Lower Tier Services Grant	0.93	1.31	1.75	1.40
2022/23 Services Grant	0.00	0.13	0.13	0.13
<b>Core Spending Power</b>	<b>10.00</b>	<b>9.91</b>	<b>9.91</b>	<b>9.91</b>
Business rates retention	0.34	1.03	1.25	1.50
<b>Total resources</b>	<b>10.34</b>	<b>10.94</b>	<b>11.16</b>	<b>11.41</b>

3.3 The table illustrates that the CSP of the authority remains at £9.91m after the following movements:

- The BFL that forms the major element of the Settlement Funding Assessment increases in line with an inflation projection of circa 3%, the government deciding to pass this increase onto businesses rather than again freezing the multiplier
- Council tax income rises by a further £300k based on the assumption of a £5 increase at band D and growth in the tax base
- LTSG falls to £1.4m as a result of the increases in the previous two bullet points

The total resources of the authority increases by £250k to £11.41m as a result of growth to business rates retention for the year.

#### 3.4 Option 2 – roll out of funding reform

The following scenario is based on our current understanding of funding streams and the proposals and consultations put forward by previous ministers. Given the age of those proposals, they could be subject to change.

#### 3.5 Settlement Funding Assessment (SFA)

Within this area of funding there are some quite big movements under funding reform. The roll out of the Fair Funding Review (FFR), which could dramatically change the distributional methodology for SFA, would finally mean that the 'temporary' SG and LTSG would come to an end and the funding would move from these separate grants into SFA. For Tewkesbury, under our projection for 2023/24, this means that £127k and £1.75m respectively could be lost from these separate grants.

The direction of travel of the FFR in 2019 seemed to be providing increased funding for Metropolitan and County Councils with Inner London and Districts, to a lesser extent, being worse off. Using the 2019 model as the basis to project the position for 24/25 suggests that Tewkesbury would see its RSG increase by £370k to £394k. Whilst the distributional mechanism in the FFR is projected to be worse for Tewkesbury, the extra money coming in from the separate grants serves to boost the actual RSG awarded. Nonetheless, there is a significant reduction in funding for Tewkesbury of circa £1.5m.

The BFL element of the SFA is projected to once again increase by inflation, currently assumed to be 3%.

### 3.6 Business rates retention reset

As previously highlighted, the planned business rates retention reset could finally be instigated in 2024/25 with growth built up from 2013/14 being redistributed around local government.

If the reset came into effect in 2024/25 it is assumed that:

- The reset would be based on the 22/23 outturn position - all growth at this point would be subject to redistribution (circa £1m for TBC)
- Redistribution of the surplus would be based on the proportionate share of the national baseline funding level in 23/24, which is effectively an estimate of need

As a result of these assumptions, it is estimated that Tewkesbury would receive a surplus distribution of £306k to offset its £1m loss from reset. The actual level of retention for 24/25 would also include any growth enjoyed in 23/24 and that forecast for 24/25.

In addition to this, the previous compensation for under-indexing the business rates multiplier is removed as a separate line of grant funding and absorbed into the retention position.

Overall, it is projected that business rates retention drops from £1.25m to £810k.

### 3.7 New Homes Bonus (NHB)

It is not known what position the Government will adopt in relation to a replacement NHB scheme given the lack of consultation and engagement over the last twelve months. There could be a replacement scheme but without knowing the quantum of funding to be set aside for it, which is unlikely to be close to the current £900m, or the distribution methodology it is very difficult to project potential levels of funding specifically for Tewkesbury.

Whilst growth in the Borough is likely to continue at significant levels into the future, some of the options put forward for rewarding growth in the Spring 2021 consultation would not have been beneficial for Tewkesbury. One option looked at targets which exceeded the average recent growth in the area which, given our recent history of high growth, may mean that generating reward from the scheme may be difficult. Conversely, options were put forward that could put Tewkesbury in a healthy position to benefit from growth.

Given this uncertainty, the projection for 2024/25 removes NHB or a replacement scheme and simply assumes that current funding levels are redistributed to local government in line with proportionate shares of the BFL i.e. needs levels. As a result, the projection assumes a redistributed NHB surplus of £111k for Tewkesbury in 2024/25.

- 3.8 The accumulation of these funding changes, plus the assumed increase in council tax of £5 for a Band D property, is highlighted in the following table:

	2022-23	2023-24	2024-25
	£m	£m	£m
Settlement Funding Assessment	1.85	1.85	1.92
Revenue Support Grant	0.02	0.02	0.39
Compensation for business rates multiplier	0.15	0.34	0.00
Council Tax Requirement	4.81	5.10	5.40
New Homes Bonus	1.63	0.71	0.11
Rural Services Delivery Grant	0.01	0.01	0.01
Lower Tier Services Grant	1.31	1.75	0.00
2022/23 Services Grant	0.13	0.13	0.00
<b>Core Spending Power</b>	<b>9.91</b>	<b>9.91</b>	<b>7.84</b>
Business rates retention	1.03	1.25	0.81
<b>Total resources</b>	<b>10.94</b>	<b>11.16</b>	<b>8.64</b>

3.9 As can be seen in the table, there is a dramatic reduction in the Council's CSP (£2.07m) and therefore its overall resources (£2.52m). This is a reduction of 22.5% and could not be absorbed by the Council in one hit. It would be expected that the Government would put in place a damping mechanism to provide transitional support for losers under funding reform (and conversely reduce funding increases for winners). Given the lack of progress on funding reform, it is no surprise that there is no information from Government on what damping arrangements are likely to be. A number of questions need to be answered including:

- How much spending power will the Government allow individual authorities to lose?
- How long will damping arrangements last for?
- What is included and excluded from damping?

This last question is quite significant. The Government have already been explicit in that the Services Grant will be excluded but less clear is the 'one off' Lower Tier Services Grant. If this were to be excluded, it could mean that we would not receive damping support for £1.75m of lost grant funding. Conversely, will the Government include the impact of the business rates reset within damping arrangements? This could be very beneficial to District councils. The following table provides an example of what a damping scheme may look like based on the assumptions of a 5% maximum loss each year over five years.

3.10 Transitional arrangements with support provided for LTSG but not business rates retention

	2022-23	2023-24	2024-25	2025-26	2026-27
	£m	£m	£m	£m	£m
Core Spending Power	9.79	9.78	7.84	8.19	8.37
Reduction in CSP (£)			-1.94		
Reduction in CSP (%)			-19.87%		
Permitted reduction			-5%	-10%	-15%
Permitted CSP reduction			-0.49	-0.98	-1.47
Damping			1.45	0.96	0.48
<b>Total CSP</b>	<b>9.79</b>	<b>9.78</b>	<b>9.29</b>	<b>9.16</b>	<b>8.84</b>
Business rates retention	1.03	1.25	0.81	0.83	0.97
Services grant	0.13	0.13	0.00	0.00	0.00
<b>Total resources</b>	<b>10.94</b>	<b>11.16</b>	<b>10.10</b>	<b>9.99</b>	<b>9.81</b>
Change in resources		0.22	-1.06	-0.11	-0.18

\*Service grant separated out from spending power as not subject to damping

In this scenario, the Council would receive £1.45m of damping grant in 24/25 with that reducing by around £0.5m each year thereafter. For 24/25, this would mean overall resources would total £10.1m which would be a net reduction of £1.06m.

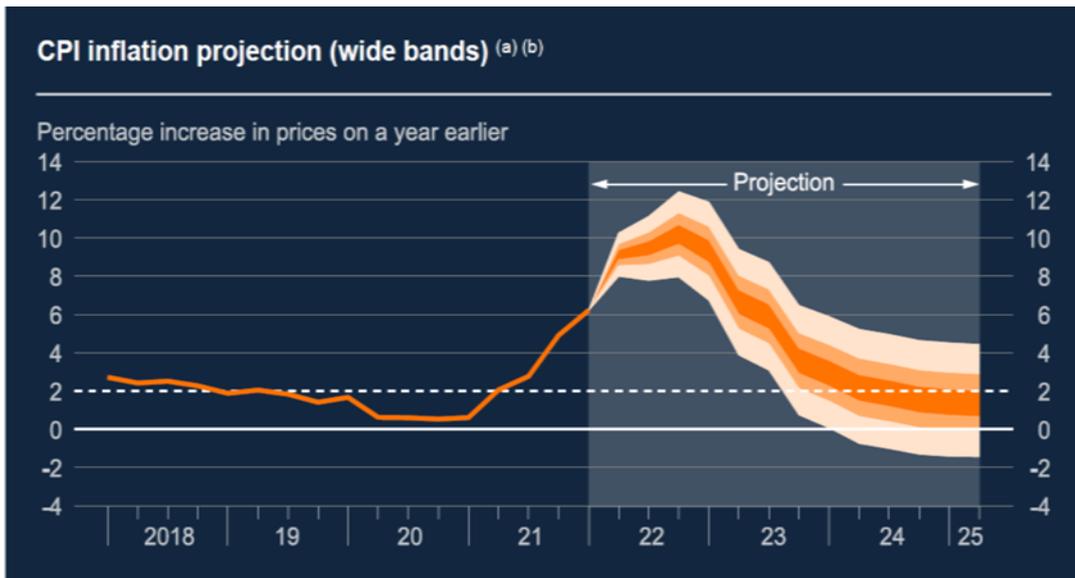
If LTSG was excluded from the transitional support calculations, it would mean that the Council would not receive any damping grant whatsoever as the losses in funding streams subject to transitional support would not be sufficient. In this scenario, overall resources would reduce by £2.52m in 2024/25 but would recover an average of £300k per annum as the base level is reached straight away and no reductions to damping grant are necessary.

#### **4.0 BEYOND 2024/25**

- 4.1 Looking forward to 2025/26 and beyond it is very difficult to project funding levels. If no funding reform has occurred in the previous years, there would be an expectation that reform would be brought in in 2025/26. Would reform follow the path originally set out some 10 years earlier or could it be significantly different? Could it also include reform of council tax as well as reform to the taxation of businesses?
- 4.2 There will also be a new Spending Review concluded in late 2024 that will set the funding envelope for public services. What will public finances look like by this time given the current economic conditions and what period will the new Spending Review cover? Will that then translate into a multi-year deal for local government to provide some certainty?
- 4.3 There will also be a general election before the 2025/26 financial settlement, possibly even earlier. It is not known what the outcome of the election will be and what the effect on local government will be.
- 4.4 Given this increased uncertainty, it is extremely difficult to make any longer term financial projections at this point.

#### **5.0 BASE BUDGET & GROWTH**

- 5.1 To support the development of the interim MTFS, a simplistic, inflation led approach to the base budget has been modelled. Over the last decade, inflation has not been a major factor in our MTFS projections with the average rate of inflation running below the government's target of 2%. The increase in prices for goods and services have been absorbed within our budgets whilst employee inflation was, for a large part of the decade, either frozen or contained at 1%.
- 5.2 That position has changed dramatically in 2022 with near term inflation set to rise above 10% according to the latest Bank of England projection. The following graph highlights this and the longer term return to target levels.



- 5.3 The inflation projection for the current year and 2023 will have a significant impact on the cost of providing services for the Council. Using a subjective analysis level, the headline rates of inflation as per the Office of Budget Responsibility from April 2022 have been applied to determine the potential net budget position in the coming years.

	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
	£m	£m	£m	£m	£m	£m
Employees	11.35	12.26	12.55	12.76	13.01	13.27
Premises	0.71	0.76	0.78	0.79	0.81	0.83
Transport	0.06	0.07	0.07	0.07	0.07	0.07
Supplies & Services	2.31	2.50	2.55	2.60	2.65	2.70
Third party payments	6.63	7.16	7.33	7.45	7.60	7.75
Interest payments	0.47	0.50	0.52	0.52	0.54	0.55
Housing Benefits	9.00	9.72	9.95	10.12	10.31	10.52
Income	-21.12	-22.81	-23.35	-23.74	-24.20	-24.69
MRP	0.91	0.93	0.96	0.98	1.01	1.03
Reserves	0.63	0.65	0.68	0.70	0.73	0.75
<b>Net budget</b>	<b>10.94</b>	<b>11.74</b>	<b>12.03</b>	<b>12.26</b>	<b>12.51</b>	<b>12.78</b>
Increase		0.80	0.29	0.22	0.26	0.27

- 5.4 Whilst this is a simplistic projection and further work will be done in the coming months to apply inflation on a line by line basis in order to refine estimates, it is clear that inflation will have a significant impact, particularly over the next two years. Increased net costs of £800k and £290k on current costs are currently projected.
- 5.5 In addition to the inflationary pressures on existing costs, it is expected that further growth requests will come forward. Ongoing growth of £440k was included within the current year budget but this was set against request levels totaling £1.6m. Given this, it is expected that circa £1m in growth will be put forward to meet demand for 2024/25. As per the current year, careful consideration will need to be given to which growth requests to support, which can be funded by alternative means and which cannot be supported. It should be noted that some of the growth requests are likely to be unavoidable such as the additional capacity necessary to continue providing waste and

recycling services to the growing Borough. The cost of this alone, when also factoring in additional vehicle replacement, is around £325k per annum.

- 5.6 For the purposes of the interim MTFS model, it has been assumed that £0.5m will need to be supported in each of the next two years.

## 6.0 FINANCIAL PROJECTION 2023-2025

- 6.1 Bringing all of the information in the previous sections together, we can produce the financial projection for the next two years. There are two projections highlighted below based on the different scenario's for 2024/25.

### 6.2 Projection 23-25 (double rollover)

		2022-23	2023-24	2024-25
		£m	£m	£m
Expenditure				
	Base budget	10.94	11.74	12.03
	Growth	0.00	0.50	1.00
	<b>Total expenditure</b>	<b>10.94</b>	<b>12.24</b>	<b>13.03</b>
Funding				
	CSP	9.91	9.91	9.91
	Retained rates	1.03	1.25	1.50
	<b>Total funding</b>	<b>10.94</b>	<b>11.16</b>	<b>11.41</b>
	<b>Net deficit</b>	<b>0.00</b>	<b>1.08</b>	<b>1.62</b>

### 6.3 Projection 23-25 (rollover followed by funding reform with best case transitional support)

		2022-23	2023-24	2024-25
		£m	£m	£m
Expenditure				
	Base budget	10.94	11.74	12.03
	Growth	0.00	0.50	1.00
	<b>Total expenditure</b>	<b>10.94</b>	<b>12.24</b>	<b>13.03</b>
Funding				
	CSP	9.91	9.91	7.84
	Retained rates	1.03	1.25	0.81
	Transitional support	0.00	0.00	1.45
	<b>Total funding</b>	<b>10.94</b>	<b>11.16</b>	<b>10.10</b>
	<b>Net deficit</b>	<b>0.00</b>	<b>1.08</b>	<b>2.94</b>

- 6.4 As can be seen in the tables above, the current projection for the budget deficit in 2023/24 is £1.08m in both scenarios made up of a £1.3m increase in cost offset by a small increase in funding from business rates.

For 2024/25 the cumulative deficit rises to a figure of between £1.62m and £2.94m depending on the funding scenario for the year. Cost increases of a further £0.79m

accounts for part of the increased deficit with the rest based on the assumption around funding reform.

## **7.0 CLOSING THE GAP**

7.1 As highlighted in the previous section, a funding deficit of anywhere up to £2.94m could be envisaged for Tewkesbury in the next two years. This is of course speculation, given the absence of a defined position from the government, and could be very different in reality. The Council though needs to be able to plan for the possible worst case scenario and know that actions are in place that would alleviate a deficit of this magnitude should it arrive.

7.2 Many actions are already taking place corporately and within individual services. To provide assurance to decision makers that these actions are on track to deliver the financial benefits envisaged, it is important to coordinate, monitor and report the progress as a whole. In addition, the programme should not remain static and new ideas for cost saving or income generation should be continuously sought to supplement the programme to offset any slippage or to further bridge a widening gap. A programme will be drawn together by the s151 officer and reported on an ongoing basis to Transform Working Group and then via further formal MTFS and budget updates to the wider membership.

7.3 The following bullet points provide an overview of current actions which will form the basis of a deficit elimination programme.

- Detailed review of base budget assumptions to refine medium term projections
- Review of salary award assumption to provide a realistic assessment of an affordable medium term salary bill
- Pension fund triennial valuation, expected in Autumn 2022
- Employment of a Business Rates Intelligence Officer to provide detailed future forecasting on business rates growth
- Delivery of the car park solar canopy to reduce energy costs by over £45,000 per annum
- Rationalisation and reduction of some supplies and services e.g. photocopiers
- Review high areas of expenditure e.g. computer licences
- Cost the beneficial impact over the medium term of the Business Transformation Team's programme of activity
- Explore the potential for greater self service in Revenues & Benefits
- Exploit trading and cross boundary working opportunities provided by Ubico
- Cost neutrality for the trade waste service
- Delivery of the in-cab technology project for our waste and recycling vehicles
- Develop a business case for the replacement of the current leased depot facility
- Develop plans for the redevelopment of Tewkesbury Town Centre which incorporates a net financial return to the authority
- Seek to reduce the Council's borrowing requirement
- Lobby the government to increase planning fees (last increased in April 2017)
- Increase the rental income from our commercial portfolio by including the lease of unit 5 at Vaughn Park, Tipton in the ongoing rental stream
- Include the business rates windfall from Gloucestershire Pool in the base budget

7.4 It is estimated that if all of these actions were delivered, a net benefit of over £3m could be realized. Beyond this programme and any additions of a similar nature, the Council will need to look at its overall staffing structure and the variety and level of services it provides to its communities.

7.5 To support the delivery of this programme, the Council is fortunate to have a healthy level of reserves. A number of reserves have been established for the direct delivery of these projects. In addition, the Council has an uncommitted MTFS reserve of £2.6m which is hoped to be increased to over £3m once the 2021/22 accounts are closed. This reserve can be used to further support the changes to be delivered by this programme and, if necessary, be used for temporary support to the base budget.

## **8.0 CONCLUSION AND NEXT STEPS**

8.1 The previous sections of this interim strategy provide officers current thoughts on the most likely position for the Council's budget in the short to medium term. It is hoped that in the coming months, information will be provided by Government which will allow financial projections to be made with more certainty.

8.2 A full MTFS will be prepared for approval by Council this Winter utilising the information made available by the government at that time and making assumptions where there are gaps in the information.

## **9.0 GLOSSARY OF ABBREVIATIONS**

9.1	MTFS	Medium Term Financial Strategy
	SR	Spending Review
	DEL	Department Expenditure Limit
	SFA	Settlement Funding Assessment
	RSG	Revenue Support Grant
	BFL	Baseline Funding Level
	FFR	Fair Funding Review
	CPI	Consumer Price Index
	NHB	New Homes Bonus
	SG	Services Grant
	LTSG	Lower Tier Services Grant
	CSP	Core Spending Power

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	2022/23 High-Level Service Plans
<b>Report of:</b>	Head of Corporate Services
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Lead Member for Organisational Development
<b>Number of Appendices:</b>	Six

**Executive Summary:**

Each service group has produced a high-level service plan for 2022/23. The service plans contain key operational projects and activities which are intended to be carried out during the year. The service plans tend to detail non-Council plan actions only. Council plan actions are allocated to individual services through the Council plan performance tracker. Delivery of actions within the tracker are monitored by Overview and Scrutiny Committee and their observations then considered by Executive Committee. When holding team meetings, managers will use both their service plan and performance tracker actions in tandem. Delivery of service plan actions should also form part of Lead Member portfolio briefings.

**Recommendation:**

**To ENDORSE the 2022/23 service plans.**

**Reasons for Recommendation:**

Service planning is a core part of the Council's performance management framework.

**Resource Implications:**

None arising directly from this report.

**Legal Implications:**

None arising directly from this report.

**Risk Management Implications:**

If services do not have a formal service plan in place it will be difficult to demonstrate there are adequate performance management arrangements in place to monitor service delivery.

**Performance Management Follow-up:**

Council plan actions are formally reported on a quarterly basis through the performance tracker. Non Council plan actions are monitored individually by the relevant service through management dialogue such as team meetings, 1-2-1 meetings and Lead Member briefings.

**Environmental Implications:**

None arising directly from this report.

## **1.0 INTRODUCTION/BACKGROUND**

**1.1** Each service group has produced a service plan for 2022/23. The service plans contain key, operational activities which are intended to be carried out during the year. The service plans tend to detail non-Council plan actions only. Council plan actions are allocated to individual services through the Council plan performance tracker. Their delivery is monitored quarterly by the Council's Overview and Scrutiny Committee. When holding team meetings, Managers will use both their service plan and performance tracker actions in tandem and the service plan should form part of regular updates to Lead Members.

## **2.0 SERVICE PLANS**

**2.1** The service plan template has been kept as simple as possible to complete. The template gives a brief overview of the purpose of the service, the progress made against delivering key 2021/22 actions and key actions to be undertaken during 2022/23. Any outstanding actions from 2021/22 that still remain relevant should be brought forward and any actions that relate to the ongoing recovery from COVID-19 are annotated with *(r)*. The service plans can be found in Appendices 1-6. There is a plan for each of the following groupings:

- Corporate Services.
- One Legal.
- Democratic Services.
- Development Services.
- Community Services.
- Finance and Asset Management.

The service plans also act as a useful tool to inform this Committee's forward work plan and internally, to identify emerging projects that may require oversight by Programme Board and reporting to groups such as Transform Working Group.

## **3.0 OTHER OPTIONS CONSIDERED**

**3.1** None.

## **4.0 CONSULTATION**

**4.1** Heads of Service and Corporate Management Team.

## **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**5.1** Council Plan 2020-2024.

## **6.0 RELEVANT GOVERNMENT POLICIES**

**6.1** None.

**7.0 RESOURCE IMPLICATIONS (Human/Property)**

7.1 None directly arising from the report.

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

8.1 Heads of Service will consider sustainability implications when planning and undertaking individual actions.

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

9.1 Heads of Service will consider the impact of equalities and diversity when planning and undertaking individual actions.

**10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

10.1 None.

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**Background Papers:** None.

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**Appendices:** 1 – 6 Service Plans 2022/23.

# Corporate Services - Service Plan 2022-23

## 1. Service Objectives

- To support the management, monitoring and improvement of the council's performance and priorities.
- To provide a customer focused and responsive customer service's team and champion good customer service corporately.
- To provide an effective Revenues and Benefits service including the maximisation of council tax and business rates collection and supporting the most vulnerable through the payment of welfare benefits.
- In accordance with the approved ICT Strategy ensure the council's ICT infrastructure is stable, resilient and considers emerging technology.
- The Business Transformation Team working alongside and supporting services to deliver digital, corporate and service improvements.
- To provide an effective Human Resources and Organisational Development function.
- To support the work of the Overview and Scrutiny Committee.
- Internal Audit to be an arm of effective management and work in compliance with the Public Sector Internal Audit Standards (PSIAS).
- To provide an effective communications and graphic design function.
- To support the council's project management, risk management, equalities and GDPR frameworks.
- To support development of corporate policies.
- To provide support to the chief executive on corporate matters.
- To support on-going Covid-19 related initiatives and actions.

# Corporate Services - Service Plan 2022-23

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Recovery actions are marked with a 'r'.

Action	Progress made	Date to be achieved	Complete ✓ or ✗
<b>Internal audit</b>			
Re-instigate the internal audit function. (r)	IA are now up and running supported with additional resource. Assignment work has commenced and a new IA work plan is in place. The target date was optimistic due to the introduction of new business grants and the team remaining re-deployed within the business cell for the majority of 2021/22.	July 2021	✓
Review all current internal audit recommendations. (r)	The status of all recommendations has been reviewed. Any outstanding ones have revised implementation dates. A report was taken to Audit and Governance Committee in December 2021.	July 2021	✓
Review actions within the team's Quality Assurance and Improvement Programme. (QAIP) (r)	The QAIP has been reviewed, updated and presented at Audit and Governance Committee in March 2022.	July 2021	✓
<b>Corporate</b>			
Deliver and present findings of a residents' satisfaction survey.	The survey has been undertaken and a report received. The findings are being analysed with an action plan to be developed. (c/fwd 22/23)	January 2022	✗
Facilitate the annual refresh of both the corporate recovery plan and council plan. (r)	Approved by Council 20 October 2022.	July 2021	✓

# Corporate Services - Service Plan 2022-23

Work with HR to develop a new equality's policy and supporting action plan.	The policy and action plan are at draft and now need to be taken forward for formal approval. (c/fwd 22/23)	September 2021	✘
Delivery of the GDPR action plan.	A consolidated and comprehensive plan has been implemented with good progress made. Delivery is monitored at Information Board.	March 2022	✓
Provide the administration and general support/advice for Programme Board.	The board is firmly re-established and monthly meetings are in place.	March 2022	✓
<b>Customer Services</b>			
Determine viability of re-opening Advice and Information Centres. (r)	AIC have re-opened albeit with limited take up. Positively, Brockworth Parish Council have agreed to run their local AIC.	June 2021	✓
Support Property Services to produce a plan for the re-opening of the building to customers. (r)	Buildings have successfully been re-opened in a safe manner and in compliance with government guidance.	June 2021	✓
Support the development of new digital services – ensuring the customer focus element is consistent throughout.	The new digital platform 'Liberty Create' has been successfully implemented.	April 2022	✓
Carry out a review of the customer services team.	This has yet to start due to covid-19 response. One team member remains deployed to the business cell, another member is to support the new Energy Rebate cell. (c/fwd 22/23)	September 2021	✘

# Corporate Services - Service Plan 2022-23

Human Resources			
Deliver an end to end digital recruitment and onboarding solution.	This has successfully been implemented through the 'Eploy' software solution. A recruitment microsite has also been implemented to support this.	July 2021	✓
Work with the Business Transformation Team to deliver an online platform for processing transactional HR activities.	Due to competing service priorities this work is now scheduled for 2022/23. (c/fwd 22/23)	Sept 2021	✘
Support the council recovering from the covid pandemic in relation to our people and culture. (r)	Significant work, particularly around health and wellbeing has been carried out across the course of the whole year. This work will obviously continue into 2022/23.	March 2022	✓
ICT			
Supporting return to work and ongoing agile working (r)	The bulk of this work is complete with ongoing work tending to be almost business as usual. Support will be given to increased numbers returning to the office.	March 2022	✓
Policy review and implementation	Draft policies have been written but need to be finalised. c/fwd 22/23	September 2021	✘
Cyber security	A significant amount of work has been undertaken during the year. This includes infrastructure work such as a new email gateway, renewal of cyber insurance, progressing cyber essentials accreditation rollout of cyber awareness training etc. Cyber related activity will also form a new action for 22/23 given the risk it presents.	March 2022	✓
Feasibility of webcasting (r)	Exploratory work is being undertaken to support Democratic Services. A PIF was approved at programme board during the year. (c/fwd 22/23)	July 2021	✘

# Corporate Services - Service Plan 2022-23

<b>Revenues and Benefits</b>			
Implementation of Debt Respite Scheme (Breathing Space).	Scheme has been implemented and co-ordinated by the Revenues Team Leader.	May 2021	✓
Implementation of HB Award Accuracy Initiative.	HB Award Accuracy Initiative implemented in accordance with DWP's year two (FYE March 2022) requirements.	March 2022	✓
Deliver council tax paperless billing.	Bulk of the work is complete with daily billing logistics to be finalised.	September 2021	✓
To provide on-going support to the business cell. (r)	Comprehensive support has been given to the cell and this will continue into 22/23 as the cell remains active.	December 2021	✓
Recruit to business intelligence officer role and join up intelligence across service areas. (r)	Recruitment has been successful – a formal project plan now needs to be established.	March 2022	✓
Seek to rebuild council tax and business rate collection rates. (r)	Given the economic and financial climate this will be an ongoing action into 22/23.	March 2022	✘
<b>Overview and Scrutiny</b>			
To support the committee returning to a normal way of working/potential hybrid set up. (r)	Physical meetings have been in place for the majority of the year.	June 2021	✓
<b>Communications and graphics</b>			
Support the council's recovery plan through effective communications and graphics (r)	Recovery plan has been effective and will now merge back into the council plan.	March 2022	✓
Delivery of the national Covid-19 messages.	A significant proportion of the team's time has centred on internal and external comms relating to the pandemic.	March 2022	✓

# Corporate Services - Service Plan 2022-23

Delivery of the communications strategy action plan.	Majority of the action plan has been delivered. An updated action was presented to O&S committee in April.	March 2022	✓
Lead and contribute to the Culture and Communications group. (r)	The group was formulated during the year – now needs identifiable outcomes (c/fwd 22/23)	March 2022	✓
<b>Business Transformation</b>			
Develop and implement a new corporate website.	The project has commenced and is progressing well but will not be completed until summer 2022. (c/fwd/22/23)	December 2021	✘
To establish and deliver the BTT's Year 2 priorities	Formalised within the Digital Approach Strategy approved at Executive Committee on 2 March 2022.	March 2022	✓
Deliver the first year of a new bulky waste service	The new service has been a phenomenal success. Income has increased over 100%, wait times reduced from 6/7 weeks to less than 1 week, an online booking system introduced and a recycling provision introduced.	March 2022	✓
Build Have Your Say – 4Cs on Liberty Create	4Cs implemented early in 21/22 with supporting policy. Reported to Overview and Scrutiny Committee.	May 2021	✓
Review and develop FOI system on Liberty Create	New system operational for 2021/22.	May 2021	✓
Move all Report a Problem issues over to Liberty Create	Complete – new platform and suite of on-line forms implemented.	May 2021	✓

# Corporate Services - Service Plan 2022-23

## 3. Key service plan actions for 2022-23

Ongoing Covid-19 recovery actions are marked with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>Internal Audit</b>			
Deliver the Quality Assurance and Improvement Programme (QAIP) action plan 22/23.	There are a number of actions to further improve the IA function incl: staff development & training, additional resource to aid recovery, ICT audit expertise, preparation for an independent assessment etc.	March 2023	Reported annually to Audit & Governance Committee and quarterly update to Lead Member for Governance and Chair of Committee.
<b>Corporate</b>			
Provide support to the new Chief Executive.	To help the new CEO settle into his role as easily as possible.	March 2023	Direct dialogue with CEO.
Finalise the new Equalities and Diversity Policy and deliver supporting action plan.	To demonstrate the council's commitment to the equality's agenda and compliance with Equality Act 2010.	March 2023	Approval of policy and action plan by Executive Committee.
Review the council's 'Have your say' 4Cs approach following 12 months of being implemented.	To ensure the new approach is working successfully.	November 2022	Update to management team and Transform Working Group.
Deliver the third year refresh of the Council Plan	In line with the roll-out of our four-year Council Plan, to identify the actions for 2022/23	June 2022	Executive Committee and Council.
Deliver the priorities within the GDPR action plan.	To ensure the council adopts a proactive approach to compliance.	March 2023	Information board and annual report to Audit and Governance Committee.
Oversee the administration and ensure the effectiveness of the corporate Programme Board	To ensure the effective oversight and challenge of internal corporate projects.	March 2023	Programme board.

# Corporate Services - Service Plan 2022-23

Present the findings and develop an action plan resulting from the completion of the residents' satisfaction survey.	Respond to customer feedback.	June 2022	Executive Committee
<b>Customer Services</b>			
Undertake a review of the team structure.	A fit for purpose structure.	December 2022	Update to Transform Working Group.
Deliver the customer care strategy action plan for 2022/23	To help fulfil our Council Plan promise that we will put our customers first.	March 2023	Update to Overview and Scrutiny Committee
Introduce regular monitoring of call levels to the council's customer services team.	To better understand and respond to customer demand over the phone.	March 2023	Management Team
Support the development management review through responding to calls at first point of contact where possible.	To help ensure a positive experience for development management customers.	March 2023	Feeding into the wider development management review's corporate ambition stream. Updates will be provided to Transform Working Group.
<b>Human Resources</b>			
Deliver the HR self-service project	Streamline, consolidate and make efficiencies around such procedures as absence management, annual leave etc <i>(c/fwd from 21/22)</i>	September 2022	Transform Working Group and programme board.
Support arrangements for agile working for staff including input to the office refurbishment project. <i>(r)</i>	Provide governance over 'return to work' arrangements and support delivery of successful project outcomes.	March 2023	Transform Working Group and programme board.
Complete a procurement exercise in respect of Occupational Health and Counselling	To provide value for money outcome and to support staff wellbeing.	June 2022	Management Team

# Corporate Services - Service Plan 2022-23

ICT			
Implement a new disaster recovery and back up system.	Project is critical to ensure that the council has a robust and fit for purpose back- up solution	June 2022	Update to Transform Working Group – as part of ICT strategy delivery progress.
Continued review of cyber security arrangements	To keep the council as safe and resilient as possible from cyber threats. Actions include: <ul style="list-style-type: none"> <li>- Recruitment to cyber specific role</li> <li>- Achievement of cyber essentials accreditation</li> <li>- Network segmentation</li> <li>- Procurement and installation of network detection software</li> <li>- Staff and member awareness training</li> </ul>	March 2023	Update to Transform Working Group – as part of ICT strategy delivery progress and Audit and Governance Committee (cyber is a corporate risk)
Development of new ICT strategy	Council's ICT strategy needs to be reviewed to ensure that the council's technology and strategic approach remains fit for purpose.	January 2023	Executive Committee
Support to Payment Card Industry/Data Security Standards project (PCI/DSS)	Support the technical delivery of being PCI-DSS compliant to ensure the safe processing of payment card information.	December 2022	Programme Board
Revenues and Benefits			
Establish a project plan to link up business intelligence within the council (r)	The more efficient use of business intelligence to support quicker and accurate business transactions.	March 2023	Transform Working Group
Deliver the council tax energy bills rebate mandatory and discretionary schemes.	Implementation of central government initiative.	September 2022	All member update.
Review the service structure to build resilience, improve performance and increase customer satisfaction.	A fit for purpose structure.	March 2023	Transform Working Group

# Corporate Services - Service Plan 2022-23

Business Rates Revaluation 2023.	The Valuation Office Agency is delivering the next revaluation of business rate in England – Revaluation 2023. To prepare for and implement new rateable values by annual billing 2023/24.	February 2023	Transform Working Group
Seek to rebuild council tax and business rate collection rates. (r)	Maintenance and/or improvement of in-year collection rates.	March 2023	Overview and Scrutiny Committee (KPI reporting)
To provide on-going support to the business cell through delivering the COVID-19 Additional Relief Fund (r)	To continue to support businesses in their recovery from the impact of the COVID-19 pandemic.	September 2022	All member update
Deliver relevant outcomes arising from the community governance review.	Potential for properties to be transferred to other parish areas.	February 2023	Transform Working Group
<b>Overview and Scrutiny</b>			
Identify potential areas of work that will suit a task and finish working group review.	In depth reviews allows committee members to add real value by scrutinising and making recommendations to achieve better outcomes.	June 2022	Overview and Scrutiny Committee.
Support the ongoing effectiveness of the committee.	To ensure the committee continues to add value and fulfils their terms of reference.	March 2023	Overview and Scrutiny Committee.
<b>Communications and graphics</b>			
Deliver the communications strategy action plan 22/23	Clear communication helps us to strengthen our links with the public, our residents, stakeholders, councillors and staff.	March 2023	Annual report to Overview and Scrutiny Committee.
Develop and deliver a communications plan for the garden communities.	To raise the profile of the garden communities – both internally and externally.	September 2022	Updates provided to the member reference panel.

# Corporate Services - Service Plan 2022-23

Provide communications support for the Tour of Britain events in June and September 2022	To support the high-profile event that will be taking place in Tewkesbury.	September 2022	Updates will be provided as part of the wider Tour of Britain project management arrangements.
<b>Business Transformation</b>			
Support delivery of key projects identified within year 1 Digital Approach Strategy.	Service improvements, efficiency savings and a better customer experience.	June 2022	Transform Working Group
Review existing services on Liberty Create.	In line with the team's agile approach, it is important online services are reviewed to ensure they continue to offer an excellent customer experience.	March 2023	Lead member briefing and updates to Transform Working Group
Introduce a feedback survey following the roll-out of new services – both internally and externally.	To ensure the team can understand where lessons could be learned from delivered projects.	August 2022	Lead member briefing and updates to Transform Working Group
Provide project management support for improvement projects resulting from the development management review.	To support the process mapping and project support needed to deliver the five streams of the development management review.	March 2023	Programme board and Transform Working Group
Continue to raise the profile of the team's approach to digital – both locally and nationally.	To ensure Tewkesbury Borough Council continues to fly the digital flag for district councils across the country.	March 2023	Updates at lead member briefings and at Transform Working Group.

# One Legal - Service Plan 2022-23

## 1. Service Objective

- To provide an effective legal service to the council and other partner councils support by One Legal.

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Recovery actions are marked with a 'r'.

Action	Progress made	Date to be achieved	Complete ✓ or x
<b>Finance</b>			
To carry out a 1 year refresh of the Business Plan.	Completed	October 2021	✓
To undertake a review of the One Legal Operating Model.	Review completed.	October 2021	✓
To implement the new case management system.	We are working with the provider to implement final amendments and improvements to the system and subject to the successful implementation of these changes, the system will be implemented over Summer 2022.	July 2021	x

## 4. Key service plan actions for 2022-23.

Ongoing Covid-19 recovery actions are marked with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>One Legal</b>			
Review staffing requirements and salary levels in One Legal	To ensure we have staff to deliver the service required by constituent Councils	Nov 2022	JMLG quarterly meeting
Consider succession planning	To ensure continuity of the service at a time when the public sector is struggling to recruit	Nov 2022	Project Board to be agreed with TBC comprising One Legal management team, HR and Finance

# One Legal - Service Plan 2022-23

Action	Purpose	Date to be achieved	Governance
Review the basis of the One Legal budget	To provide a transparent and equitable service	March 2023	JMLG
Review income generation principles for One Legal	To ensure they are achievable	August 2022	One Legal management team then JMLG
Successfully embed the new case management system	To provide a more efficient and consistent legal service and ensure staff are properly trained to fully exploit it	August 2022	TBC project board
Implement KPIs for One Legal	To allow benchmarking and clear target setting	Nov 2022- subject to case management reporting	JMLG
Review s101 agreement	To provide clarity on what service is provided and included in the annual budget for each Council	March 2023	JMLG and constituent Councils individually

# Democratic Services - Service Business Plan 2022-23

## 1. Service purpose and objectives

- To support, and promote, the democratic processes of the council.
- To maintain an accurate and up to date Register of Electors in accordance with the legislative requirements.
- To organise Parish, Borough, County and Parliamentary Elections and Neighbourhood Referendums in accordance with the statutory requirements.
- To enable effective and efficient decision-making arrangements within the council that are compliant with legislative and constitutional requirements.
- To provide support to members of the council, both in an advisory capacity and through ongoing training and development.
- To organise civic functions.
- To promote a high standard of probity and ethics within the council.

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Those actions indicated with (r)

Action	Progress	Date to be achieved	Complete ✓ or ✗
<b>Electoral Registration / Elections</b>			
COVID safe Police and Crime Commissioner Elections – These were postponed until May 2021 in view of COVID-19.	Successful elections held in May 2021.	May 2021	✓
COVID safe Gloucestershire County Council Elections in May 2021.	Successful elections held in May 2021.	May 2021	✓
New annual canvass arrangements.	Canvass carried out on target.	December 2021	✓
Polling Places Review.	Add to 2022/23. To take place after completion of Community Governance Review. (C/fwd 2022/23)	September 2022	✗
Preparation of Programme for Parish Boundary Reviews to take effect in 2023.	Consultation on proposed changes to Parish boundaries currently ongoing. Final proposals to be considered by Council in May.	May 2022	✗

# Democratic Services - Service Business Plan 2022-23

Parliamentary Constituency Boundary Review Consultation.	Response made to consultation.	2 August 2021	✓
Government call for evidence on remote meetings.	Response made to consultation.	June 2021	✓
Consider effects on service delivery where staff availability is affected by COVID-19 (r).	Service delivered throughout the pandemic.	March 2022	✓
Consider any further wave of COVID-19 and how it might affect plans and measures that need to be taken (r).	Service delivered throughout the pandemic.	March 2022	✓
Organisation of any elections / referendums called through the year.	Parish election and Borough By-Election held in 2021. One further By-Election to be held on 14 April 2022.	April 2022	✓
Public Services Network (PSN) migration in collaboration with ICT and the Cabinet Office.	Completed on 8 December 2021.	April 2022	✓
<b>Member Services</b>			
Consider effects on service delivery where staff availability is affected by COVID-19 (r).	Service delivered throughout the pandemic.	March 2022	✓
Consider any further wave of COVID-19 and how it might affect plans and measures that need to be taken (r).	Service delivered throughout the pandemic.	March 2022	✓
Revision of Report Format.	Add to 2022/23.	March 2022	✗
Examination of Standards Regime following a review by the Committee on Standards in Public Life.	Add to 2022/23.	December 2022	✗
Preparation of a Protocol for covering single Ward Members when they are ill or have a pecuniary interest.	Add to 2022/23. To consider a Protocol for what would happen in the event that a single Ward Member became ill.	March 2022	✗

# Democratic Services - Service Business Plan 2022-23

Implementation of Submission of Reports through Mod.Gov Committee System / Office 365	Add to 2022/23. To undertake the work to assess whether this approach would be better for Officers and Democratic Services than the current system.	March 2022	*
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## 3. Key service plan actions for 2022-23

Please indicate any ongoing Covid-19 recovery actions with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>Electoral Registration/ Elections</b>			
Preparation for Borough and Parish Elections to be held on 4 May 2023.	To establish a project plan to deliver the Borough and Parish elections.	May 2023	Local Government Act 1972 and Representation of the People Act 1983. Democratic Services
Organisation of any elections / referendums called through the year.	Neighbourhood Plan Referendums expected during 2022/23.	May 2023	Schedule 4B of the Town and Country Planning Act 1990. Democratic Services
Polling Places Review.	To take place after completion of Community Governance Review.	September 2022	Schedule A1 to the Representation of the People Act 1983 (RPA 1983) Electoral Registration and Administration Act 2013 Full Council
Completion of Community Governance Review (CGR).	To complete the CGR in time for the boundary changes to be implemented for the May 2023 Borough and Parish elections.	May 2022	Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. Full Council
Implementation of CGR	Subject to the approval of the Local Government Boundary Commission for England, to prepare the necessary Orders to implement the outcome of the CGR.	Sept 2022	Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007. Democratic Services Team.
Implement provisions from the Elections Act 2022	Implement the statutory provisions contained within the act including Voters ID.	May 2023	Presentation to Transform Working Group and an all-member briefing.

# Democratic Services - Service Business Plan 2022-23

Action	Purpose	Date to be achieved	Governance
<b>Member services</b>			
Examination of Standards Regime following a review by the Committee on Standards in Public Life.	To consider amendment of the Council's Code of Conduct in line with the outcomes of the review. <i>(C/fwd from 2021/22)</i>	December 2022	Review of Independent Committee on Standards in Public Life.
Report template review.	To review the Council's report template to ensure it continues to contain all required relevant information. <i>(C/fwd from 2021/22)</i>	June 2022	Corporate Management Team
Preparation of a Protocol for covering single Ward Members when they are ill or have a pecuniary interest.	To devise a protocol to cover what will happen in a single Member Ward if that Member is unable to participate in Council business in the event they were ill or had a pecuniary interest. <i>(C/fwd from 2021/22)</i>	September 2022	Democratic Services.
Implementation of Submission of Reports through Mod.Gov Committee System / Office 365.	To investigate whether the use of the Mod.Gov system for submission of reports would be a good way forward for the Council. <i>(C/fwd from 2021/22)</i>	December 2022	Democratic Services.
Webcasting project.	To investigate the options and implement a system for the webcasting of Committee and Council meetings.	January 2023	Programme Board, TWG and Executive Committee.
Preparation of the Member Induction Programme for implementation following the Borough elections.	To ensure new Councillors have the information they need initially to undertake their role as a Borough Councillor.	May 2023	Corporate Management Team.

# Development Services – Service Plan 2022-23

## 1. Service Objectives

Development services consists of the following: community development, the Growth Hub, economic development, and tourism (including Winchcombe and Tewkesbury tourist information centres), development management and planning policy.

To achieve the Council's ambitious growth agenda, we will work collaboratively with our partners and communities, as well as teams across the Council including the Garden town team; to create great places, with high standards of development, enabling integration between existing and new communities.

- Provide strategic leadership to shape and deliver the Council's ambitious growth agenda.
- To support the delivery of the Garden Town at Ashchurch and Garden Village at West Cheltenham.
- Make Tewkesbury borough an area of choice for businesses to invest within.
- To implement the High Street heritage action zone and promote the regeneration of Tewkesbury town centre.
- Transform the Development Management service. To ensure the Borough's Planning service is a high performing service with a reputation for delivering high quality development and responsive to customers' needs.
- Adopt and implement the Local Plan.
- Work in partnership with our Joint Strategic Plan partners to prepare a Joint Strategic Plan.
- Providing effective and inclusive community and business engagement and support
- Investigate and maximise funding opportunities related to Covid recovery and provide wider economic benefits.
- Providing effective and inclusive community and business engagement and support
- To ensure that the interests of the borough are properly represented in the strategic planning process at the national level and more locally across Gloucestershire and neighbouring counties.
- To work with partners to manage flood risk.
- To minimise and mitigate the impact of climate change.
- To deliver and operate the Tewkesbury Growth Hub within the Public Services Centre
- To promote and facilitate healthier lifestyles.
- To ensure the Borough's Planning service is a high performing service with a reputation for delivering high quality development and responsive to customer needs.
- Engaging with our communities and residents to help them to help themselves.
- Supporting community organisations to access funding.
- To support the visitor economy and promote the tourist destinations of the borough.
- To take opportunities to conserve and enhance the historic and natural environment.
- To monitor the effectiveness of existing policies.

# Development Services – Service Plan 2022-23

- To support neighbourhood forums in the development of their neighbourhood plans and ensure general conformity with the Development Plan.

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Recovery actions are marked with a 'r'.

Action	Progress made	Date to be achieved	Complete ✓ or ✗
<b>Community Development</b>			
To deliver the Covid19 community grant scheme (r)	Grants continue to be awarded to community groups, including for sport, arts and community activity. Over 150 grants have been provided that have impacted on:  Reducing isolation - supporting people to regain independence and to increase confidence  Reducing financial hardship particularly focusing on food poverty  Improving mental and physical wellbeing  Addressing digital exclusion  Improving access to skills and learning	March 2022	✓
To deliver the Community Capital Grant Scheme	The Grant Scheme was advertised and funding allocated to five community projects across the Borough.	September 2021	✓
Work in partnership with other agencies to deliver the Locality Partnership action plan	The Integrated Locality Partnership is fully in operation and is currently focussing on two areas of work to address health inequalities:  Place based approach in Brockworth  Place based approach in Tewkesbury, including focus on frailty	March 2022	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
In partnership with Caring for Communities and People (CCP) and other partners, support Strengthening Local Communities work and the Community Wellbeing Service	The Strengthening Local Communities work is being led by CCP in Prior's Park, focussing on utilising the skills within the community. Projects have included a community pantry, history projects, diabetes support groups, and fitness classes.	March 2022	✓
To promote and support the delivery of Tewkesbury Together 2021 events	Although the extent of the events were curtailed by Covid19 – the focus has been threefold to celebrate 2021 1. Schools online project 2. Tewkesbury Light Show 3. Tewkesbury Stitch story.	Dec 2021	✓
To enable and support the Voluntary and Community sector develop through the recovery period, particularly focussing on outcomes from the VCS survey (r)	Community groups continue to be supported through the recovery phase, including through funding support and online funding sessions. In addition, groups are being assisted with their future planning, governance and structures.	March 2022	✓
To develop action plan for delivering the Active Gloucestershire 'We Can Move' programme	The project has included marketing campaigns, co-ordinating asset mapping work for the Integrated Locality Partnership and advice clinics for community groups.	March 2022	✓
To support communities through the development process, including provision of community facilities	A number of facilities have been assisted and supported throughout the year including Bishop's Cleeve Football Club astroturf, Minsterworth Harvey Centre, Winchcombe Park. In addition, two new playing pitch facilities in Longford and Cooper's Edge will be available for community use.	March 2022	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
To support our communities to be more resilient and actively prepared for emergency situations, including flood events	A service level agreement is in place with GRCC (formerly Gloucestershire Rural Community Council) to co-ordinate work with flood wardens across the Borough. In addition, community work has focused on supporting community groups to establish and continue working in their communities, following the pandemic.	March 2022	✓
<b>Economic Development and Tourism</b>			
To develop and deliver revised business grant scheme (r)	A revised business grant scheme is waiting to be launched, subject to Government grant rollout. A number of grants have been offered to businesses over the last year. Once these Gov't grants have been completed, the Council will go ahead with the revised business grant scheme which will be funded through recovery funds.	Jan 2022	✗
To re—open physical Growth Hub space, and deliver the Growth Hub service (r)	The Growth Hub has been re-opened to businesses in person from? Workshops and training are now being offered in person, in addition to online sessions.	June 2021	✓
To re-open the Tourist Information buildings (r)	Tewkesbury TIC and Winchcombe TIC re-opened during the year. Visitor numbers have continued to increase, albeit with a greater focus on the domestic market.	July 2021	✓
To deliver the action plan for Re-opening High Street Safely / Welcome Back Fund (r)	The Welcome Back fund has enabled over 50 projects to be delivered focussing on the retail centres. Activity has included marketing campaigns, place promotion films, markets, deep cleans and public realm/environmental improvements.	March 2022	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
To work with Cotswold Tourism and Visit Gloucestershire in developing campaigns to encourage visitors to the Borough (r)	Over the past year a number of campaigns have been delivered to encourage visitors back to the area. These have included Undiscovered Cotswold Gems, Dog Friendly Cotswolds, as well as Covid advice and information to the visitor economy. In addition, social media numbers have continued to increase and the Cotswolds.com website had over 1.5m views last year. In March the MP was taken on a tour of attractions in the Borough.	March 2022	✓
To deliver the outcomes from the Tourism Review	The Tourism Review was completed in Summer 2021. The Review provided recommendations for the short and long-term concentrating on the working environment, working partnerships, product development and support, as well as marketing and communications. A number of actions have been completed and are in progress over sustained period of time. The Tourism Officer role is due to be advertised to continue taking this work forward over the longer term.  The outcomes will be incorporated within the new Economic Development and Tourism strategy.	March 2022	✗
To submit bid to work with DWP to deliver a Youth Hub, hosted within the Growth Hub (r)	A bid was submitted but was unsuccessful in being taken forward. Officers continue to work with DWP to investigate if specific support can be provided to young people through the Growth Hub service.	September 2021	✓
To launch the High Street Heritage Action Zone	The High Street HAZ has been launched, as well as the individual projects focussing on shopfronts, upper floor conversion, traditional skills and the public realm.	June 2021	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
To deliver the final year of the current Economic Development and Tourism Strategy	In progress. Work has included delivery of the Growth Hub service, Welcome Back, tourism campaigns etc.	June 2022	✓
To complete draft of new Economic Development and Tourism Strategy, including development of an economic assessment	In progress. Initial approach was to carry out a joint commission with neighbouring authority. This is now not possible and therefore the council will solely be delivering this work.	December 2022	✗
<b>Development Management</b>			
To undertake review into Development Management systems and service.	An independent review of the Planning Service was undertaken in the summer of 2021 by Planning Officer Enterprise.	August 2021	✓
To develop an implementation plan for DM service improvements	An action plan has been developed in response to the DM service review and this action plan was approved by Executive Committee on 17 <sup>th</sup> November 2021.	November 2021	✓
Deliver phase one of the Land Registry Migration project	Phase one focused on installing software to allow an extract of our local land charge register and to undertake a data extract. This was achieved in June 2021	September 2021	✓
Deliver phase 1A of the Land Registry Migration project, Assessment of feedback from Land Registry.	Following the data extract within phase one, Land Registry analysed the records and provided an assessment of the charges that need cleansing to meet the requirements of the new national register. This was provided in August 2021.	February 2022	✓
Prepare a project plan for phase two of the Land Registry Migration project (data cleansing and digital capture of Tewkesbury Borough council land charges records)	Phase two of the migration project is ongoing. An action plan is in place to digitise conditional planning permissions and data cleansing work is continuing.	March 2022	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Prepare revised standard planning conditions	A set of standard planning conditions have been prepared.	December 2021	✓
Publish Tree Preservation Orders on the planning website	Copies of all tree preservation orders have been published on our website, this was achieved in August 2021	Stage 1: Prepare tree preservation orders for publication on the website: October 2021 Stage 2: Publish tree preservation orders for publication on the website: November 2021	✓
<b>Planning Policy including the Joint Strategic Plan (JSP) and Community Infrastructure Levy.</b>			
To consult on the main modifications for the emerging Tewkesbury Borough Plan	The main modifications to the Local Plan were consulted upon between 1 November to 4 January 2022. The timescales set out were all subject to the Inspector appointed to examine the submitted Local Plan.	September 2021*	✓
To adopt the emerging Tewkesbury Borough Plan	The emerging Local Plan has not been adopted as the Council only received the Inspectors report into the Local Plan in April.	February 2022*	✗
To consult on the Tewkesbury Shopfront Guide SPD (r)	The shopfront was consulted upon 17 September to 29 October 2021.	September 2021	✓
To adopt the Tewkesbury Shopfront Guide SPD (r)	The SPD was approved by Council on 12 April 2022.	February 2022	✓
To consult on new Statement of community Involvement (SCI)	Consultation with Parish Councils on the proposed SCI was undertaken.	October 2021	✓

# Development Services – Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
To adopt the new Statement of community Involvement	The new SCI was adopted in April 2022.	March 2022.	✓
To undertake a Reg 18 Consultation for the JSP	The Regulation 18 consultation did not take place on the JSP. Following a review of the JSP it has been agreed between the JSP partners that a full review is required. The Local Development Scheme which sets out the timetable for the review of Development Plans was approved by Council in April 2022. This sets out the new timetable and the re-naming of Joint Strategic Plan.	September 2021	✗
To publish Infrastructure Funding Statement	The Infrastructure Funding Statement was published in December.	December 2021	✓
To support parishes in the planning and expenditure of CIL monies.	A number of events/workshops have been held between the CIL manager and parishes in receipt of CIL monies.	March 2022	✓

\* (The timing of this is dependent on the Inspector's preliminary findings and if further work is required)

## 3. Key service plan actions for 2022-23

Ongoing Covid-19 recovery actions are marked with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>Community Development</b>			
To deliver the Covid19 Community Grant Scheme (r)	To fund community groups to provide support and activities for our residents	March 2023	Decisions made by Head of Development Services in consultation with Cllr Softley and Cllr Mason

# Development Services – Service Plan 2022-23

Action	Purpose	Date to be achieved	Governance
To work with partners to deliver actions from the Integrated Locality Partnership (r)	To reduce health inequalities within the community	March 2023	Through the Strategic Integrated Locality Partnership / Lead Member
To work in partnership with Glos CC to deliver the Tour of Britain within the Borough	To promote health and wellbeing, community and business engagement and the town centre to residents and visitors	September 2022	Overall organisation is through Sweetspot
To deliver new community facilities and infrastructure through the development process	To encourage healthy lifestyles, as well as social cohesion	March 2023	Through the planning process and local governance arrangements at parish level
<b>Economic Development and Tourism</b>			
To complete new Economic Development and Tourism Strategy, including development of an economic assessment and the outcomes from the Tourism Review.	To provide strategic direction	December 2022	Committee approval / Lead Member
Deliver Year 3 of the Tewkesbury High Street Heritage Action Zone	To use heritage as the catalyst for high street regeneration	March 2023	Programme Board / HSHAZ Governance
Launch new business grant scheme	To support the business community	Sept 2022	Decisions made in consultation with relevant lead members
Develop and submit Investment Plan to DLUHC.	To support growth and levelling up agenda	August 22	Delegations to be agreed
Deliver Operational Delivery Plan for the Growth Hub	To support business community and encourage growth	March 2023	Alongside Growth Hub network

# Development Services – Service Plan 2022-23

Action	Purpose	Date to be achieved	Governance
<b>Development Management</b>			
Prepare a web-based procedure manual for all internal development management procedures	To ensure that there is consistency of approach across the whole of the service.	December 2022	Lead member
Establish agents/developer's forum	To improve engagement with members of the development industry operating within the borough.	September 2022	Lead member
Digitise conditional planning permissions (1977 onwards) in preparation for migration of the local land charge register to Land Registry	To ensure the successful completion of the Land registry project.	September 2022	Lead member
Migrate the local land charge register to Land Registry	To comply with the government's requirement to digitalise local land charges.	March 2023	Lead member
Carry out a review of the pre-application service	To ensure the pre-application service is fit for purpose.	November 2022	Lead member
Set performance management criteria to align the DLUHC national criteria for designating underperforming authorities.	To ensure consistency with national reporting.	December 2022	Lead member
Establish local targets for planning applications and enforcement.	To set realistic targets for the team recognising the work being undertaken on the review of the service.	December 2022	Lead member
<b>Planning Policy including the Joint Core Strategy and Community Infrastructure Levy.</b>			
Adopt the Tewkesbury Borough Local Plan	To ensure the Council has an up-to-date Development Plan.	June 2022	Full Council
To undertake a Reg 18 Consultation for the Joint Strategic Plan	To consult on the draft Joint Strategic Plan	Spring 2023	Full Council

# Development Services – Service Plan 2022-23

<p>Adopt the Local Heritage List Selection Criteria for Tewkesbury Borough. Supplementary Planning Document</p>	<p>The purpose of the Local Heritage List Selection Criteria SPD is to identify and utilise a robust and standardised procedure for nominating assets onto a Local Heritage List. The SPD therefore includes guidance on identifying the historic, archaeological, or architectural value of a non-designated heritage asset.</p>	<p>June 2022</p>	<p>Full Council</p>
<p>To publish Infrastructure Funding Statement</p>	<p>The Council are required by legislation to publish an Infrastructure Funding Statement by 31 December each year.</p>	<p>December 2022</p>	<p>Full Council</p>

# Community Services - Service Plan 2022-23

## 1. Service Objectives

- To support the council in the delivery of its statutory duties relating to protecting the public health, safety, amenity and the environment within Tewkesbury borough.
- Providing support and advice to business and the community on matters relating to environmental health and welfare.
- Work with UBICO to ensure an effective waste management system is in place and that services are developed and improved in terms of performance and / or cost minimisation or income generation.
- To ensure the council meets its statutory duties within the Housing Act, which requires the council to identify and address the housing needs of our communities.
- To deliver affordable housing for the Borough's residents working with registered providers, private landlords and other partners.
- To ensure the appropriate safeguarding and community safety measures are in place and are compliant with the Children Act 2004 and The Crime and Disorder Act 1998.
- To lead the council's emergency planning functions and act as district emergency planning liaison.

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Recovery actions are marked with a 'r'.

Action	Progress made	Date to be achieved	Complete ✓ or ✗
<b>Environmental Health (EH) and Licensing</b>			
Review backlog of food hygiene inspections cancelled or delayed due to lockdown in terms of risk and prepare an action plan to address the backlog. (r)	Accurate backlog report has been generated and premises have been allocated for inspection. It is anticipated that the service will be able to meet Food Safety Agency (FSA) requirements for backlog inspections and covid recovery.	June 2021	✓
Review the status of the pollution permit inspection programme. (r)	Overdue premises have now been inspected. Several revisits required in 2022/23 and the team currently has adequate capacity to undertake these.	June 2021	✓
Undertake an assessment of the Disabled Facility Grant (DFG) workload following resumption of normal services. (r)	A dedicated housing team has been set up as part of a new trial structure for EH. The team is comfortably dealing with DFGs, and the time taken to approve and process applications has improved significantly.	June 2021	✓

# Community Services - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Resume our programme of air quality monitoring and assess the impact of reduced monitoring. (r)	Normal service has been resumed and there is no indication of any adverse impacts arising from the reduced monitoring. DEFRA currently being consulted as to whether we can revoke our air quality management area for Tewkesbury Town Centre.	September 2021	✓
Continue to respond to any C19 restrictions providing support and advice to businesses.	Demand for Covid advice to businesses has now stopped completely. Covid compliance and CPO officers are no longer required, and we have cancelled these contracts	March 2022	✓
Recruit to all vacant posts	Job evaluation required for Licensing technical admin position.	September 2021	✗
Work with the Business Transformation Team to develop online applications for Licensing and Food premises.	We have fully implemented "Register a food business" where businesses register online via the FSA. The licensing improvement project is on track to achieve the target for online applications	September 2021	✓
Review the inspection requirements and impact on EH for licensing applications in respect of skin piercing, animal licensing and caravan sites (r)	Work has started to address the backlog of caravan site inspections and animal licensing visits. Skin piercing inspections are not anticipated to have a significant impact on the work of the EH team in 2022/23	July 2021	✓
Reinstate private water supply sampling programme (r)	Backlog of premises has been allocated to a contractor for inspection and it is anticipated these will be completed in 2022/23	July 2021	✓
Review dog fouling Public Space Protection Order (PSPO) and other policies and procedures relating to abandoned vehicles, fly tipping and littering	New PSPO has been drafted and will be going out for consultation in April/May 2022.	July 2021	✓

# Community Services - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Review and complete outstanding Licensing Policies	Key policies have been reviewed and will be taken to committee throughout the summer of 2022	September 2021	✓
<b>Community Safety</b>			
Work with the Business Transformation Team (BTT) to develop a system for recording Anti-Social Behaviour (ASB) which can be shared and input onto by partners.	Work has started with the BTT, but the project has been put on hold pending the outcome of decision on the team joining Operation Solace	March 2022	✗
Integrate the community safety team within environmental health	Community Safety Officers are now clearly under the line management of the EH Manager and have been integrated into the EH section.	June 2021	✓
Review the terms and conditions for the Community Safety Partnership	A slimmed down version of the CSP met over the C19 period due to partners having different priorities. The CSP is in the process of redefining its priorities for the coming year and a review of the terms of reference is will be undertaken as part of this work.	June 2021	✗
<b>Housing</b>			
Build on the lessons learned throughout covid with regard to less face to face customer contact and movement away from paper-based systems. Including the development of the housing section of the website to allow greater functionality such as document uploading and chat function for homeless / housing queries. (r)	The Housing Advice Team have helped customers use tools such as remote document uploading to improve the customer experience.  Work on the web pages has been completed ready for the Business Transformation team to work on the new TBC website.	September 2021	✓
Develop the deferred housing strategy for the next 4 years.	Complete and strategy adopted by full Council.	March 2022	✓

# Community Services - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Explore new ways of engaging with potential cases in housing need.	Some Registered Providers (RPs, particularly Bromford) have changed their structures around housing management. The Housing Advice Team have worked closely to ensure that opportunities to engage with customers in housing need are flagged by RP partners.	September 2021	✓
Implement learning from Private Sector Housing work conducted in-house and across the County last year.	Complete. The Housing Advice Team have continued to assist with rent in advance and deposit payments but the Private Rented Sector remains a difficult market for our customers to access. Incentives offered and liaising with letting agents have not produced new supply options.	September 2021	✓
Work with partners such as Bromford and Going the Extra Mile to support households beyond just securing suitable housing.	Our operational joint working with Bromford has been strengthened by regular manager meetings to discuss cases and any changes in processes.  Going the Extra Mile attended workshops with the Housing Advice Team and Bromford Neighbourhood Coaches to share experiences with customers and understand each other's roles in supporting customers.	March 2022	✓
<b>Waste &amp; Recycling etc.</b>			
Recruit to all vacant posts	All posts recruited.	September 2021	✓
Restart and complete the WEEE recycling scheme.	WEEE scheme now operational.	September 2021	✓
Street Cleansing Project	Work has taken place to map within PSS-live the majority of litter and dog waste bins and the main litter picking zones. Project rolled forward to 22/23	TBC	✗

# Community Services - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Review narrow access properties	The narrow access properties have been identified, with changes proposed to bring their service in line with the rest of the borough.	May 2021	✓
Complete the procurement of the additional grounds maintenance equipment.	All required grounds maintenance equipment has been purchased.	June 2021	✓
Review the cemeteries service level agreement.	The service level agreement was reviewed in 2021.	June 2021	✓
Continue the trade waste project.	A principal trade waste officer has been recruited and the project is underway with progress being monitored at programme board.	March 2022	✓

## 3. Key service plan actions for 2022-23

Ongoing Covid-19 recovery actions are marked with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>Environmental Health / Licensing</b>			
Complete programme of food hygiene inspections due in 2022/23, including new businesses.	To ensure that the council meets its obligations for food hygiene inspections as set out in the current Food Law Code of Practice	March 2023	Food Standards Agency returns  Performance tracker target for non-broadly compliant premises
Resume annual food sampling programme for approved premises	To ensure that the council meets its obligations for food hygiene inspections as set out in the current Food Law Code of Practice	March 2023	Food Standards Agency returns  Performance tracker target for non-broadly compliant premises

# Community Services - Service Plan 2022-23

Complete a programme of Health & Safety inspections	To ensure the council meets its obligations as an enforcing authority under the Health and Safety at Work Act 1974	March 2023	HSE LAE1 performance return
Introduce new Public Space Protection Order for dog fouling	To ensure that the council has adequate arrangements to enforce and deter against dog fouling	May 2022	Reported to Overview and Scrutiny Committee.
Undertake trial of CCTV cameras for fly tipping investigations	To ensure that the council is using best available techniques and good practice to tackle fly tipping	June 2022	Reported to Overview and Scrutiny Committee.
Prepare annual air quality report for 2021/22	To ensure that the council is able to meet its statutory obligations concerning air quality monitoring	July 2022	National Air Quality Strategy
Resume planning application consultation advice service and terminate contract with Worcestershire Regulatory Services.	To improve the process for planning application consultations and develop more effective working relationships with the planning team	May 2022	Statutory planning obligations
Review the House in Multiple Occupation (HMO) register to ensure it is up to date and any necessary inspections are completed	To ensure that the Council is able to fulfil its statutory obligations towards HMO properties.	September 2022	The Council's Housing Policy
Review the current arrangements regarding empty property registration and enforcement	To ensure that the Council is able to meet its statutory obligations regarding empty properties.	September 2022	The Council's Housing Policy
Complete the Licensing Service Review in accordance with the project plans submitted to the corporate programme board.	To ensure that the Council is able to fulfil its obligations as a statutory licensing authority.	March 2023	Licensing service review project plans. Reports to Licensing Committee.

# Community Services - Service Plan 2022-23

Complete any service restructure required as identified by the licensing service review.	To ensure that the Council is able to fulfil its obligations as a statutory licensing authority	December 2022	Licensing service review project plans. Reports to Licensing Committee.
<b>Community Safety</b>			
Commence a trial of Operation Solace for the borough	To establish the potential benefits of a long-term alliance with Operation Solace on the Council's community safety service.	September 2022	The Tewkesbury Community Safety Partnership
Commence a trial of a "Tewkesbury Safe" project	To establish the benefit and demand for long term participation in the project, and to fully utilise available funding from the PCCO.	September 2022	The Tewkesbury Community Safety Partnership
Prepare a training and development framework for Community Safety Officers.	To establish clear qualification and competence requirements for the Council's Community Safety Officers	July 2022	The Tewkesbury Community Safety Partnership
Put in place a community safety memorandum of understanding (MOU) with Gloucestershire Police	To assist with decision making and case management when investigating community safety matters.	September 2022	The Tewkesbury Community Safety Partnership
Review the terms and conditions for the Community Safety Partnership (CSP).	The CSP is in the process of redefining its priorities for the coming year and a review of the terms of reference is will be undertaken as part of this work.	September 2022	The Tewkesbury Community Safety Partnership
<b>Housing</b>			
Further develop the housing section of the website . Project supported by Business Transformation Team.	To improve customer experience and allow greater functionality such as document uploading and chat function for homeless / housing queries.	September 2022	Progress on the Housing Strategy reported to Overview and Scrutiny Committee

# Community Services - Service Plan 2022-23

Explore options to make use of community facilities/home visits to engage with customers away from the office.	To make the service more accessible to service users.	September 2022	Progress on the Housing Strategy reported to Overview and Scrutiny Committee
Establish connections with Bromford and Centre for Homeless Impact to share best practice and data.	To share best practice and ensure that service is providing the best possible service to our customers	June 2022	Progress on the Housing Strategy reported to Overview and Scrutiny Committee
Temporary Accommodation (TA) – add one unit to current in-house TA stock and viability scoping/assessment of further single units.	To increase the supply of temporary accommodation.	March 2023	Progress on the Housing Strategy reported to Overview and Scrutiny Committee
Empty Homes – Support Environmental Health to deliver an Empty Homes Strategy.	To minimise the number of empty properties in the borough	March 2023	Progress on the Housing Strategy reported to Overview and Scrutiny Committee
Establish a Homeless Forum for Tewkesbury Borough.	To share good practice amongst partners.	Nov 2022	Progress on the Housing Strategy reported to Overview and Scrutiny Committee
<b>Waste &amp; Recycling etc.</b>			
Street Cleansing Project	To improve the street cleansing service by completing the mapping of all bins and regular works to allow efficient routing. To identify bins on private land and pass emptying responsibility back to the relevant management company.	December 2022	Regular reporting to the depot services working group.
Continue the Trade Waste project	To continue towards the goal of addressing the service deficit, while trialling trade recycling services.	April 2023	Regular reporting to the programme board.

# Community Services - Service Plan 2022-23

In cab technology	Work with the business transformation team to integrate Ubico's new in cab system into existing software.	March 2023	Regular reporting to the depot services working group.
Fleet Procurement	To procure new fleet for waste collections and street cleansing	April 2024	Regular reporting to the depot services working group.
Increase recycling	Working with the partners of the Gloucestershire Waste & Resources Partnership (GWRP) to promote recycling across the borough and reduce residual waste.	March 2023	Regular reporting to the waste Senior Management Group and the GWRP.

# Finance & Asset Management - Service Plan 2022-23

## 1. Service Objectives

### Financial Services

Financial Services supports the council in delivery of its statutory financial reporting and budget setting. The service provides advice to the council and its officers supports the corporate projects of the council and delivers a wide range of financial services including payroll and treasury management.

### Asset Management

Asset Management is responsible for maintaining and improving the asset portfolio of the council as well as the direct delivery of services such as cemeteries and car parking enforcement. The service is also responsible for the client monitoring of the leisure centre contract and the management of tenants across the commercial portfolio. To do this we aim to provide a quality service which meets the needs of our customers, satisfies statutory requirements and is value for money

## 2. Progress of 2021/22 service plan and Covid-19 recovery actions

Recovery actions are marked with a 'r'.

Action	Progress made	Date to be achieved	Complete ✓ or ✗
<b>Finance</b>			
Introducing and complying with CIPFA's new Financial Management Code.	Report taken to Audit and Governance Committee in March 2022.	Dec 21	✓
To understand the replacement New Homes Bonus and ensure the Council is prepared to maximise the return from the new scheme	The release of a replacement scheme has been postponed by the Government	Mar 22	✗
Produce a Medium-Term Financial Strategy, which ensures that council tax remains low for our residents.	MTFS delayed given lack of clarity from the Government on funding reform	Jan 22	✗
Ensure the Accounts are closed and audited by 30 <sup>th</sup> September and an unqualified opinion issued	We prepared the accounts by the deadline given and all main audit work was completed however full sign off has been delayed due to Value for Money audit still outstanding.	Sep 21	✓

# Finance & Asset Management - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Completion of all financial data returns relating to Covid-19 as required including business grants	All financial data returns have been completed by the deadlines given. This is still ongoing due to ongoing COVID-19 measures in place.	Dec 21	✓
Post payment assurance for COVID-19 business grants	This has been ongoing however new grant schemes have been introduced by the government meaning additional assurance checks. Remaining assurance checks to be completed by the business cell in early 22/23	Dec 21	✗
Reintegrate resources deployed to support business grants back into Finance	With the extension of the Test and Trace Support payment scheme, a new Omicron Grant scheme, a COVID-19 business rates relief scheme and an energy rebate scheme due in April 2022, the Finance Manager is still supporting the work in the business cell.	Jan 22	✗
Ensure financial rules and process are known and diligently followed throughout the organisation	Delayed due to other work pressures	Mar 22	✗
Support the delivery of any new business grant scheme the Council is required to administer	18 business grants schemes delivered	Mar 22	✓
To ensure the Council meets the Payment Card Industry Security Standards	Delayed due to other work pressures	Mar 22	✗
To understand and implement any changes to the local government finance framework	No changes introduced by the Government	Mar 22	✗
To support the understanding and delivery of major council projects such as the JCS delivery projects and CIL	Support given where necessary	Mar 22	✓
Install kiosk at PSC for customer payments	To be reconsidered in light of post covid operations	Mar 22	✗

# Finance & Asset Management - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Develop SmartPay 6	Delayed due to supplier issues	Dec 21	✗
HR21/CHRIS 21 additional modules development	Partially complete but with further modules to be delivered	Mar 22	✓
Refresh the Council's Money Laundering Policy	Completed	Sep 21	✓
Refresh the Council's Capital and Treasury suite of strategies	Completed	Jan 22	✓
Implement and provide training on new off-payroll working changes brought in from April 2021	Delayed due to other work pressures	Sep 21	✗
Improve and streamline data sharing processes with Revenues and Benefit team (joint project)	Completed	Dec 21	✓
<b>Asset Management</b>			
Update the council's Asset Management Strategy	Delayed due to other work pressures	Mar-22	✗
Approve a new planned maintenance programme.	Delayed due to other work pressures	Jun-22	✗
Let vacant units within the commercial property portfolio	4 new leases agreed in year	Dec-21	✓
In-source the management of our homeless property portfolio.	Completed	Apr-21	✓
Bring forward plans for the redevelopment of Spring Gardens.	Project on hold	n/a	✗
Explore the opportunity for an online offering for our cemeteries function.	Delayed due to other work pressures	Dec-21	✗

# Finance & Asset Management - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
To replace the heating system at the Council offices with an Air Source Heating System	Funding insufficient to progress the project.	Oct-21	✗
To develop the and deliver the second year of the Climate Change Action Plan	Action plan agreed and many actions delivered	Jun-22	✓
High Streets reopening - support the requirements of the Welcome Back fund	Support given to project team as required	Sep-21	✓
Continue to work with Places Leisure to ensure the Leisure Centre usage is maximised within government guidelines for social distancing	Completed	Mar-22	✓
To ensure the offices are reopened in line with the legislation and guidance for staff and visitors	Completed	Jun-21	✓
To support the development of a hybrid approach to staff working practices and ensure the public offices are laid out and furnished accordingly	Initial phase completed	Sep-22	✓
Complete planned works within the Borough car parks including signage replacement, lighting and replacement payment machines	Completed	Jun-21	✓
Support the Head of Development Services to complete the review of the car parking strategy	Delayed due to other work pressures	Mar-22	✗
Delivery of additional parking within Priors Park	Awaiting planning permission for the site	Oct-21	✗

# Finance & Asset Management - Service Plan 2022-23

Action	Progress made	Date to be achieved	Complete ✓ or ✗
Work with Housing Services to source and secure the appropriate mix of homeless property provision	Awaiting confirmation of requirements	Mar-22	✗
Roll out programme of procurement fraud training	Delayed due to other work pressures	Dec-21	✗
Refresh the Council's Procurement Strategy	Completed	Dec-21	✓
Continue to work with Pump 17 to agree the delivery of a new skate park in Tewkesbury	Delayed due to other work pressures	Mar-22	✗
Refresh the Tree Safety Management Policy	Completed	Nov-21	✓
Support the delivery of new community buildings within Bishops Cleeve	Ongoing support given	Mar-22	✓
Highnam footpath delivery	Completed	Dec-21	✓
Refurbishment works to homeless properties and Horsford Trust	Completed	Nov-21	✓
Consider opportunities for the future of the procurement service	No current appetite amongst partners	Mar-22	✓
Consider in-sourcing the management of Tipton industrial units	Specification being drawn up for support required	Mar-22	✗

# Finance & Asset Management - Service Plan 2022-23

## 3. Key service plan actions for 2022-23

Ongoing Covid-19 recovery actions are marked with 'r'.

Action	Purpose	Date to be achieved	Governance
<b>Finance</b>			
Implement and train staff on the Council's revised Money Laundering Policy	Ensure staff fully understand and implement requirements of Policy	Dec 22	Corporate Governance Group
Implement any actions identified in CIPFA's Financial Management Code review.	Ensuring best practice and sound financial management.	Mar 23	Audit & Governance Committee
Ensure financial rules and process are known and diligently followed throughout the organisation	Ensuring compliance with the Financial Procurement rules.	Dec 22	Corporate Governance Group
Support the delivery of the energy rebate scheme	As required by the government	Sep 22	S151 Officer
Implement and provide training on new off-payroll working changes brought in from April 2021	Ensure the Council remains compliant with requirements	Dec 22	Corporate Governance Group
To ensure the Council meets the Payment Card Industry Security Standards	Compliance with requirements	Mar 23	S151 Officer
Ensure the Accounts are closed and audited by 30 November and an unqualified opinion issued	Compliance with standard deadlines	30 Nov	Audit & Governance Committee
Refresh the Council's Capital and Treasury suite of strategies	Update the Council's strategies to ensure compliance with requirements	Feb 23	Council

# Finance & Asset Management - Service Plan 2022-23

Produce a Medium-Term Financial Strategy, which ensures that council tax remains low for our residents and incorporates any changes made from funding reform	To provide an estimate of the financial landscape facing the Council over the next 5 years	Feb 23	Council
Implement an electronic Barclaycard system for card holders to submit spend information.	Efficiency of process	Sep 22	S151 officer
To understand the replacement New Homes Bonus and ensure the Council is prepared to maximise the return from the new scheme	New Homes Bonus is the second largest finance stream available to the council and understanding the operation of the replacement scheme will be crucial to the Council's sustainability	Feb 23	Council
HR21/CHRIS 21 additional modules development	Working with HR to maximise the use of our payroll/HR system and reduce back office admin processes.	Sep 22	Programme Board
Develop SmartPay 6	Working with our current income system provider, Adelante, we are developing their new income system with them to make ongoing annual licence savings and to ensure it is fit for our purpose.	Mar 23	Programme Board
<b>Asset Management</b>			
Update the council's Asset Management Strategy	To outline the long term optimized approach to the management of the Council's assets	Mar 23	Executive Committee
Approve a new planned maintenance programme	Provide a 20 year plan of expected maintenance needs and the estimated costs	Jun 23	Executive Committee
Explore the opportunity for digitisation of a number of service areas	To provide efficient online access to our services	Mar 23	Programme Board

# Finance & Asset Management - Service Plan 2022-23

To develop and deliver the third year of the Carbon Reduction Action Plan, including the sourcing of funding to support the replacement of the PSC's heat system	To aid achievement of our 2030 carbon neutral target	Jun 23	Executive Committee
Support the Head of Development Services to complete the review of the car parking strategy	To update the 2015 parking strategy	Jul 22	Executive Committee
Delivery of additional parking within Priors Park	Community benefit	Aug 22	Head of Service
Work with Housing Services to source and secure the appropriate mix of homeless property provision	Provide a cost effective property portfolio to meet homeless needs	Mar 23	Council
Roll out programme of procurement fraud training	Increase understanding of fraud risks within procurement activities	Dec 22	Head of Service
Re-engage local user groups to agree the delivery of a new skate park in Tewkesbury	Pro-active working with local groups to jointly deliver a new community asset	Mar 23	Head of Service
Agreed programme of refurbishment works to homeless properties and Horsford Trust	To provide a higher standard of living and support the carbon neutral programme	Nov 22	Climate Change & Flood Risk Management Group Horsford Trust
Consider the arrangements for the management of the commercial property portfolio	Ensure effectiveness and value for money within our arrangements	Nov 22	Commercial Investment Board
Develop monitoring and reporting arrangements for commercial property portfolio	Ensure members are aware of past performance and future events within the portfolio	Jun 22	Commercial Investment Board
Scope, design and deliver the refurbishment of the 1 <sup>st</sup> floor offices at the PSC	Creation of a modern working environment that fosters collaboration and innovation and supports the hybrid working philosophy	Jun 23	Executive Committee

# Finance & Asset Management - Service Plan 2022-23

Develop plans in conjunction with Development Services and the Garden Town to re-start plans for the regeneration of Tewkesbury	To provide a deliverable project plan that will take forward the Council's ambitions for Tewkesbury	Mar 23	Council
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## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	Council Plan (2020-2024) Annual Refresh (Year 3)
<b>Report of:</b>	Head of Corporate Services
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Leader of the Council
<b>Number of Appendices:</b>	One

**Executive Summary:**

The Council Plan is a key strategic document which establishes an overarching vision for the borough and sets out, in broad terms, the priorities, objectives and actions that the Council will focus upon to work towards the vision. The current plan (2020-2024) was approved by Council on 28 January 2020. To ensure the plan is a live document, it is reviewed on an annual basis and where appropriate updated. The proposed 2020-2024 (Year 3) plan is attached at Appendix 1.

Given the unprecedented challenge and impact on the Council's services and it's residents, communities and business by the Coronavirus pandemic a Corporate Covid-19 Recovery Plan was approved by Executive Committee on 5 August 2020. This plan was developed around the principles, framework and governance arrangements adopted in relation to the 2020 – 2024 Council Plan.

As reported previously, any outstanding actions from the Covid-19 Recovery Plan have now been transitioned back into the Council Plan thereby reverting back to one strategic document. The Council Plan and its actions acknowledge the longer term recovery challenges presented by the pandemic.

**Recommendation:**

**Subject to any amendments from the Executive Committee, the Council Plan refresh is RECOMMENDED TO COUNCIL for adoption.**

**Reasons for Recommendation:**

To ensure the plans remain live documents, actions need to be reviewed on an annual basis and refreshed where appropriate.

**Resource Implications:**

None arising directly from this report.

**Legal Implications:**

None arising directly from this report.

**Risk Management Implications:**

If the Council does not have an up-to-date Council Plan it cannot demonstrate that priorities are being achieved.

**Performance Management Follow-up:**

Delivery of the Council Plan is monitored through a Performance Tracker which is reported to Overview and Scrutiny Committee on a quarterly basis.

**Environmental Implications:**

None arising directly from this report.

**1.0 INTRODUCTION**

**1.1** The Council Plan is a key strategic document, which establishes an overarching vision for the borough. It sets out, in broad terms, the priorities, objectives and actions that the council will focus upon to work towards the vision.

The current plan (2020-2024) was approved by Council on 28 January 2020. To ensure the plan is a live document, it is reviewed on an annual basis and, where appropriate, updated.

The proposed 2020-2024 (Year 3) plan is attached at Appendix 1.

**1.2** The Covid-19 pandemic had a significant impact on the Council's services and its residents, communities and businesses. Reflecting this, a corporate Covid-19 recovery plan was approved by Executive Committee on 5 August 2020. This plan was developed around the principles, framework and governance arrangements adopted in relation to the 2020-2024 Council Plan.

**1.3** As reported previously, any outstanding actions from the Covid-19 Recovery Plan have now been transitioned back into the Council Plan thereby reverting to one strategic document. The Council Plan and its actions acknowledge the longer term recovery challenges presented by the pandemic.

**2.0 COUNCIL PLAN 2020-2024**

**2.1** In terms of the plan's overall vision and values, these remain unchanged.

The vision for the borough is *'A place where a good quality of life is open to all'*.

The values continue to reflect the fact that we are a Council, which:

- Puts customers first.
- Is positive about working with others.
- Values its employees.

**2.2** The plan re-affirms the Council's six priority themes. The priorities are:

1. Finance and resources.
2. Economic growth.
3. Housing and communities.
4. Customer first.
5. Garden communities.
6. Sustainable environment.

Each of the priorities is supported by a series of key objectives. Underneath each objective are supporting actions to be delivered or progressed during the year.

**2.3** The main purpose of the annual refresh is to review the Council Plan actions under each of the priority objectives and establish the status of each one.

As part of this, there may be a range of outcomes, for example:

- An action may have been delivered during the year and therefore can be removed from the plan.
- New actions may have emerged to support the delivery of the priority.
- An action may need to be amended to reflect the changing nature of the action.
- An action may need to be removed as it is no longer relevant or has been deferred.

Examples of these in the Council Plan refresh include:

- *'ensure that the Ubico resource made available as a result of the bulky waste review is redeployed' (under Finance and resources priority theme) has been removed as this action is complete.*
- *'Introduce a shop-front grant scheme through the Tewkesbury High Street Heritage Action Zone' (under Economic Growth) has been amended to 'deliver projects as part of the Tewkesbury High Street Heritage Action Zone, including Shop Front Scheme, Upper Floors Scheme and Traditional Skills' to reflect the wider work streams of the project.*
- *'There are a range of new actions, including 're-commence the regeneration of Tewkesbury Town projects' (under Economic Growth), deliver an empty homes strategy (under Housing and Communities), carry out a review of the licensing service (under Customer First), deploy CCTV cameras in fly tipping hotspots (under Sustainable Environment) etc.*

## **3.0 COVID-19 CORPORATE RECOVERY PLAN**

**3.1** The Recovery Plan was developed and approved to demonstrate how the Council responded in the early stages of the pandemic and to provide the direction of travel for the borough's recovery. The plan was developed around the six priority themes within the Council Plan. As outlined in the introduction of this report, actions have been transitioned back into the Council Plan. Importantly, this will not dilute the Council's approach to recovery. There continues to be a thread related to Covid-19 within the Council Plan refresh. There are also actions within the Council Plan, for example through the formulation of strategies such as the Economic Development and Tourism Strategy and Medium Term Financial Strategy which will recognise and reflect the impact that the pandemic had on the Council, our residents, communities and our businesses. All actions brought forward from the recovery plan are annotated (r).

#### **4.0 MONITORING PROGRESS**

4.1 The same and trusted methodology will be used to monitor delivery of the actions. The established performance tracker will be reported to Overview and Scrutiny Committee on a quarterly basis. All individual actions are reported within this document. Supporting the this, is additional Key Performance Information (KPI) data and various financial reporting information. Outcomes of the Overview and Scrutiny Committee review are then reported to Executive Committee by the Chair of the Overview and Scrutiny Committee.

#### **5.0 OTHER OPTIONS CONSIDERED**

5.1 None.

#### **6.0 CONSULTATION**

6.1 Heads of Service and Operational Managers have been pivotal in putting forward new actions.

#### **7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

7.1 There are a number of key strategies that support delivery of Council Plan priorities. For example; digital strategy, housing and homelessness strategy, economic development and tourism strategy, etc.

#### **8.0 RELEVANT GOVERNMENT POLICIES**

8.1 A wide range of government policies underpin actions within the priority themes.

#### **9.0 RESOURCE IMPLICATIONS (Human/Property)**

9.1 No direct resource implications.

#### **10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

10.1 The Council Plan seeks to ensure economic, social and environmental sustainability.

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

11.1 The Council Plan seeks to ensure value for money and equitable service provision.

#### **12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

12.1 Council Plan (2021-2024) - approved by Council 28 January 2020.  
Covid-19 Corporate Recovery Plan - approved by Executive Committee 5 August 2020.

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**Background Papers:** None.

**Contact Officer:** Head of Corporate Services  
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**Appendices:** 1 – Draft Council Plan (2020-2024) Year 3 Refresh.



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# Tewkesbury Borough Council Plan

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Year 3: 2022

2020-24



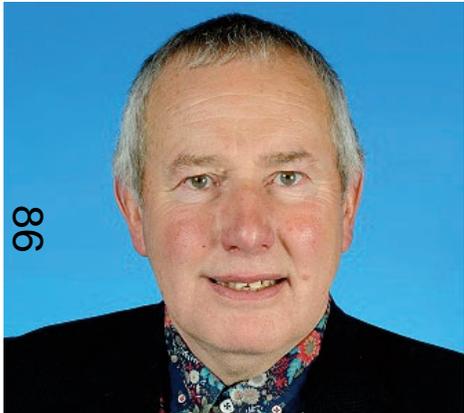
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Councillor Rob Bird, Leader of the Council



Councillor Jim Mason, Deputy Leader of the Council

“Tewkesbury Borough, a place where a **good quality of life** is open to all”

## Foreword

**We are pleased to introduce the annual refresh of our Council Plan 2020 to 2024 (Year Three). This document is a statement of intent to drive forward our vision:**

“Tewkesbury Borough, a place where a good quality of life is open to all.”

To deliver this vision and provide focus, we have established six priorities:

- Finances and resources
- Economic growth
- Housing and communities
- Customer first
- Garden communities
- Sustainable environment

In this year’s Council Plan, as we continue to recover from the pandemic, we have incorporated the remaining actions from our Covid-19 Corporate Recovery Plan so that our focus for 2022/23 falls under one key strategic document. We have marked these actions with an (r) throughout the plan. It remains important for us to be mindful of the potential for new variants to emerge and we have learned a significant amount from our response over the past two years. Importantly, as an agile and alert organisation, we are well-equipped to revert to response mode if needed.

Our refreshed Council Plan gives us a focus on improvement for the future, and the flexibility to adapt as things change. Throughout 2022/23 we will continue to support our borough’s emergence from the pandemic, supporting businesses and residents to thrive. With that in mind, we will use our ambition, creativity, and drive to deliver excellent, value-for-money services for our communities.

Our investment in our award-winning Business Transformation Team reflects our commitment to transforming our customers’ experience. This unique team is challenging the way we deliver our services, ensuring they are designed around our customers’ needs. From introducing paperless billing to transforming our bulky waste service, we are committed to delivering our services in more efficient and effective ways.

As one of the fastest-growing districts in the country, and with our commitment to delivering our garden communities, we know the future for Tewkesbury Borough is solid infrastructure, innovative skills, timely housing delivery and cohesive communities. The adoption of our Local Plan is expected shortly, and alongside our Joint Strategic Plan (JSP), this key document will help to shape our growth in a planned and sustainable way.

We are incredibly lucky for our borough to be home to an abundance of beautiful, natural assets and our commitment to prioritise a sustainable environment will help us enhance and protect our landscape and support our climate emergency declaration.

We remain committed to our ethos ‘Better for Customers, Better for Business’- and more than anything else we will look to ensure that everything we do is shaped around the needs of our customers and communities. This includes supporting recent initiatives announced by Government such as the administration of the Council Tax Scheme and working closely with our partners to support the Homes for Ukraine Scheme.

You will see that we made some significant achievements in our second year (2021-2022) under each of our priority themes, and these can be found on pages 14-16



## Tewkesbury Borough

**Our borough is predominantly rural and located in the north of the county extending southwards beyond Gloucester and Cheltenham. The eastern part of the borough lies within the Cotswold AONB. Our population is roughly 96,624 made up of 43,511 households spread across 160 square miles. It has an excellent location at the heart of the M5 corridor.**

Although apparently rural in character, our borough includes a wide range of economic activity - from large multinationals to micro businesses. We are an established centre for high quality manufacturing and home to some world class high tech aero engineering firms. The diverse and contrasting range of settlements provides a high quality environment in which to live. Combined with its excellent strategic location, it makes an ideal area for economic and business growth.



# Our Borough

**POPULATION**  
**96,624**  
**51.3%** female  
**48.7%** male

**16.4%** population INCREASE 2012-2020

**2.5%** BLACK, ASIAN and MIXED ETHNICITY (ONS 2011)

**81.6%** EMPLOYMENT rate (16-64 year olds)

**20.8%** employed in MANUFACTURING

**4,375** active BUSINESSES in the Borough (ONS 2021)

**327,600** Number of visitors staying in the BOROUGH

**£135m** VISITORS spend in the borough

**2.3%** Unemployment CLAIMANT rate (December 2021)

**43,511** HOUSEHOLDS in the borough

**LIFE expectancy**  
**82 years** (female 82.42 and male 79.30)

**64** CRIME rate per 1000 population in 2021

Rated **261** in the social DEPRIVATION index out of 317 (1 being most deprived)

# More about us...



**699**

FOOD BUSINESSES awarded a hygiene rating



Over **300** COMMUNITY groups were supported with FUNDING advice



Responded to **572** FREEDOM OF INFORMATION requests



Employ **224** STAFF



**1571**

PLANNING APPLICATIONS considered



Supported the delivery of **150+** affordable NEW HOMES



Awarded **£423,600** to RESIDENTS through the TEST AND TRACE support scheme



Carried out over **4 million** BIN COLLECTIONS



Dealt with over **184k** CALLS to key services



**5,477** COVID 19 BUSINESS GRANTS AWARDED in excess of **£31.6m**



**198,374** PAGE VIEWS by 104,062 visitors through our WEBSITE



**500+** Volunteer LITTER PICKERS

68



**19,100+** tonnes of WASTE was RECYCLED or COMPOSTED



Over **£31,000** Covid Contain Outbreak Management funding has helped SUPPORT 27 households



Considered **95** FORMAL COMPLAINTS



**£134,488** AWARDED in COMMUNITY grants



**1,800**

HOUSING register applicants



Supported **10** community led BIO-DIVERSITY projects



**4,300** BULKY WASTE collections



**2,198** HOUSING benefit claims



Carried out **1454** PLAYGROUND INSPECTIONS



**19,000+** GARDEN WASTE customers



Responded to **1502** ENVIRO-CRIMES



We have **38** COUNCILLORS



PREVENTED **137** homelessness cases



Dealt with **6150** applications for CHANGE of CIRCUMSTANCES for benefits customers



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“Everything we do is aimed at **delivering our vision** but the way we deliver services is equally important to us”

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## Our vision and values 2020-2024

### Our vision is to make:

“Tewkesbury Borough, a place where a good quality of life is open to all.”

### Our values

Everything we do is aimed at delivering our vision but the way we deliver services is equally important to us. We are an ambitious council punching above its weight, and we have therefore adopted a set of values which we apply across all of our activities. We are a council which:

#### ✔ Puts customers first

We will put the needs of our customers at the heart of what we do and listen to what they say, treating people fairly and without bias.

#### ✔ Is positive about working with others

We recognise we cannot achieve our vision by working alone. We will continue to develop productive working relationships with other organisations and our communities, including the voluntary sector, town and parish councils and neighbourhood groups to achieve common goals.

#### ✔ Values our employees

We will support, praise and invest in our workforce to develop our organisation.

Supporting our values we also have an ethos that whatever we do will be ‘better for customers, better for business’.





# Our priorities and objectives 2020-24

## Finance and resources

- To ensure the council remains financially secure in the long term
- Maintain a low council tax
- Maintain our assets to maximise financial returns
- Deliver the council's commercial strategy

## Economic growth

- Deliver our strategic and economic development plans
- Deliver employment land and infrastructure to facilitate economic growth
- Deliver borough regeneration schemes
- Promote the borough as an attractive place to live and visit

## Housing and communities

- Deliver the housing needs of our communities
- Ensure development plans provide for the five year land supply requirement
- Support infrastructure and facilities delivery to enable sustainable communities

## Customer first

- Maintain our culture of continuous service improvement
- Develop online services to achieve 'digital by preference, access for all'

## Garden communities

- Delivery of Tewkesbury Garden Town
- Delivery of Golden Valley Garden Community village.

## Sustainable environment

- Deliver the carbon reduction action plan
- Promote a healthy and flourishing environment in the borough
- Promote responsible recycling across the borough
- Preserve and enhance the natural assets and built heritage of our borough





“The council has to manage with less money whilst demands on our services increase”

## Finance and resources

The local government financial climate means we have no choice but to manage with less money from central government, while the demand on our services and costs increases. This issue has been heightened further as we deal with the aftereffects of the pandemic and other national and international economic impacts. The extended delay to local government funding reform means the council continues to suffer from one year only national settlements, which persist to reduce the funding available.

We therefore need to ensure that every pound spent is done so efficiently and achieves the maximum possible benefit, whilst also looking to generate additional income to support our front-line services. We are proud of our council tax setting history - and maintaining our place as one of the lowest charging councils in the country is an integral part of our financial strategies. We are determined to meet our financial challenges whilst continuing to provide value for money for our residents and businesses.

To deliver this priority, our objectives and actions are:

### To ensure the council remains financially secure in the long term

- e) ~~Introducing and complying with the Chartered Institute of Public Finance and Accountancy's (CIPFA) new Financial Management Code.~~
- a) **Deliver the council's action plan to ensure compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Financial Management Code**
- b) Produce a Medium Term Financial Strategy that recognises the impact of funding reform and, delivers a balanced approach to meeting funding gaps.

### Maintain a low council tax

- a) Ensure our council tax remains in the lowest quartile nationally.

### Maintain our assets to maximise financial returns

- a) Update the council's asset management plan.
- b) Approve a new planned maintenance programme.
- c) Ensure that voids within our commercial property portfolio are re-let at the earliest opportunity.

### Deliver the council's commercial strategy

- a) Deliver the approved trade waste business case to make the service commercially viable.
- b) ~~Ensure that the Ubico resource made available as a result of the bulky waste review is redeployed.~~
- e) ~~Deliver the One Legal service review and action plan.~~
- b) **Develop an action plan to finalise the One Legal Services review.**



“The borough occupies a strategic location and we want the local economy to thrive”

## Economic growth

Tewkesbury Borough remains the place to do business and was rated as the strongest local economy in the UK for local businesses to most likely to recover well from the pandemic (Raisin UK- April 2021).

As our economic growth recovers, we will continue to utilise our successful Growth Hub so our current businesses, and businesses wanting to locate within our borough, are given the help and support to thrive. We are committed to delivering employment land and housing, together with the right infrastructure and skills to attract new investment, retaining and strengthening existing businesses.

We are excited to see Tewkesbury playing a starring role in the UK’s most prestigious cycle race- the Tour of Britain later in the year. We will work hard to promote our borough and its assets to visitors, to help future prosperity of our borough and the local tourism industry

To deliver this priority, our objectives and actions are:

### Deliver our strategic plans and economic development plans

- a) To deliver an economic assessment of businesses within Tewkesbury Borough.
- b) ~~Deliver 50 workshops/events through the Tewkesbury Growth Hub.~~
- b) **Develop and launch the new Economic Development and Tourism Strategy.**
- e) ~~Work with the Local Enterprise Partnership and other partners to deliver the Local Industrial Strategy.~~
- c) Launch a Tewkesbury Borough Council Business Grants scheme. (r)

### Deliver employment land and infrastructure to facilitate economic growth

- a) Deliver employment land through allocating land in the **Joint Strategic Plan (JSP)** ~~Joint Core Strategy (JCS)~~ and Tewkesbury Borough Plan (TBP).
- b) Work with partners to secure transport infrastructure improvements for the all-ways Junction 10.
- e) ~~Publish the Infrastructure Funding Statement.~~

### Deliver borough regeneration schemes

- a) ~~Increase community engagement through delivery of a range of community initiatives and events for the Tewkesbury High Street Heritage Action Zone.~~
- a) **Undertake a community streets audit within the Tewkesbury High Street Heritage Action Zone**
- b) ~~Introduce a shop-front grant scheme through the Tewkesbury High Street Heritage Action Zone.~~
- b) **To deliver projects as part of the Tewkesbury High Street Heritage Action Zone, including Shop Front Scheme, Upper Floors Scheme and Traditional Skills.**
- c) **Develop an Investment Plan for the Borough through the Shared Prosperity Fund.**
- d) **Re-commence the regeneration of Tewkesbury Town projects.**

### Promote the borough as an attractive place to live and visit

- a) ~~Work with Cotswold Tourism to increase digital marketing to promote the borough.~~
- a) **Work with Cotswold Tourism and Visit Gloucestershire to promote the borough.**
- b) ~~Celebrate with partners the significance of 2021 for Tewkesbury.~~
- b) **Provide support for the promotion and delivery of the Tour of Britain cycle race.**



“We recognise how important it is for residents to feel part of their communities”

## Housing and communities

Our borough is recognised as one of the fastest-growing districts outside of London (ONS 2020) and without doubt, our ambition for growth is unprecedented for a borough of our size. We are committed to punching above our weight and creating a ‘sustainable place’ to meet the needs of our growing population. We’ve recognise the pressure the pandemic has brought to our communities, and we will continue to work closely with our partners to help ease the strain.

Our new Housing and Homelessness Strategy (2022 to 2026) is key in delivering this priority - with its own actions it will be monitored separately through our Overview and Scrutiny Committee. One of the key actions within it is to deliver an Empty Homes Strategy to help make better use of existing homes.

To deliver this priority, our objectives and actions are:

### Deliver the housing needs of our communities

- a) Work with partners to undertake the required review of the ~~JCS~~ **JSP**.
- b) Finalise and adopt the Tewkesbury Borough Plan.
- e) ~~Developing a fit for purpose four year housing strategy.~~
- c) **Deliver an Empty Homes Strategy.**
- d) Carry out housing needs assessments to deliver affordable housing in rural areas.
- e) **Increase the temporary housing accommodation supply.**

### Ensure development plans provide for the five year land supply requirement

- a) Ensure adequate land is allocated within the ~~JCS~~ **JSP** and Tewkesbury Borough Plan to meet housing need.
- b) ~~Work with developers and stakeholders to deliver sustainable sites to meet housing needs.~~

### Support infrastructure and facilities delivery to enable sustainable communities

- a) Work with partners, infrastructure providers and developers, to progress the delivery of key sites.
- b) ~~Provide training to parish councils on Community Infrastructure Levy (CIL) monies.~~
- b) **Adopt a revised charging schedule for the Community Infrastructure Levy (CIL).**
- e) ~~Support community groups to access funding to deliver improved community facilities.~~
- c) **Work with the Voluntary and Community Sector (VCS) to access funding to deliver improved community facilities.**



“We want to provide the **best possible service** to all of our customers”

## Customer first

We simply would not exist without our customers, and we aim to provide a really positive council experience no matter how we are contacted. The pandemic has reshaped how we operate as a council – we are now a much more flexible and agile organisation and it has highlighted just how important it is that we deliver quality services that are easily accessible to all.

Our Business Transformation Team continues to improve service delivery and customer engagement by providing more of our services online. This vital work helps to free up our skilled officers so they can support those customers that need the more traditional methods of communication or require more complex care.

To deliver this priority, our objectives and actions are:

### Maintain our culture of continuous service improvement.

- a) Continue to improve the proactive homelessness prevention programme.
- b) ~~Continue to build on the early success of our new bulky waste service.~~
- e) ~~Deliver the planning service improvement plan.~~
- b) **Set up a planning agents forum.**
- c) Review the Environmental Health Service. (r)
- d) Maximise the use of business intelligence within the council to ensure the accuracy of the rating list and help businesses build resilience. (r)
- e) Continue to review the operational effectiveness of our return to the office and the opportunities provided through agile working. (r)
- f) **Carry out a full review of the licensing services.**

### Develop online services to achieve ‘digital by preference, access for all’

- a) Carry out a review of our corporate website.
- b) ~~Implement an online offering for the licensing service.~~
- e) ~~Implement a digital solution to improve internal HR processes.~~
- b) Explore the opportunity for an online offering for our cemeteries function.
- c) **Create a planning application tracker.**



## Garden communities

We will work with Homes England and other partners to develop plans for the garden town communities at Ashchurch in Tewkesbury and the Golden Valley Garden Village in Cheltenham. These garden communities reflect our commitment to delivering sustainable, well-designed and vibrant communities where people can live, work and raise families. Improving transport links, education provision and green infrastructure, such as new parks and cycle routes will all play a big role in the development of these new communities. .

To deliver this priority, our objectives and actions are:

### Delivery of Tewkesbury Garden Town

- ~~a) Formally establish the garden town planning status through the JCS.~~
- a) Support the garden town planning status through the JSP site assessment process.
- ~~b) Prepare a design guide and sustainability strategy.~~
- b) Prepare a design manual.
- ~~e) Deliver the planning and design phase of the Ashchurch and Northway Bridge Over Rail.~~
- c) Finalise the design and launch the construction phase of the Ashchurch and Northway Bridge Over Rail (ANBOR).
- d) Work with partners to progress the business case for the J9 and A46 improvements.
- ~~e) Actively seek capital funding with our partners to support the programme.~~ Submit a further Garden Community Capacity Funding bid for 2022/23. (r)
- f) Work with partners to maximise sustainable development principles and low carbon technologies as part of the Garden Communities programme. (r)
- g) Conclude the assessment of the delivery vehicle for the Garden Town and submit the business case to the Department for Levelling Up, Housing and Communities (DLUHC).

### Delivery of Golden Valley Garden Community village

- a) Work with Cheltenham Borough Council and landowners towards the submission of a planning application in accordance with the Golden Valley Supplementary Planning Document.
- ~~b) Prepare a land assembly programme to aid in the delivery of the Garden Village.~~



“Deliver a masterplan that sets out the key principles and quality development expected”



“Deliver the **climate emergency** action plan”

## Sustainable environment

We recognise the ongoing importance of managing carbon footprint and supporting our climate change declaration. Our commitment to this is reflected in the appointment of a carbon reduction programme officer, whose focus is to help us to deliver the third year of our carbon reduction action plan.

Our borough is full of natural assets and built heritage, and we are committed to preserving and enhancing these. We also know that reducing waste and increasing recycling is key to helping our environment flourish, and we will work with our residents to promote responsible waste and recycling habits.

To deliver this priority, our objectives and actions are

### Deliver the carbon reduction action plan

- ~~a) Deliver the Public Services Centre’s low carbon heating and solar PV systems.~~
- a) **Deliver the solar car parking canopy at the Public Services Centre.**
- ~~b) Embed our carbon reduction objectives within council services and raise awareness of our programme across staff, communities and partners.~~
- b) **Develop a communication plan and roll out carbon literacy training to ensure stakeholders are well informed and knowledgeable of the Council’s progress towards its carbon reduction objectives.**
- c) Source and secure funding opportunities to support the delivery of our carbon reduction programme.

### Promote a healthy and flourishing environment in the borough

- a) Establish ~~planning~~ policies to ensure the delivery of healthy and sustainable communities.
- ~~b) Support community led bio diversity projects across the borough.~~
- b) Promote a healthier lifestyle through working with Active Gloucestershire through the ‘we can move’ programme. (r)
- c) Carry out a review of our litter pickers’ scheme.

- d) Work with the Integrated Locality Partnership (ILP) to build community resilience within the borough and reduce health inequalities. (r)
- e) Commence planning and scoping study for implications of, and opportunities for, borough- wide decarbonisation. (r)
- f) **Deploy CCTV cameras in fly-tipping hotspots.**

### Promote responsible recycling across the borough

- ~~a) Take a robust approach towards fly tipping and other environmental crimes.~~
- a) **Undertake proactive marketing campaign of the new bulky waste service.**
- b) Work with the Gloucestershire Waste and Resources Partnership to improve our recycling figures and reduce waste.
- ~~e) Introduce a small Waste Electrical and Electronic Equipment (WEEE) scheme across the borough.~~

### Preserve and enhance the natural assets and built heritage of our borough

- ~~a) Utilise the high street heritage action zone funding to implement a programme of projects that contribute towards regeneration and enhancement of the town’s historic environment.~~
- ~~b) Adopt a Shopfront Design Guide (SPD) to provide guidance on shopfronts to ensure they contribute to a quality urban and historic environment.~~
- a) Establish and publish a local list of non-designated heritage assets in the borough.



## Keeping our performance on track

Good performance management is when an organisation knows it is doing the right things well. To monitor how well we are performing, our performance management framework includes a council plan performance tracker. The tracker monitors the progress in delivering the actions which support each priority theme and this year we have incorporated the remaining longer-term actions from our council's Covid-19 Corporate Recovery Plan. The tracker details each individual action, a feasible implementation date, accountable officer, a status column plus a comments section to provide an overview on the delivery. Progress is reported on a quarterly basis to our Overview and Scrutiny Committee. Supporting the tracker is a set of key performance indicators and a financial summary analysis. The findings from the Overview and Scrutiny Committee review are personally reported by the chair of committee to the council's Executive Committee.

Supporting our performance management framework and delivery of this Council Plan are other key governance processes such as our:

- Risk management framework
- Project management framework
- Communications strategy
- Transformation programme
- Digital and ICT strategies

Collectively, the above provides a good oversight on what we are delivering and alert us to when we need to take remedial action.

We look forward to reporting our Council Plan success and as always the plan will be refreshed annually to ensure it remains a live document.

Should you require any further information about the Council Plan, please contact: **Graeme Simpson, Head of Corporate Services**  
email: [graeme.simpson@teWKesbury.gov.uk](mailto:graeme.simpson@teWKesbury.gov.uk)





## Our achievements 2021-22 (year two)

### Finance and resources

- Setting the budget for 2022/23, despite the financial challenges facing the council, the budget includes the addition of £450,050 of ongoing growth in our services and £392,548 of one-off growth to further support services and our Council Plan ambitions.
- Four leases were agreed in 2021/22 to ensure any voids within our commercial portfolio were filled, estimating our rental income portfolio to be £3.2m per year.
- Our trade waste service is in the early stages of an end-to-end transformation. A project officer was appointed during the year and is leading on a full review of the service.
- A £77,000 saving has been made on the successful completion of our bulky waste review.
- We successfully recruited to the new Director of Law post – a new beginning for our established One Legal shared service.
- Our garden waste club saw an increase in income of £45,000, taking the total to over £1m.
- In its first year the Business Transformation Team has been recognised nationally. It was also recently awarded Bronze at the iESE Public Sector Transformation Awards for the Best Transformation Team and was shortlisted for the LGC 'Team of the Year' award.
- Our services continue to be provided at excellent value-for-money - with our council tax remaining one of the lowest in the country.
- In June, we reduced the ongoing cost of the senior management structure by deleting the deputy chief executive post

### Economic growth

- The Growth Hub delivered 53 events, which was above its target of 50 for the year.
- We continue to work closely with Gloucestershire County Council to secure transport improvements for the delivery of an all-ways Junction 10 on the M5. A 10-week public consultation took place, and the feedback received will be used to shape the final design.
- We successfully launched a shop front grant scheme in September 2021, which is a key strand in helping deliver an exciting three-year High Street Heritage Action Zone programme.
- In November 2021 we worked with partners to celebrate the significance of 2021 for Tewkesbury, with one of the key events 'Tewkesbury Festival of Light' attracting more than 5,000 attendees.
- Some of Tewkesbury Borough's key tourism hotspots were visited by Laurence Robertson MP in March to highlight English Tourism Week

### Housing and communities

- The main modifications of our Tewkesbury Borough Local Plan finished its consultation in January 2022- adoption is expected in spring 2022.
- We've supported over 300 community groups with funding advice.
- A new Housing and Homelessness Strategy 2022-26 was approved by Council in April 2022.
- A Local Development Scheme was recently approved at Executive Committee setting out the revised timetable for our development plans



## Our achievements 2021-22 (year two)

- Supported the delivery of over 150 affordable new homes. We prevented 137 homelessness cases and provided housing advice to a further 170 cases.
- We've continued to work with partners within Tewkesbury and Brockworth through the Integrated Locality Partnership Scheme. A scheme that looks at community wellbeing and building community resilience to help lead to positive health outcomes.
- We approved funding of £10,000 per year for the next five years to support the Active Gloucestershire 'We Can Move' project, which aims to get more people enjoying an active life through physical activity.
- Through our digital platform we have been able to offer the option for residents to sign up to paperless council tax bills.
- We launched a digital recruitment system (Eploy) supported with a new recruitment microsite - a modern and professional portal which helps support the council present itself as an employer of choice and makes it easier for prospective applicants to engage with us.
- We continue to provide a grant of £52,000 to the Citizens' Advice Bureau, helping them to provide support to over 1200 members of the community. For 2021/22, residents using the service have benefited from nearly £270,000 of financial gains

### Customer first

- Our bulky waste service has been completely transformed - a new contractor was appointed, introducing a recycling option. Income has increased by over 100%, customer wait times have reduced from 5/6 weeks to less than 1 week and there is now the facility to book the service online.
- The implementation of our new 4 Cs (compliments, comments, concerns, complaints) 'Have your Say' framework was launched for customers. We continue to be high performers nationally in relation to the small number of complaints we receive.
- Committed to continuous service improvement we have implemented service reviews in key service areas: Development Management, Licensing and One Legal.
- The Business Transformation team has successfully implemented a new digital platform 'Liberty Create'. This involved reviewing and improving around 50 processes such as 'report it', Freedom of Information requests, data requests and 'Have Your Say'.

### Garden communities

- Work has started on producing a sustainable strategy for Tewkesbury Garden Town.
- We've been working closely with Cheltenham Borough Council and landowners to support delivery of the Golden Valley Garden Community. HBD X Factory has been selected as the preferred development partner.
- We recruited a dedicated communication officer to help provide dedicated support to the garden communities projects.
- We have been working with stakeholders and Sec Newgate (engagement consultants) to prepare and create a Community Engagement Strategy.

### Sustainable environment

- We were awarded £284,000 of funding to install a solar canopy within the staff car park and planning permission has been approved. A further £447,000 was approved by Executive Committee to deliver the project.



## Our achievements 2021-22 (year two)

- To support our carbon reduction ambitions a new carbon reduction officer role was approved and has been successfully recruited to.
- In August we introduced a small Waste Electrical and Electronic Equipment (WEEE) kerbside recycling scheme. Since going live over seven tonnes of electrical waste has been collected.
- We appointed a heritage engagement officer who will develop a local list of non-designated heritage assets within the borough.
- We delivered the first year of our 'climate change and carbon reduction action plan', which saw survey work being undertaken at the Roses Theatre, new solar parking machines installed, the creation of energy diaries for all council buildings.
- Our garden waste club continues to provide an easy and sustainable way for our customers to dispose of their garden waste - with more than 19,000 customers signed up to the scheme and 7200 tonnes of garden waste collected and composted.
- The community development team has provided support to 10 community led bio-diversity projects.
- Our five work streams of the jointly-funded £2.1m High Street Heritage Action Zone will help preserve and enhance the assets and characteristics of the local high street.
- Multiple improvements have been carried out to the Grangefield public open space in Bishop's Cleeve, which has enhanced the biodiversity and natural habitats for wildlife.
- Recently, we worked with Grangefield Primary School in planting over 20 fruit trees at the site as part of the Queen's Green Canopy initiative to mark Her Majesty's Platinum Jubilee.

### Covid-19 response

- The ongoing work of the business grants team has been phenomenal - administering over 18 grant schemes throughout the year, resulting in 5,477 individual grants being awarded in excess of £31.6m.
- We awarded a total £423,600 to residents through the Covid-19 test and trace support scheme.
- We have supported various voluntary and community sector groups with Covid-19 small community grants. Since the scheme started in April 2020, more than £128,499 has been awarded.
- We have worked with Gloucestershire County Council to deliver the Holidays Activities Fund and provide food vouchers during the summer and winter school holidays. We issued over 2070 food vouchers to residents.
- Over £31,000 of Covid Contain Outbreak Management (COMF) funding has been used to help 27 households.
- We delivered the 'Welcome Back Fund', an extension of the re-opening of the High Street Safety fund, which resulted in a total of nearly £170,000 of funding being directed to revitalising our high streets after the pandemic. Our 'Let's Spring Back and Rediscover Local' campaigns helped to promote that our local high streets were back open and encouraged residents to shop locally.
- Throughout the year we have continued to supply detailed Covid-19 financial monitoring returns to the Department for Levelling Up, Housing and Communities (DLUHC).
- In partnership with Places Leisure, we supported the successful operational recovery of Tewkesbury Leisure Centre.



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Produced: May 2022

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	Council Tax Energy Rebate Scheme Discretionary Scheme 2022-23
<b>Report of:</b>	Head of Finance and Asset Management
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Lead Member for Finance and Asset Management
<b>Number of Appendices:</b>	One

### **Executive Summary:**

The purpose of the report is to seek approval for the Council Tax Energy Rebate Discretionary Scheme 2022-23.

The report also seeks approval for decisions on any future changes to government guidance on the scope and operation of the scheme to be delegated to the Lead Member for Finance and Asset Management in consultation with the Head of Finance and Asset Management.

### **Recommendation:**

- 1. That the Council Tax Energy Rebate Discretionary Scheme 2022-23 at Appendix A is ADOPTED.**
- 2. That delegated authority is given to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to make technical amendments to the scheme if further or revised government guidance is issued.**

### **Reasons for Recommendation:**

To ensure that Members are fully supportive of the proposed scheme which aims to target help to those most in need of support with rising energy costs.

### **Resource Implications:**

The government has provided funding for the Discretionary Council Tax Energy Rebate Scheme, with our allocation being £152,400. The guidance states that support from the Discretionary Fund should consist of no more than £150 per household.

If the Council overspends against the allocation, the Council will need to meet that cost which means expenditure against allocation will be tightly controlled and the scheme will close once the allocation has been spent.

**Legal Implications:**

The proposed scheme is consistent with Government guidance '**Support for energy bills – the council tax rebate 2022-23:billing authority guidance**'. If there is no appeals process from any decision then the decision must be in accordance with the principles of decision making e.g. lawful, reasonable, proportionate and in accordance with policy as the decision could be subject to a judicial review challenge or complaint to the Local Government and Social Care Ombudsman. Having a clear policy will assist in the decision-making process.

**Risk Management Implications:**

The government has issued guidance to advise billing authorities of the criteria to be used in making discretionary council tax energy rebate payments. If the recommendations in this report are not approved, support will not be provided to households which could cause reputational damage to the Council.

There is an inherent level of fraud and error risk involved in the processing of several payments of this nature, however we will undertake pre-payment checks before providing any support from the Discretionary Fund.

**Performance Management Follow-up:**

The number of households benefitting from the scheme will be monitored by the Energy Rebate Team. Further, we are required to submit regular returns on the progress of the scheme through DELTA, the online data collection system of the Department for Levelling Up, Housing and Communities.

**Environmental Implications:**

None.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** On 3 February 2022, the Government announced a package of support known as 'Support for energy bills – the council tax rebate 2022-23' to help households with rising energy bills. This included a £150 non-repayable rebate for households in England in council tax bands A to D and further discretionary funding for billing authorities to support households who are not eligible for the main scheme.

**1.2** Tewkesbury Borough Council has been allocated discretionary funding to support other energy bill payers who are not eligible under the terms of the core scheme.

**2.0 Discretionary Council Tax Energy Rebate Scheme**

**2.1** The Council has received discretionary funding of £152,400 in recognition of the fact that we may wish to provide support to other energy bill payers who are not eligible under the terms of the core scheme.

**2.2** The Council can determine locally how to make best use of this funding to make payments to other households who are energy bill payers, but are not covered by the core Council Tax Energy Rebate. This can include households living in properties in council tax bands E to H that are on income related benefits or those where the energy bill payers are not liable for council tax. Allocations from the discretionary fund must be spent by 30 November 2022.

- 2.3 Discussions have taken place between the six Gloucestershire Districts to agree broad common principles which are incorporated in the proposed Council Tax Energy Rebate Discretionary Scheme 2022/23.

### **Eligibility Criteria**

- 2.4 The Council has established the eligibility criteria based on government guidance and with the aim of supporting low-income households in band E to H properties and not eligible for the core rebate scheme. We are also keen to support other residents who have individual circumstances which means they are less able to adapt to increasing energy costs.

- 2.5 The following summarises the proposed eligibility criteria, which is detailed in full in the scheme documentation at Appendix A:

- **Households living in property in Bands E to H who are in receipt of Council Tax Reduction on 1 April 2022.**

This will provide support to those households not eligible for the core scheme. The proposed award of £150 means that support will be levelled up for all low-income households in receipt of council tax reduction. We estimate that there are 202 households who will meet this criterion.

- **Households in Bands F\* to H eligible for Disabled Band Reduction on 1 April 2022.**

\* Property that is in valuation band E, has an alternative valuation band of D due to disabled band reduction and is eligible for a payment under the core scheme.

This will provide support to those households which may have higher energy costs due to the disability of the residents. We estimate we will be able to provide support to 59 households.

- **Households with occupiers where increased energy costs are likely to be felt more significantly including those where all occupiers are under the age of 18, severely mentally impaired, care leavers, students, and elderly dependant relatives.**

This will provide support to those households who may need a little extra support due to their age or mental capacity. We estimate that there are 111 households which meet this eligibility criteria.

- **People in supported/emergency accommodation**

This will provide support to those residents who may need to use pre-payment energy cards or meters. It is not possible to provide an estimate about how many households we will be able to support as this figure will fluctuate throughout the year.

- **People who live in houses of multiple occupation and other properties where the resident is not the liable party for council tax.**

This will provide support to those residents who are more likely to need to use pre-payment energy cards or meters. Again, it is difficult to estimate how many households we will be able to support as we do not always have these details in our council tax records.

- 2.6 Where we can confirm eligibility using our council tax records, we will not require an application to be made as we are keen to make payments to affected households as soon as possible.

2.7 In all other cases we will require an application form to be completed. It is proposed that the application window will run from 1 to 31 July in order for us to make payments as quickly as possible.

### **3.0 OTHER OPTIONS CONSIDERED**

3.1 Members could choose not to agree the Council Tax Energy Rebate Discretionary Scheme, however there is a clear expectation from government that we will use the funding to support households with rising energy bills.

### **4.0 CONSULTATION**

4.1 Discussions have taken place between the six Gloucestershire Districts on the Discretionary Council Tax Energy Rebate Scheme, to agree broad principles for scheme alignment. This includes supporting low-income households and those residents who may have increased energy costs due to their specific circumstances.

### **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

5.1 None.

### **6.0 RELEVANT GOVERNMENT POLICIES**

6.1 Support packages for rising energy costs.

### **7.0 RESOURCE IMPLICATIONS (Human/Property)**

7.1 None directly associated with this report other than officer time.

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

8.1 None.

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

9.1 The scheme must be within the broad guidance set out by the government. The scheme is primarily targeted at households receiving Council tax reduction, income related benefits and other low-income households.

### **10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

10.1 None.

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**Background Papers:** None.

**Contact Officer:** Revenues and Benefits Manager Tel: 01684 272119  
Email: [geni.hotchkiss@tewkesbury.gov.uk](mailto:geni.hotchkiss@tewkesbury.gov.uk)

**Appendices:** A – Council Tax Energy Rebate Discretionary Scheme.



**Appendix A**

# **Tewkesbury Borough Council Council Tax Energy Rebate Discretionary Scheme 2022-23**

## Version Control

Version	Version date	Revised by	Description
1	07/03/2022	Emma Harley	First draft
2	11/05/2022	Energy Rebate Cell	Final draft
3			
4			
5			
6			
7			

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## 1.0 Introduction

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's Council Tax Energy Rebate Discretionary Scheme which is designed to help those households on low incomes with the rising costs of energy bills in 2022-23.
- 1.2 The scheme has been developed in response to the Support for energy bills – the council tax rebate 2022-23: billing authority guidance provided to local authorities by the Department for Levelling Up, Housing and Communities (DLUHC). This guidance sets out circumstances whereby a discretionary payment **may** be made by the Council to a household which does not qualify for the core Council Tax energy rebate scheme.
- 1.3 Whilst the awarding of payments will be at the total discretion of the Council, DLUHC has issued guidance relating to who can and cannot receive these payments.
- 1.4 This document sets out the criteria which DLUHC has provided to the Council to determine eligibility for this discretionary grant scheme. It also outlines the approach the Council will take in determining whether a payment should be made or not.

## 2.0 Funding

- 2.1 The Government has provided the Council with £152,400 to cover payments of up to £150 per household. The primary use of these monies is to make discretionary payments to as many eligible households as possible, however the Council's expenditure cannot exceed the allocated funding.
- 2.2 The Council will limit the total payments to the level of funding available from Government and is required to spend its allocation by 30 November 2022.

## 3.0 Eligibility

- 3.1 The Council Tax Energy Rebate Discretionary Scheme is to support other households who on 1 April 2022 are either council taxpayers or energy bill payers, but are not covered by the core Council Tax Energy Rebate Scheme and meet the following eligibility criteria.
- 3.2 The householder must be either the council taxpayer or the energy bill payer and it must be their main residence.
- 3.3 For the purpose of this scheme, a household is a person or group of persons occupying a single dwelling, as defined in section 3 of the Local Government Finance Act 1992
- 3.4 Automatic payments of up to £150 will be made where the Council already holds records of low-income households or those who had their council tax reduced through the award of certain discount disregards and exemptions on 1 April 2022.
- 3.5 The following households qualify for an automatic payment if the criteria were met on 1 April 2022
  - Properties in council tax bands E to H where council tax reduction was awarded.
  - Properties in council tax bands F to H where a disabled band reduction was awarded.

- A carer disregard was awarded.
- All occupiers are under the age of 18 and a council tax Class S exemption was awarded.
- All occupiers are students and a council tax Class N exemption was awarded.
- A council tax class W exemption was awarded.
- A disregard or exemption for severe mental impairment was awarded
- A care leavers discount was awarded.

3.6 The following types of households are prioritised, but will be required to make an application as we are unable to automatically validate eligibility:

- Anyone who pays the energy bills in respect of a property which is their main residence and they are not the council taxpayer and are on a low income or income related benefits. To qualify, there must also not be a payment made to the household under the core scheme.
- People who are in supported/emergency accommodation. The property must be their main residence and they must be able to provide proof of paying or contributing towards energy bills. To qualify, there must also not be a payment made under the core scheme.
- People who are in receipt of income related benefits who live in houses of multiple occupation (HMOs) and other properties where the resident is not the liable party for council tax. The property must be the main residence of the applicant and they must be the energy bill payer or be able to show that they are contributing to the payment of energy bills. To qualify, there must also not be a payment made to the property under the core scheme

3.7 Where a property band review, proposal or appeal pre-dating the Government's announcement on 3 February 2022 is successful after 1 April 2022 and, as a result the property would have been eligible for a payment under the core scheme, they may be eligible to receive a payment under the discretionary scheme. This is subject to funding still being available from the Discretionary Fund allocation.

3.8 Where a new build property is awaiting confirmation of an official band, providing the liable party was resident in the property and registered for council tax on or before the 1 April 2022 they may make a claim for a rebate payment. If the property falls into Band A - D, they will qualify under the main Energy Rebate Scheme and payment will not be eligible for the discretionary scheme. For those properties banded in E – H, they will be entitled to make an application, however this will be subject to any limitations on funding

3.9 For those households on a low-income or income related benefits who weren't in receipt of council tax reduction on 1 April 2022, an application form will be required along with supporting evidence.

3.10 Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively amended, we will take this into consideration when deciding whether to make a payment.

3.11 The council will review each application on a case-by-case basis and the decision to award or refuse a payment will be completely at the discretion of the council.

## 4.0 Exclusions

- 4.1 The following will not be considered eligible for a payment from the discretionary fund:
- People who took up residency after 1 April 2022.
  - A household which has already received funding under the core council tax rebate energy scheme.
  - Occupants of properties in council tax exemption class O (Armed Forces Accommodation) where the Ministry of Defence will provide the cost-of-living support.
  - Occupants of properties in council tax exemption class M (Student Halls of Residence)
  - Second homes
  - Unoccupied properties
  - Any council taxpayer or energy bill payer who does not have their main residence (as defined by case law relating to sole or main residence) in the property.

## 5.0 Application process

- 5.1 The Council is aware that many households will need support to deal with the rising cost of household bills in 2022-23, driven by increasing energy bills. While these rising costs will affect most households across the country, they are more likely to disproportionately affect those on lower incomes, who tend to spend a higher proportion of their income on utility bills.
- 5.2 The Council will be able to identify most households who are eligible and we will contact them directly.
- 5.3 In all cases where we are unable to validate eligibility and for all other cases, an online application form **is** required, and this can be completed online at [www.tewkesbury.gov.uk](http://www.tewkesbury.gov.uk). For those residents who do not have access or are unable to use the internet we are providing support through our energy rebate team on 01684 272111; an officer will completing the online application form on their behalf.
- 5.4 An application for a discretionary council tax energy rebate payment is deemed to have been made when a duly completed application form and supporting evidence is received via the Council's online process.
- 5.5 Applicants who are unable to provide supporting evidence of their financial circumstances at the time of making their application will be provided with 14 days to provide documentation. Failure to provide the requested information will result in an immediate refusal.
- 5.6 In all cases where we are unable to make an automatic payment, we will require evidence that the applicant is the energy bill payer for the household.
- 5.7 Further supporting information will be required to assess the application, this may include details of household income and expenditure, bank statements and employment status/role, we will also require confirmation of the household composition.

5.8 Applications can be made from 10am on Friday 1 July 2022 to midnight on Sunday 31 July 2022.

## **6.0 How much will I receive?**

6.1 If funding permits, a payment of £150 will be made to eligible energy bill payers. One-off payments of up to £150 will be made directly into the recipient's bank account. If the recipient does not have a bank account we will consider alternative payment options.

6.2 Where an eligible household has a direct debit in place to pay council tax, we will use these details to make a direct payment to the bank account.

6.3 Where no bank details are held by the Council, the applicant will need to provide their details and they will need to match the address the application is being made in respect of.

6.4 The Council reserves the right to request further evidence, where appropriate, to confirm an applicants' eligibility before any payment is made.

## **7.0 Notification of decisions**

7.1 All decisions on whether to make or not make a council tax discretionary rebate payment will be notified to the applicant in writing, usually by email.

## **8.0 Appeals**

8.1 All decisions made by the Council are final; there is no review or appeal process for this scheme. We will, however, make decisions in accordance with principles of decision making

## **9.0 Complaints**

9.1 The Council's complaints procedure (available at [www.tewkesbury.gov.uk](http://www.tewkesbury.gov.uk)) will be applied in the event of any complaint received about this scheme apart from the decision to award or not award a discretionary council tax energy rebate payment.

## **10.0 Managing the risk of fraud**

10.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to receive a discretionary energy rebate payment may face prosecution. The Council or failing to declare any relevant information will face prosecution and any funding issued will be recovered from them.

10.2 The Council reserves the right to reclaim any payment made in error.

## **11.0 Scheme of delegation**

11.1 Officers of the Council will administer the scheme and the Lead Member for Finance and Asset Management, and the Head of Finance and Asset Management are

authorised to make technical scheme amendments if there are any changes in Government guidance.

## **12.0 Impact of payments on council tax reduction**

- 12.1 From 1 April 2022 all local council tax reduction schemes (including those for persons of working and pension age) must disregard scheme payments in determining a person's eligibility for a council tax reduction and the amount of any such reduction. This is so any households already receiving council tax reduction will receive the full benefit of this scheme.
- 12.2 All payments made under this discretionary scheme are treated as local welfare provision and therefore will not be considered in the calculation of income related benefits.
- 12.3 All payments made under this discretionary scheme are non-taxable. Recipients do not need to inform HMRC of the amounts received and those who are self-employed do not need to report the amounts on their Self-Assessment tax returns. As these payments are non-taxable, they do not impact tax credits. Tax credits claimants do not need to report these payments as income to HMRC.

## **13.0 Definitions**

- 13.1 The following definitions are included for further information:

Exemptions are defined in the Local Government Finance Act 1992, The Council Tax (Exempt Dwellings) Order 1992 S.I 1992/558

Discounts and Disregards are defined in the Local Government Finance Act 1992, The Council Tax (Discount Disregards) Order 1992 S.I 1992/548

Class N exemption – a property occupied solely by students

Class S exemption – a property occupied only by those under the age of 18

Class U exemption - a property in which the only occupiers are severely mentally impaired persons who would otherwise be liable to pay the council tax.

Class W exemption – an annexe occupied by a dependant relative

Class O exemption - a property that is owned by the Ministry of Defence for use as armed forces accommodation

Class M exemption – halls of residence

Care leaver – in line with Tewkesbury Borough Council's Care Leavers Policy

- 13.2 We will consider each application on its own merits, but we generally consider low-income to be a household with average gross weekly earnings of less than £500 per week.

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	Ashchurch Bridge Over Rail Project Update
<b>Report of:</b>	Garden Town Programme Director
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Leader of the Council
<b>Number of Appendices:</b>	One

### **Executive Summary:**

This report updates Members regarding progress on a key workstream within the Tewkesbury Garden Town (TGT) programme: the delivery of the Ashchurch/Northway Bridge over Rail project (ABoR).

In April 2019, the now named Department for Levelling Up, Housing and Communities (DLUHC) awarded Tewkesbury Borough Council 'garden community' status (Town level) for the proposed development of 10,195 homes and circa 100 hectares of employment land at Ashchurch. Since then, work has been continuing at a steady pace to refine the concept masterplan and further develop the nine guiding principles for the Garden Town, including the identification and delivery of essential enabling infrastructure.

This report focuses on the delivery of an essential infrastructure scheme first identified within the transport strategy for the adopted Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS), which it is considered will now also support delivery of the first phase of the Tewkesbury Garden Town.

The ABoR is being funded by a capital grant of £8,132,465 from the Government's Housing Infrastructure Fund (HIF), an investment programme promoted by the former MHCLG (now DLUHC) to support housing delivery through the funding of vital physical infrastructure such as roads and bridges deemed to be challenged with marginal viability concerns.

Planning permission for the ABoR was granted in March 2021 and work continues, focusing on the detailed design and the selection of a construction partner, with the aim of commencing construction work on site this Autumn. The HIF agreement originally envisaged completion of the build by March 2022 but this has been formally extended to September 2023.

It should also be noted that the ABoR scheme is the bridge structure only and does not include a permanent connection to the public highway. Any associated link roads and residential development will be the subject of future separate planning applications.

There was an unsuccessful challenge to the planning permission by way of judicial review, the High Court dismissing all three grounds of challenge. An appeal has been made to the Court of Appeal, permission to appeal has been granted and will be heard at an oral hearing.

The project is entirely externally funded and it is currently anticipated that the scheme can be delivered on time and within the HIF grant funding envelope provided. However, further work including updating information regarding final costings and projected delivery timeline is continuing. Once completed, a further report on the progress of the ABoR project will be brought to Committee prior to a decision to let the bridge construction contract later this year.

### **Recommendation:**

**The Committee is asked to NOTE the progress being made on the delivery of the grant funded Ashchurch over Rail Bridge project and the current forward delivery plan.**

**Reasons for Recommendation:**

To update the Executive on progress with the Ashchurch Bridge over Rail workstream within the Tewkesbury Garden Town programme.

**Resource Implications:**

The Tewkesbury Garden Town work programme is resourced by the garden communities team and external government funding. The activity outlined will be delivered by that team and the dedicated operational and project specific budgets secured, so there are no additional Council resource requirements outlined within this report.

**Legal Implications:**

External legal advisers have been appointed to support the development and delivery of the garden town programme and will be advising on key aspects of this workstream, as required. Apart from that set out in the paragraph below, there are no further specific legal considerations to highlight in this progress report.

As stated in the report, the decision of the High Court to dismiss the application for Judicial Review, is being challenged by way of appeal to the Court of Appeal. The appeal is to be dealt with at a Hearing, but a date has yet to be set. A successful appeal would result in the planning permission being quashed and re-submitted to the Council for determination.

**Risk Management Implications:**

Risks associated with the construction of the Ashchurch Bridge are closely monitored at capital project management level and are also reported to and reviewed regularly by the scheme funder, Homes England, as part of the HIF programme's robust management arrangements.

**Performance Management Follow-up:**

The Ashchurch Bridge over Rail capital delivery project is managed via a project board which includes representatives from the Council, plus GCC, Network Rail and Homes England.

**Environmental Implications:**

Environmental implications of the bridge have been addressed within the planning process.

## **1.0 INTRODUCTION**

- 1.1** Tewkesbury Borough Council was awarded Garden Town status in 2019 on the basis of 10,195 homes and circa 100 hectares of employment land. With seed corn funding from Government, the focus has been on resourcing the team to develop and refine the concept of the garden town and to progress key infrastructure schemes of which the Ashchurch bridge is a key project.
- 1.2** This report updates the Committee on progress towards the delivery of the Ashchurch Bridge over Rail (ABoR) project.

## **2.0 BACKGROUND**

- 2.1** In September 2017, in order to support the delivery of the JCS housing numbers and preparatory work being undertaken on the Ashchurch Masterplan, the Council successfully submitted a Housing Infrastructure Fund (HIF) 'Marginal Funding bid' to deliver a new road bridge over the railway line at Ashchurch. Promoted by MHCLG to support housing delivery through the funding of vital physical infrastructure such as roads and bridges, it was intended that the £8,132,465 capital grant awarded (February 2018) would help to unlock development in the wider Ashchurch area.
- 2.2** Significantly, following designation in March 2019, it became apparent that this infrastructure initiative could support delivery of the first phase of the Tewkesbury Garden Town.
- 2.3** Following the HIF funding announcement, detailed work was undertaken to finalise the Grant Delivery Agreement with Homes England and accordingly, in June 2019, the Committee provided the necessary approvals for the project to proceed.
- 2.4** The proposed Ashchurch Bridge over Rail (ABoR) will be located approximately 150m north of the residential area of Northway and will cross the Bristol-Birmingham mainline. The scheme has been designed to provide a 7.3m wide vehicular carriageway as well as 3m wide Shared Use Paths (SUPs) on each side, within the bridge parapet, to provide high-quality walking and cycling infrastructure across the railway line.
- 2.5** The location and footprint of the proposed ABoR is illustrated in Appendix 1. This plan shows the red line boundary for the scheme which also includes the haul roads that will provide temporary access to the ABoR site during construction.
- 2.6** The ABoR is being funded by the Government's Housing Infrastructure Fund (HIF) as it is considered key to unlocking land for development through the enablement of a road to the north of Ashchurch that will provide access to potential residential land on either side of the railway line.
- 2.7** It should be noted however, that the ABoR scheme, is purely the bridge structure itself and does not include a permanent connection to the public highway. The associated link road and residential development enabled by the new bridge, will be the subject of future separate planning applications, each supported by their own impact assessments as required.
- 2.8** As a key piece of enabling infrastructure, the ABoR scheme, the HIF agreement originally envisaged completion of the build by March 2022 but this has been formally extended to September 2023. The financial justification for the HIF ultimately requires delivery of a minimum of 826 dwellings.

### **3.0 PROJECT DELIVERY PROGRESS**

#### **Project Design**

- 3.1** Due to its expertise in delivering capital projects of this scale it was considered expedient to engage Gloucestershire County Council and its technical consultants Atkins to support the Council in delivery of the HIF funded ABoR scheme.
- 3.2** Under the umbrella of a Professional Services Agreement, GCC and Atkins have made steady progress in undertaking the preparatory technical design work for the bridge, including essential liaison with Network Rail and other key stakeholders, culminating in the securing of planning permission for the bridge structure and the release of the first tranche of HIF funding in March 2021.
- 3.3** As with many capital projects, the effects of the pandemic have impacted the scheme delivery plan and the project completion date has needed to be extended to September 2023. In discussion with Homes England, this amendment has been formalised by a Deed of Variation to the HIF Grant Funding Agreement.

#### **Land Assembly (for the bridge only)**

- 3.4** Negotiations remain ongoing, but are moving into the final stages, regarding the acquisition and necessary access arrangements for the land required either side of the rail line to facilitate the bridge construction.

#### **Construction Phase Planning**

- 3.5** Consistent with the terms of the planning permission, the project team's focus over the last few months has been on working through the pre-contract planning conditions (site survey work and ground investigations), plus preparing for the project construction phase, including:
- preparation of a service level partnership agreement with GCC and their consultants Atkins.
  - preparation of the contract documentation ready for the procurement of a construction partner.
  - securing of the necessary consents and clearances from Network Rail in order to access and work within the rail environment.

#### **Financial Summary**

- 3.6** Against a capital grant award of £8,132,465, project expenditure to date – covering the preliminary design and detailed planning phase of the project – is running at a total of approximately £950,000 of which £661,748.70 has been claimed back from HIF, with a further claim of the balance due shortly as the project enters the construction phase.

#### **Forward Plan**

- 3.7** Scheduled for agreement at the next Project Board meeting on 8 June is the proposal to launch the tender for a fixed price, design and build construction contract.

## **Project Critical Path**

- 3.8
- Construction contract tender launch – June 2022
  - Contract award – September/October 2022
  - Works start on site – November/December 2022
  - Project completion – Autumn 2023

## **4.0 KEY DELIVERY RISKS**

- 4.1
1. **Planning challenge** – planning permission for the AboR was secured in March 2021 and the decision was challenged by way of Judicial Review, by Ashchurch Rural Parish Council. The decision of the High Court earlier this year, dismissed the challenge on all three of the grounds and leave to appeal was denied. However, the Court of Appeal has accepted the Parish Council's application to appeal the High Court judgment and the matter is currently with the Court of Appeal awaiting a Hearing date.

Impact – risk of delay to the project delivery plan.

- 4.2
2. **Project cost** – GCC's technical consultants Atkins are confident that the original cost estimates for the project remain valid, however, a further cost review exercise is planned prior to procurement of the construction contractor, noting that any 'estimates' will remain untested until the contract tender returns are received.

Impact – insufficient budget. Should the tender returns exceed the funding envelope available, the contract will not be awarded.

- 4.3
3. **Network Rail (NWR) Asset Protection Agreement liabilities** – any liabilities for the impact of the works will be transferred from NWR to TBC on signature of the relevant agreements.

Impact – all associated liabilities in this arena (works in a rail environment) are transferred as standard, however these are then subsequently 'flowed down' to and managed robustly by the selected construction contractor.

## **5.0 NEXT STEPS**

- 5.1
- A further report on the progress of the AboR project will be brought to the Committee, once a construction contractor is selected, with an update regarding the final costings and projected delivery timeline.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1
- None.

## **7.0 CONSULTATION**

- 7.1
- None at this stage of the project.

## **8.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 8.1
- Tewkesbury Borough Council Plan 2020-24 Housing and Garden Communities priorities.

**9.0 RELEVANT GOVERNMENT POLICIES**

**9.1** The Garden Towns and Villages Programme established by the Ministry of Housing, Communities and Local Government (MHCLG) aimed at supporting the delivery of new garden towns and villages across the country.

**10.0 RESOURCE IMPLICATIONS (Human/Property)**

**10.1** No specific additional resource requirements outlined within this report.

**11.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**11.1** None.

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

**12.1** None.

**13.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**13.1** Executive Committee June 2019.  
Executive Committee February 2021.

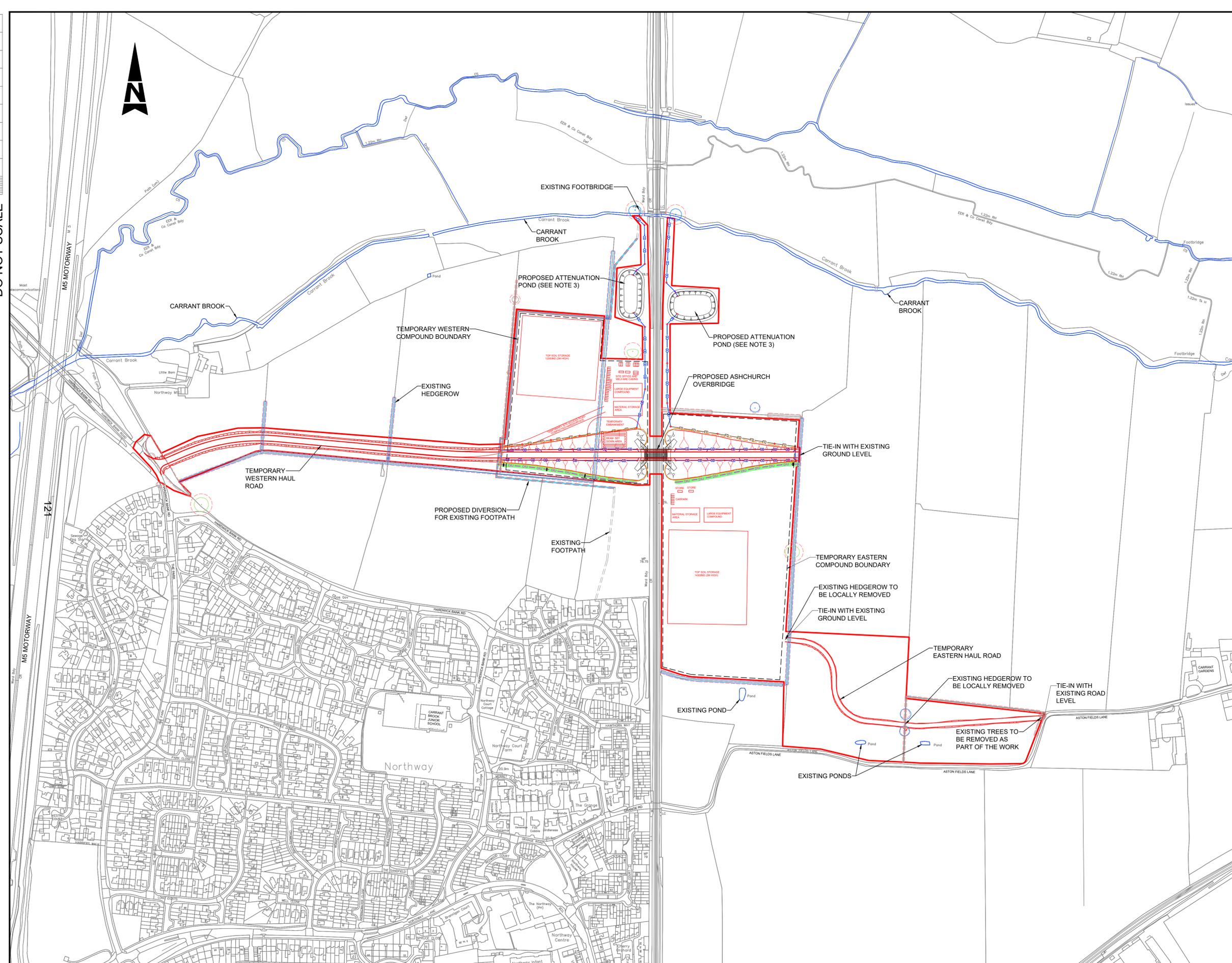
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**Background Papers:** None.

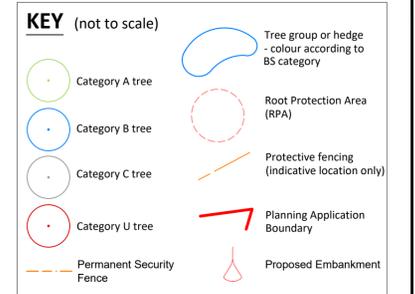
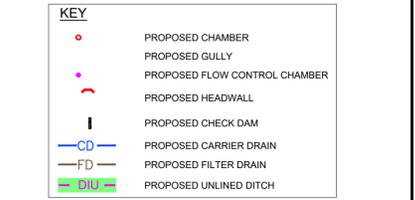
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**Appendices:** 1. ABoR Site Plan.

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DO NOT SCALE



1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
2. ALL LEVELS ARE IN METRES AND ARE ABOVE ORDNANCE DATUM.
3. FOR PROPOSED DRAINAGE DETAILS REFER TO DRAWING GCC\_ABoR-ATK-GEN-CC-DR-CD-000001.
4. THIS DRAWING TO BE READ IN CONJUNCTION WITH GCC\_ABoR-ATK-LLO-XX-DR-ZL-000014 AND 000015.



**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION**

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made to the design hazard log).

Construction						
NA						
Maintenance / Cleaning						
NA						
Use						
NA						
Decommissioning / Demolition						
NA						
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
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Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
FIRST ISSUE						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
Description						
Drawing Suitability						Status
WORK IN PROGRESS						S0

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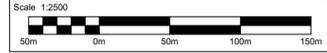


Project Title  
5188915 GCC\_ABoR

Drawing Title  
ASHCHURCH BRIDGE OVER RAIL (ABoR)  
PROPOSED SITE PLAN

Drawing Number	Project	Originator	Volume
GCC_ABoR	XX	ATK	LLO
Location	Type	Role	Number
Original Size	Scale	Project Ref. No.	Sheet of
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			Rev. P01.1

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**1 PROPOSED SITE PLAN**  
SCALE 1:2500

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	The Leigh Neighbourhood Development Plan Referendum
<b>Report of:</b>	Interim Planning Policy Manager
<b>Corporate Lead:</b>	Head of Development Services
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	Two

**Executive Summary:**

Local Planning Authorities have a statutory duty to advise and assist communities in the preparation of Neighbourhood Development Plans, often referred to as 'Neighbourhood Plans', or by the acronym 'NDP'. The Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012, as amended, set out the responsibilities at each stage of the preparation of an NDP.

The Leigh NDP was submitted to Tewkesbury Borough Council on 19 July 2021 and an Examination of the plan was undertaken by an independent Examiner during March and April 2022.

The Examiner's Final Examination Report (Appendix 1) concludes that, subject to the modifications recommended, The Leigh NDP meets the basic conditions and may proceed to referendum. The examiner also recommends that the referendum boundary is the designated Neighbourhood Plan area.

Having regard to the Examiner's conclusions, Officers are not aware of any reasons why the Plan should not proceed to referendum in accordance with the Examiner's Report. Members are therefore recommended to approve The Leigh NDP to be sent for a referendum.

If the decision of the Committee is to send the plan to referendum, the Council is then required to publish a decision statement within 56 days. The Borough Council is responsible for organising a referendum of those people in the Neighbourhood area who are entitled to vote in local elections.

**Recommendation:**

- 1. That the Leigh Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, is formally approved to progress to Community Referendum, prescribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended.**
- 2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to referendum.**

**Reasons for Recommendation:**

To seek authorisation for The Leigh Neighbourhood Development Plan to proceed to referendum.

**Resource Implications:**

If the Neighbourhood Development Plan is judged to meet the 'Basic Conditions' there will be human resource implications as the Council is required to arrange the Referendum; and, subject to the result of the Referendum, bring the plan into force within 56 days of a successful Referendum. This is a statutory requirement of the Council.

**Legal Implications:**

The Council has a duty to undertake this work under the Town and Country Planning Act 1990 (as amended), the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012, as amended and the Neighbourhood Planning (Referendums) Regulations 2012, as amended.

Notwithstanding the referendum date, as soon as publication of the decision statement has been made detailing the Council's intention to send a neighbourhood plan to referendum, that plan may be given additional weight in decision-making, so far as the plan is material to the application.

**Risk Management Implications:**

Tewkesbury Borough Council has an obligation, under Schedule 4B of the 1990 Town and Country Planning Act, to arrange a Referendum, unless the Examiner's recommended modifications and/or conclusions are to be challenged.

**Performance Management Follow-up:**

Since the 'Neighbourhood Planning (Referendums) (Amendment) Regulations 2016' came into force on 1 October 2016, the Referendum must be held within 56 days of the Decision Statement being published, following the expiry of the call-in period for this Executive Committee meeting.

**Environmental Implications:**

The implications for biodiversity, habitats, energy usage, waste and recycling or protected species have been considered by the Qualifying Body, with the assistance of the Borough Council, 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 planning system is essential for supporting economic growth, improving people's quality of life and protecting the natural environment. Neighbourhood Planning was introduced in the Localism Act 2011 with secondary legislation including the Neighbourhood Planning (General) Regulations 2012, as amended. It gives communities the power to create a shared vision for their local area and to shape future development and growth through the setting of planning policies.

**1.2** Neighbourhood Plans which are adopted or 'made' by a Local Planning Authority form part of their development plan, alongside the Local Plan. Decisions on planning applications within the designated neighbourhood plan area will be made using both the

local plan and the neighbourhood plan, and any other material considerations.

**1.3** There are five key stages in the preparation of a Neighbourhood Plan:

Stage 1 – Defining the Neighbourhood Area and apply to the Borough Council to have it formally designated.

Stage 2 – Preparing the Plan includes a number of activities including public consultation undertaken by the Neighbourhood Planning Group, submission of a draft plan, as a proposal to the Borough Council and then the Borough Council undertaking its own public consultation.

Stage 3 – With the agreement of the Qualifying Body (Parish Council), the Borough Council is required to appoint an independent examiner to check that it meets the basic standards required. It is when the Examiner publishes their final report that the Borough Council must consider any recommendations of changes to be made so that the plan meets the basic conditions and formally decide whether to send the plan to Referendum.

Stage 4 – The Borough Council is responsible for organising a referendum of those people in the Neighbourhood Area who are entitled to vote in local elections.

Stage 5 – If more than 50% of people voting in the referendum support the plan then the Borough Council must bring it into legal force.

**1.4** The Leigh Neighbourhood Plan area was designated on 31 August 2016 and since that time the Parish Council have progressed through the stages of Neighbourhood Plan preparation.

**1.5** The Leigh NDP was submitted to Tewkesbury Borough Council on 19 July 2021 and the Borough Council undertook a consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 for a 6-week period from September to November 2021. A total of 12 representations were received.

**1.6** An independent Examiner was appointed to conduct the examination for the Neighbourhood Plan and his final report was received on 25 April 2022.

**1.7** In conducting his examination, the Examiner had due regard to the representations made by the Local Planning Authority and all other consultees.

**2.0 THE EXAMINER'S REPORT AND RECOMMENDED MODIFICATIONS**

***Examiner's Overall Findings***

**2.1** The Examiner's Report (Appendix 1) sets out his overall view on whether the ARNDP meets the necessary legal requirements.

**2.2** The Examiner concludes that subject to the modifications recommended, as summarised below, The Leigh NDP meets the basic conditions and may proceed to referendum. The examiner also recommends that the referendum boundary is the designated neighbourhood plan area.

### **Examiner's Key Findings**

- 2.3** The following summarises the Examiner's key findings and, where appropriate, sets out where modifications are recommended in order for the plan to meet the basic conditions.
- 2.4** The plan covers matters of landscape and countryside; nature, ecology and biodiversity; historic environment; sustainable housing development; caravan and camping sites; flooding; and the rural economy. Generally, the policies relating to these were accepted as meeting the basic conditions. However, the Examiner recommended that modifications are necessary to the following policies in order to make them acceptable.
- 2.5** **Policy E1** sought to require development to protect, maintain and enhance all public rights of way. The Examiner recommended the re-wording of one of the policy criteria which was considered excessive in that it would impose on development obligations that do not relate to the development concerned.
- 2.6** The Examiner also recommended deletion of the final criterion of **Policy E1** which relates only to residential allocation CO02, development of which is well underway and therefore it is too late to impose further policy requirements.
- 2.7** **Policy E2** introduces criteria for conserving and enhancing biodiversity. The Examiner has recommended a modification to the policy in part, to ensure it is not too onerous in respect of seeking to resist a total loss of some non-protected species/ habitats/ hedgerows and proposing to require 'like for like' compensation of natural features.
- 2.8** The Examiner has concluded that part of **Policy E3** is excessive insofar as it sought to place obligations on development, at sites allocated in the local plan, to provide interpretation of the wider historic character of the parish. He has recommended a modification to ensure the obligation relates to the development concerned.
- 2.9** **Policy H1** sought to introduce a requirement of all development to meet lifetime homes standards, however the Examiner is not persuaded that this is justified by evidence and recommends that it is removed from the policy. He has also raised a particular concern with the plan seeking to maintain lower densities of residential development and as such recommends deletion of this reference in both the policy and supporting text.
- 2.10** In relation to the conversion and extension of existing dwellings, **Policy H2** sought to ensure there is no reduction in off street parking capacity. The Examiner concluded that this was excessive and not justified by evidence and therefore has recommended the policy is amended.
- 2.11** **Policy H3** sets out that developer contributions will be sought from the local plan site allocations and any other major development for certain projects. The Examiner has recommended that the policy is modified to ensure allowance for any community infrastructure levy and that due regard is paid to National Planning Policy in respect of payments being "*necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects*"<sup>1</sup>.
- 2.12** **Policy H4** sought to set specific parking standards in new residential development. The Examiner considered these not to be justified by sufficient evidence. Deletion of two of the policy criteria is therefore required.

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<sup>1</sup> NPPF Para 56

**2.13 Policy H5** set out that proposals for new caravan and camping sites would only be supported where it could be demonstrated that the proposed location is essential and where alternative appropriate sites have been proven to be unachievable. The Examiner has recommended deletion of the policy as he is not satisfied that it is supported by national or local policy, nor justified by evidence.

### **3.0 MOVING FORWARD TO REFERENDUM**

**3.1** The Borough Council must consider each of the Examiner's recommendations, including the recommendation relating to the referendum boundary, and publish a 'Decision Statement' on whether the amended plan meets the 'Basic Conditions' and if it should progress to a 'Referendum'. Officers have, in liaison with the Parish Council, considered the modifications and are satisfied with Examiner's conclusions (Appendix 2).

**3.2** The decision to refuse a plan proposal can only be made on the following grounds:

- If the Council is not satisfied that the plan proposal meets the basic conditions;
- If the Council does not believe that with modifications the plan proposal can meet the basic conditions;
- If the Council considers that the plan proposal constitutes a repeat proposal; and
- If the Council does not believe that the Qualifying Body is authorised or that the proposal does not comply with that authorisation.

**3.3** Within 56 days of the publication of the 'Decision Statement', the Borough Council must organise a Referendum on any plan or order that it has determined meets the 'Basic Conditions'. A Referendum version of the NDP that incorporates all of the amendments as set out in Appendix 2 will also be made available.

### **4.0 OTHER OPTIONS CONSIDERED**

**4.1** The options open to the Council are limited by legislation. The Committee can either:

- (i) Make modifications to The Leigh NDP in accordance with the examiner's recommendations and approve the plan to proceed to referendum; or
- (ii) Make a decision that differs from the examiner's recommendation (Option (ii) is not recommended because the Council would need to consult on such a proposal and refer the issue to a further independent examination if appropriate); or
- (iii) Refuse the plan if it is not satisfied with the plan proposal with respect to meeting the basic conditions, compatibility with Convention rights, definition and provisions of the NDP even with modifications. Option (iii) is not recommended. Without robust grounds, which are not considered to be present in this case, refusing to take the plan to a referendum could leave the Council vulnerable to a legal challenge.

## **5.0 CONSULTATION**

**5.1** 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 the plan the regulations require two statutory six week periods of consultation in the second stage of the process:

- Under Regulation 14 the Qualifying Body is required to consult; and
- Under Regulation 16 the Council is required to consult on the plan submitted as a plan proposal (under Regulation 15) and forward the responses to the Independent Examiner for consideration.

## **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**6.1** Tewkesbury Borough Council Plan.

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031.

Tewkesbury Borough Local Plan 2006 – 2011.

Emerging Tewkesbury Borough Plan 2031.

## **7.0 RELEVANT GOVERNMENT POLICIES**

**7.1** National Planning Policy Framework and Planning Practice Guidance.

## **8.0 RESOURCE IMPLICATIONS (Human/Property)**

**8.1** If the plan is judged to meet the 'Basic Conditions' there will be human resource implications as the Council is required to arrange the Referendum; and, subject to the results of the Referendum, bring the plan into force within another 56 days of a successful Referendum.

**8.2** The resource implications are corporate including Development Services, Community Development, Financial Services and One Legal. However, at the Referendum stage the greatest demand will be on Democratic Services.

## **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**9.1** Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver, as part of the planning framework for the area, the sustainable development they need.

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

**10.1** As part of the Examination process the plan was found to meet the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. A requirement of meeting these conditions is that the plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

## **11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

- 11.1** Decision of Council to delegate to the Executive Committee the authorisation for Neighbourhood Plans to go to Community Referendum – 20 September 2016.

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**Background Papers:** The Leigh Submission Draft Neighbourhood Development Plan (July 2021).

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**Appendices:**

- 1 Report of the Examination into The Leigh Neighbourhood Development Plan (April 2022).
- 2 Schedule of the Examiner’s recommended modifications.

THE LEIGH PARISH NEIGHBOURHOOD PLAN 2020 - 2031

(Submission Version July 2021)

**Report of the Examination into The**  
**Leigh Neighbourhood Plan 2020 - 2031**

Timothy Jones, Barrister, FCI Arb,  
Independent Examiner



No 5 Chambers,  
Birmingham - London - Bristol - Leicester

To Tewkesbury Borough Council  
And to the Leigh Parish Council

25<sup>th</sup> April 2022.

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**Report of the Examination into the**  
**Leigh Parish Neighbourhood Plan 2020 - 2031**

**1. Introduction**

*Neighbourhood planning*

1. The Localism Act 2011 Part 6 Chapter 3 introduced neighbourhood planning, including provision for neighbourhood development plans. A neighbourhood development plan should reflect the needs and priorities of the community concerned and should set out a positive vision for the future, setting planning policies to determine decisions on planning applications. If approved by a referendum and made by the local planning authority, such plans form part of the Development Plan for the neighbourhood concerned. Applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

2. This report concerns the Submission draft (July 2021) of the Leigh Parish Neighbourhood Plan 2020-2031 (“the Draft NDP”).

*Appointment and role*

3. Tewkesbury Borough Council (“TBC”), with the agreement of the Leigh Parish Council (“LPC”), has appointed me to examine the Draft NDP. I am a member of the planning bar and am independent of TBC, LPC, and of those who have made representations in respect of the Draft NDP. I have been trained and approved by the Neighbourhood Planning Independent Examiner Referral Service and have extensive experience both as a planning barrister and as a neighbourhood plan examiner. I do not have an interest in any land that is, or may be, affected by the Draft NDP.

4. My examination has involved considering written submissions and a detailed site visit on Saturday 5<sup>th</sup> February 2022. I have considered all the documents with which I have been provided.

5. My role may be summarised briefly as to consider whether certain statutory requirements have been met, to consider whether the Draft NDP meets the basic conditions, to consider human rights issues, to recommend which of the three options specified in paragraph 12 below applies and, if appropriate, to consider the referendum area. I must act proportionately, recognising that Parliament has intended the neighbourhood plan process to be relatively inexpensive with costs being proportionate.

## **2. Preliminary Matters**

### *Public consultation*

6. Consultation and community involvement are important parts of the process of producing a neighbourhood plan. I am satisfied that LPC took public consultation seriously. Except in respect of Caravan and Camping sites,<sup>1</sup> I do not consider there has been a failure in consultation. If modified in accordance with my recommended modification 14, the consultation will be sufficient and meet the requirements of the Neighbourhood Planning (General) Regulations 2012 (“the General Regulations”).

### *Other statutory requirements*

7. I am also satisfied of the following matters:

- (1) The Draft NDP area is the parish of the Leigh. On 31<sup>st</sup> August 2016 this was designated as a neighbourhood area for the purposes of neighbourhood planning. LPC is authorised to act in respect of this area (Town and Country Planning Act 1990 (“TCPA”) s61F (1) as read with the Planning and Compulsory Purchase Act 2004 (“PCPA”) s38C (2)(a));
- (2) The Draft NDP does not include provision about development that is excluded development (as defined in TCPA s61K), and does not relate to more than one neighbourhood area (PCPA s38B (1));
- (3) No other neighbourhood development plan has been made for the neighbourhood area (PCPA s38B (2));
- (4) There is no conflict with PCPA s38A and s38B (TCPA Sch 4B para 8(1)(b) and PCPA s38C (5)(b)); and
- (5) The Draft NDP specifies the period for which it is to have effect, namely 2020-2031, as required by PCPA s38B(1)(a).

## **3. The Extent and Limits of an Examiner’s Role**

8. I am required to consider whether the Draft NDP meets the basic conditions specified in TCPA Sch 4B para 8(2) as varied for neighbourhood development plans, namely:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan;
- (d)<sup>2</sup> The making of the Plan contributes to the achievement of sustainable development;
- (e) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);

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<sup>1</sup> Paragraph 50 of this report.

<sup>2</sup> The omission of (b) and (c) results from these clauses of para 8(2) not applying to neighbourhood development plans (PCPA s38C (5)(d)).

- (f) The making of the Plan does not breach, and is otherwise compatible with, EU obligations; and
- (g) Prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the Plan.

9. There is one prescribed basic condition:<sup>3</sup> *“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”* Chapter 8 comprises regulations 105 to 111.

10. The combined effect of TCPA Sch 4B para 8(6) and para 10(3)(b) and of the Human Rights Act 1998 means that I must consider whether the Draft NDP is compatible with Convention rights. ‘*Convention rights*’ are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights (“the Convention”), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention. The Convention rights that are most likely to be relevant to town and country planning are those under the Convention’s Article 6(1), 8 and 14 and under its First Protocol Article 1.

11. In my examination of the substantial merits of the Draft NDP, I may not consider matters other than those specified in the last three paragraphs. In particular, I may not consider whether any other test, such as the soundness test provided for in respect of examinations under PCPA s20, is met.<sup>4</sup> Rather, Parliament has decided not to use the soundness test, but to use the, to some extent, less demanding tests in the basic conditions. It is important to avoid unduly onerous demands on qualifying bodies. It is not my role to rewrite a neighbourhood development plan to create the plan that I would have written for the area. It is not my role to impose a different vision on the community.

12. Having considered the basic conditions and human rights, I have three options, which I must exercise in the light of my findings. These are: (1) that the Draft NDP proceeds to a referendum as submitted; (2) that the Draft NDP is modified to meet basic conditions and then the modified version proceeds to a referendum; or (3) that the Draft NDP does not proceed to referendum. If I determine that either of the first two options is appropriate, I must also consider whether the referendum area should be extended. My power to recommend modifications is limited by statute in the following terms:

*The only modifications that may be recommended are—*

*(a) modifications that the examiner considers need to be made to secure that the draft [NDP] meets the basic conditions mentioned in paragraph 8(2),*

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<sup>3</sup> Sch 2 of the General Regulations prescribes this.

<sup>4</sup> Woodcock Holdings Ltd v Secretary of State for Communities and Local Government [2015] EWHC 1173 (Admin), Holgate J. para 57; R (Crownhall Estates Limited) v Chichester District Council [2016] EWHC 73 (Admin) , para 29 Holgate J. PPG Reference ID: 41-055-2018022.

*(b) modifications that the examiner considers need to be made to secure that the draft [NDP] is compatible with the Convention rights,*

*(c) modifications that the examiner considers need to be made to secure that the draft [NDP] complies with the provision made by or under sections 61E(2), 61J and 61L,*

*(d) modifications specifying a period under section 61L(2)(b) or (5), and*

*(e) modifications for the purpose of correcting errors.<sup>5</sup>*

13. The word “only” prevents me recommending any other modifications. The fact that a modification would be of benefit is not a sufficient ground in itself to recommend it. So, for example, the fact that a policy could be strengthened or added to does not justify a modification unless this is necessary for the reasons given above. I must not take an excessively restrictive view of the power to recommend modifications, but must bear in mind Lindblom LJ’s explanation of its extent in his judgment in Kebbell Developments Ltd v. Leeds City Council.<sup>6</sup> I may not recommend a modification that would put the draft NDP in breach of a basic condition or of human rights. When I conclude that a modification is necessary, I must, in deciding its wording, bear in mind material considerations including government advice. This includes the importance of localism. Where I properly can, my suggested modifications seek to limit the extent to which the substance of the draft NDP is changed.

14. It is not my role to consider matters that are solely for the determination of other bodies such TBC, Gloucestershire County Council or the Environment Agency. Nor is it my role to consider matters that an NDP could consider, but which are not considered in the Draft NDP, unless this is necessary for my role as explained above. It is not my role to consider aspirations that are not policies.

#### **4. Consideration of Representations**

15. I have given the representations careful consideration, but have not felt it necessary to comment on most of them. Rather in accordance with the statutory requirement and bearing in mind the judgment of Lang J in R (Bewley Homes Plc) v. Waverley District Council,<sup>7</sup> I have mainly concentrated on giving reasons for my recommendations.<sup>8</sup> Where I am required to consider the effect of the whole Draft NDP, I have borne it all in mind.

#### **5. Public Hearing and Site Visit**

16. The general rule is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, an examiner must cause a hearing

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<sup>5</sup> TCPA Sch 4B, para 10(3). The provisions in (a), (c) and (d) are in the TCPA.

<sup>6</sup> [2018] EWCA Civ 450, 14<sup>th</sup> March 2018, paras 34 and 35.

<sup>7</sup> [2017] EWHC 1776 (Admin), Lang J, 18<sup>th</sup> July 2017.

<sup>8</sup> TCPA Sch 4B, para 10(6).

to be held for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure (1) adequate examination of the issue or (2) a person has a fair chance to put a case. Since neither applied in this case, I did not hold a public hearing.

17. After particularly careful consideration in the light of current circumstances, I concluded that an unaccompanied site visit was necessary and held an extensive one on Saturday 5<sup>th</sup> February 2022. This included Leigh End, Evington, Coombe Hill and the Knightsbridge Business Centre. There was substantial flooding in parts of the parish, but this did not affect locations that I needed to visit. The site visit helped me to gain a sufficient impression of the nature of the area for the purpose of my role.

## **6. Basic conditions and human rights**

### *Regard to national policies and advice*

18. The first basic condition requires that I consider whether it is appropriate that the NDP should be made “*having regard to national policies and advice contained in guidance issued by the Secretary of State*”. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but they should only be departed from them only if there are clear reasons, which should be explained, for doing so.<sup>9</sup>

19. The principal document in which national planning policy is contained is the National Planning Policy Framework 20<sup>th</sup> July 2021 (“the NPPF”) and I have borne that in mind. Other policy and advice that I have borne in mind includes national Planning Practice Guidance (“PPG”).

20. The NPPF provides that neighbourhood plans should support the delivery of strategic policies contained in local plans and should shape and direct development that is outside of these strategic policies.<sup>10</sup> Its paragraphs 28 and 29 state:

*28. non-strategic policies should be used by... communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.*

*29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable*

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<sup>9</sup> R. (Lochailort Investments Limited) v. Mendip District Council [2020] EWCA Civ 1259, Lewison LJ, paras 6, 31 and 33, 2<sup>nd</sup> October 2020.

<sup>10</sup> NPPF para 13.

*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.*

*Contributing to the achievement of sustainable development*

21. The second basic condition means that I must consider whether the making of the Plan contributes to the achievement of sustainable development. Unless the Draft NDP, or the Draft NDP as modified, contributes to sustainable development, it cannot proceed to a referendum. This condition relates to the making of the Plan as a whole. It does not require that each policy in it must contribute to sustainable development. It does require me to consider whether constraints might prevent sustainable development and, if they might, whether the evidence justifies them. That involves consideration of site-specific constraints, both existing and those proposed in the Draft NDP. The total effect of the constraints introduced by the Draft NDP when read with existing constraints should not prevent the achievement of sustainable development.

*General conformity with the development plan's strategic policies*

22. The third basic condition means that I must consider whether the Draft NDP as a whole is in general conformity with the strategic policies contained in the development plan for the area of the authority. The relevant part of the development plan are the saved policies of the Tewkesbury Borough Local Plan to 2011 and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 ("the JCS"). The development plan that applies to the Leigh also includes the Minerals Local Plan for Gloucestershire, the Gloucestershire Waste Core Strategy, and the saved policies of the adopted Gloucestershire Waste Local Plan. These are mentioned in the draft NDP, but do not raise any issue that require comment by me.

23. The adjective '*general*' allows a degree of (but by no means unlimited) flexibility and requires the exercise of planning judgement. The draft NDP "*need not slavishly adopt every detail*".<sup>11</sup> This condition only applies to strategic policies - there is no conformity requirement in respect of non-strategic policies in the development plan or in respect of other local authority documents that do not form part of the development plan (including the emerging Borough Plan and supplementary planning documents), although such documents may be relevant to other matters. In assessing general conformity and whether a policy is strategic, I have borne in mind helpful PPG advice.<sup>12</sup> I have also borne in mind the relevant part of the judgment in *R (Swan Quay LLP) v Swale District Council*.<sup>13</sup>

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<sup>11</sup> *Wiltshire Council v Cooper Estates Strategic Land Ltd* [2019] EWCA Civ 840, para 3.

<sup>12</sup> Paras 074 to 077 of the section on neighbourhood planning.

<sup>13</sup> [2017] EWHC 420 (Admin), para 29, Dove J, 27<sup>th</sup> January 2017.

### *EU obligations*

24. The fourth basic condition requires me to consider whether the Draft NDP breaches, or is otherwise incompatible with, EU obligations. I have in particular considered the following, together with the UK statutory instruments implementing them in England: the Strategic Environmental Assessment Directive (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); the Water Framework Directive (2000/60/EC); and the General Data Protection Regulation (2016/679/EU). I have also considered the judgment of the European Court of Justice in People Over Wind v Coillte Teoranta.<sup>14</sup> I have born in mind that proportionality is a concept of and underlies EU law and must be wary of requirements that are disproportionate for a plan as small as the Draft NDP.

25. I am satisfied that no issue arises in respect of equality under general principles of EU law or any EU equality directive.

### *Conservation of Habitats and Species Regulations*

26. I am satisfied that the making of the NDP would not be incompatible with the prescribed basic condition and that it is not necessary to consider the matter further in this report.

### *Human Rights*

27. The planning law of England and Wales in general complies with the Convention. This matter can be dealt with briefly in advance of further consideration of the contents of the Draft NDP. I have considered whether anything in the Draft NDP would cause a breach of any Convention right. In particular, I have considered the Convention's Articles 6(1), 8 and 14 and its First Protocol Article 1. This last-mentioned article reinforces the common-law principle that private property rights should not be removed without proper justification and I have borne that in mind. Nothing in my examination of the Draft NDP indicates any breach of a Convention right, so that no modifications need to be made to secure that the Draft NDP is compatible with these rights. It is therefore not necessary to consider human rights in the parts of this report that deal with specific parts of the Draft NDP.

## **7. The nature of the area**

28. In considering the contents of the Draft NDP I must consider the nature of the parish. It is accurately described in the Draft NDP. It has a small population (357 living in 144

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<sup>14</sup> Case C-323/17, 12<sup>th</sup> April 2018.

dwellings in the 2016). The housing under construction at residential allocation COO2 and with outline planning permission at residential allocation COO1 will increase that substantially, but still leave the parish with a small population.

29. Coombe Hill is the most sustainable of the settlements. It includes a small shop in a petrol station, a farm shop, and a public house and restaurant and, for a small community, has good bus services to Tewkesbury, Cheltenham and Gloucester. It is also within walking distance of a butchers in the Knightsbridge Business Centre. It is designated as a Service Village in the JCS.

30. The only facility in Leigh End, and the Leigh is St Catherine's church (the parish's only place of worship), which, in addition to services, hosts some social activities that might otherwise take place in a village hall. No bus serves Leigh End or the Leigh. The Tewkesbury to Gloucester has three stops in each direction on the A38 in the parish and south of Coombe Hill, which can be used by residents of Leigh End and the Leigh, but are not within easy walking distance.

31. The parish to the east of the A38 and south of the A4019 lies within the Green Belt west of Cheltenham. Coombe Hill Canal and Meadows is a Site of Special Scientific Interest. Much of the Parish is covered by flood zone 2 and 3.

32. The parish contains a number of listed buildings. I viewed the Church of St Catherine, which is Grade I listed and dates from the 13<sup>th</sup> century, and its five listed monuments (all Grade II). I also viewed the listed barn at Grange Farm, Coombe Hill, which is close to the residential allocations. I did not need to view the other listed buildings.

33. The parish does not contain a school, any medical facilities, a post office, playing fields, sporting facilities, a park, a library, or a village hall (or equivalent other than St Catherine's church).

## **8. The contents of the Draft NDP**

*Pages 2 and 7*

34. Since I am recommending deletion of the policy in respect of caravan and camping sites and its supporting text<sup>15</sup> and in the interests of a consistent approach to dwellings recording the number of dwellings, I recommend a modification to paragraph 14, together with a correction to give it its correct name.

35. The contents also require modification to reflect the recommended deletion of the policy in respect of caravan and camping sites and its supporting text.

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<sup>15</sup> Paragraph 50 below.

Recommended modification 1

*Pages 2 and 3*

Delete the row relating to Caravan and Camping Sites and make consequential amendments to page numbering.

*Page 7, paragraph 14*

Replace “traveller site (Field View” with ““Traveller site with 16 pitches (Fieldview”.

*Page 15*

36. There is an error in the second line on this page. Apperley and Norton are equidistant from the parish.

Recommended modification 2

*Page 15, line 2*

Replace “Apperley is equidistant from Norton” with “Apperley and Norton are equidistant from the parish” .

*Page 16*

37. Supplementary planning documents do not form part of development plans.

Recommended modification 3

*Page 16, paragraph 44*

Delete the second indent.

*Page 19*

38. TBC’s Main Modification 1 to Policy RES1 amends the indicative capacity of Allocation COO1 to up to 95, which corresponds with the outline permission for up to 95 dwellings. Paragraph 61 should be updated.

Recommended modification 4

*Page 19, paragraph 61*

Replace “50 dwellings” with “up to 95 dwellings”.

*Page 36*

39. Paragraph C of policy E1 requires development to protect, maintain and enhance all public rights of way. That is excessive in that it imposes on development obligations that do not relate to the development concerned.

40. Policy E1's paragraph F only relates to residential allocation COO2, where there is a planning permission and construction across the site is well underway. It is too late to impose policy requirements in respect of it.

Recommended modification 5

*Page 36, policy E1, paragraph C*

Replace "all current public rights of way in the parish" with "those public rights of way in the parish that are significantly affected by the development".

*Paragraph F*

Delete the whole of this.

*Page 37*

41. Coombe is misspelt.

Recommended modification 6

*Page 37, above paragraph 90*

Replace "Combe" with "Coombe".

*Page 39*

42. Policy E2's paragraph C is too demanding. Many developments will involve some non-protected-species habitat loss, some hedgerow loss or both. The requirement for like-for-like replacement in paragraph D is unduly onerous and may be impracticable or not the best approach.

Recommended modification 7

*Page 39, policy E2*

Replace "Loss" with "Significant loss".

Replace "like for like" with "appropriate compensatory".

*Page 40*

43. The first sentence does not make sense as it stands, although its intention is clear.

Recommended modification 8

*Page 40, paragraph 95*

Replace the first sentence with, "The parish, which has a long history, was originally divided between the hundreds of Deerhurst and Westminster".

44. Policy E3 is excessive in that it places obligations to development that do not relate to the development concerned. That does not mean that there can be no obligation in respect of the historic environment that does not relate to something within the bounds of the site concerned. For example, a site may relate to the Tewkesbury Turnpike if it is close to its route; but imposing an obligation on a site at Coombe Hill to make provision for interpretation of Leigh End's historic environment would be excessive.

Recommended modification 9

*Page 43, policy E3*

Replace the second sentence of A with “Development at local plan housing allocation sites should provide interpretation of any historic context.”

*Pages 45 and 47*

45. Policies preventing relatively high-density housing prevent or limit the availability of lower price open-market housing. This is particular concern in a parish where average house prices are much higher than those for England as a whole.<sup>16</sup> They also, by reducing the number of dwellings, on a site reduce affordable housing provision. Brief statements that could be made in respect of much of rural England are not sufficient to justify such policies.

46. A requirement that all development will meet lifetime homes standards must be justified by evidence. That does not exist here. Further, government advice states’ “Neighbourhood plans should not be used to apply the new national technical standards.”<sup>17</sup>

Recommended modification 10

*Page 44 paragraph 108*

Replace the second sentence with “It is important that developer estates contain a mixture of styles if we are to maintain the rural feel of the Parish”.

*Page 47, policy H1*

Delete the whole of D and re-letter appropriately.

Delete “and will meet lifetime homes standards”.

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<sup>16</sup> Draft NDP para 27.

<sup>17</sup> Written Ministerial Statement of Eric Pickles MP, Secretary of State for Communities and Local Government, 25<sup>th</sup> March 2015.

Page 47

47. Policy H2's criterion E is excessive and not justified by evidence.

Recommended modification 11

Page 47, policy H2

In criterion E, replace "reduction" with "harmful reduction".

Page 48

48. There is no objection in principle to an NDP providing the development contributions will be sought for certain projects, but allowance should be made for any community infrastructure levy and payments should be "*necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects*".<sup>18</sup> The misspelling of Coombe should be corrected. There is an error in that C and E are identical

Recommended modification 12

Page 48, policy H3

Replace the opening sentence with:

"To the extent that the following is not covered by a community infrastructure levy, developer contributions that are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects will be sought from the local plan site allocations and any other major development for the following:"

In B, replace "Combe" with "Coombe".

Delete E.

Page 49

49. Policy H4 C and F set specific parking standards. Such standards can only be imposed where there is sufficient evidence. That is not the case here.

Recommended modification 13

Page 49

Delete C and F and re-letter accordingly.

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<sup>18</sup> NPPF para 56.

50. In planning ‘caravan’ and ‘caravan site’ have the wide definition contained in the Caravan Sites and Control of Development Act 1960 s29 as read with the Caravan Sites Act 1968 s13 (as amended). The NPPF requires local planning authorities to determine the minimum number of homes needed and this includes the assessment of housing (a word that includes caravans) needs, including the type of housing needed, for different groups in the community and then to ensure the supply and delivery of needed housing. Planning Policy for Traveller Sites imposes broadly similar requirements for those who fall within that guidance’s definitions of Travellers and Travelling Showpeople. TBC therefore must ensure that the accommodation needs of caravan dwellers are met and this involves seeking the most appropriate locations for deliverable caravan sites. Where a local planning authority does not do this, planning inspectors can, and often do, allow appeals seeking planning permission for a caravan site. A restrictive policy against caravan sites that goes beyond national and local policy can distort what would otherwise be a “level playing field” in the search for suitable sites and so must be justified by robust evidence. Policy H5 is not supported by national or local policy, nor is it supported by evidence. Further no caravan, camping, park-home, tourism or Gypsy or Traveller organisation appears to have been consulted – none is mentioned in the Consultation Statement.<sup>19</sup> The matter should be left to national and district policy.

**Recommended modification 14**

*Page 50*

Delete everything on this page.

*Subsequent pages*

Renumber pages and paragraphs accordingly.

**9. Updating and renumbering**

51. It may be that certain passages need updating. Nothing in this report should deter appropriate updating prior to the referendum in respect of incontrovertible issues of primary fact. This includes (but is not limited to) updating to reflect the progress of the emerging Borough Plan.

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<sup>19</sup> I note that the owner of Fieldview Caravan Park commented (Consultation. Statement page 23) and that residents of the site (like other residents of the parish) were consulted.

## **10. The Referendum Area**

52. I have considered whether the referendum area should be extended beyond the designated plan area. However, I can see no sufficient reason to extend the area and therefore recommend that the referendum area be limited to the parish.

## **11. Summary of Main Findings**

53. I commend the Draft NDP for being clear, intelligible and well written, and for the considerable effort that has gone into its creation.

54. I recommend that the Draft NDP be modified in the terms specified in Appendix A to this report to meet basic conditions and to correct errors. I am satisfied with all parts of the Draft NDP to which I am not recommending modifications.

55. With those modifications the Draft NDP will meet all the basic conditions and human rights obligations. Specifically:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP;
- The making of the NDP contributes to the achievement of sustainable development;
- The making of the NDP is in general conformity with the strategic policies contained in the development plan for the parish of the Leigh (or any part of that area);
- The making of the NDP does not breach, and is not otherwise incompatible with, EU obligations;
- The making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and
- The modified Draft NDP is in all respects fully compatible with Convention rights contained in the Human Rights Act 1998.

56. I recommend that the modified NDP proceed to a referendum, the referendum area being the area of the Draft NDP, namely the parish of the Leigh.

Timothy Jones, Barrister, FCI Arb,  
Independent Examiner,  
No 5 Chambers  
25<sup>th</sup> April 2022.

## **Appendix A: Recommended Modifications**

### **Recommended modification 1**

Pages 2 and 3

Delete the row relating to Caravan and Camping Sites and make consequential amendments to page numbering.

Page 7, paragraph 14

Replace “traveller site (Field View” with ““Traveller site with 16 pitches (Fieldview”.

### **Recommended modification 2**

Page 15, line 2

Replace “Apperley is equidistant from Norton” with “Apperley and Norton are equidistant from the parish” .

### **Recommended modification 3**

Page 16, paragraph 44

Delete the second indent.

### **Recommended modification 4**

Page 19, paragraph 61

Replace “50 dwellings” with “up to 95 dwellings”.

### **Recommended modification 5**

Page 36, policy E1, paragraph C

Replace “all current public rights of way in the parish” with “those public rights of way in the parish that are significantly affected by the development”.

Paragraph F

Delete the whole of this.

Recommended modification 6

Page 37, above paragraph 90

Replace “Combe” with “Coombe”.

Recommended modification 7

Page 39, policy E2

Replace “Loss” with “Significant loss”.

Replace “like for like” with “appropriate compensatory”.

Recommended modification 8

Page 40, paragraph 95

Replace the first sentence with, “The parish, which has a long history, was originally divided between the hundreds of Deerhurst and Westminster”.

Recommended modification 9

Page 43, policy E3

Replace the second sentence of A with “Development at local plan housing allocation sites should provide interpretation of any historic context.”

Recommended modification 10

Page 44 paragraph 108

Replace the second sentence with “It is important that developer estates contain a mixture of styles if we are to maintain the rural feel of the Parish”.

Page 47, policy H1

Delete the whole of D and re-letter appropriately.

Delete “and will meet lifetime homes standards”.

Recommended modification 11

Page 47, policy H2

In criterion E, replace “reduction” with “harmful reduction”.

Recommended modification 12

Page 48, policy H3

Replace the opening sentence with:

“To the extent that the following is not covered by a community infrastructure levy, developer contributions that are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects will be sought from the local plan site allocations and any other major development for the following:”

In B, replace “Combe” with “Coombe”.

Delete E.

Recommended modification 13

Page 49

Delete C and F and re-letter accordingly.

Recommended modification 14

Page 50

Delete everything on this page.

Subsequent pages

Renumber pages and paragraphs accordingly.

## **Appendix B: Abbreviations**

The following abbreviations are used in this report:

Convention	European Convention on Human Rights
Draft NDP	Submission draft of the Leigh Parish Neighbourhood Plan 2020-2031
EU	European Union
General Regulations	Neighbourhood Planning (General) Regulations 2012 (as amended)
LPC	The Leigh Parish Council
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework (2021)
para	paragraph
PCPA	Planning and Compulsory Purchase Act 2004 (as amended)
PPG	national Planning Practice Guidance
s	section
Sch	Schedule
TBC	Tewkesbury Borough Council
TCPA	Town and Country Planning Act 1990 (as amended)

Where I use the verb *'include'*, I am not using it to mean *'comprise'*. The words that follow are not necessarily exclusive.

**Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations**

<b>Policy / Section</b>	<b>Examiner's Recommendation</b>	<b>Action</b>
<p>Contents / Background</p>	<p><u>Recommended modification 1</u>  <i>Pages 2 and 3</i>                      Delete the row relating to Caravan and Camping Sites and make consequential amendments to page numbering.  <i>Page 7, paragraph 14</i>                      Replace “traveller site (Field View” with ““Traveller site with 16 pitches (Fieldview”.</p>	<p><u>Modification to Contents pages to read:</u></p> <p>Introduction.....4                      The Leigh Parish Neighbourhood Development Plan.....4                      Neighbourhood Plan Area and Period.....5                      Background to The Leigh and the NDP.....7                      Flooding.....8                      Demographic profile.....14                      Parish Aspiration.....14                      Community Action Point.....15                      The Development Plan.....16                      Saved policies of the Tewkesbury Borough Local Plan to 2011.....17                      The Joint Core Strategy 2011 – 2031.....18                      Minerals Local Plan for Gloucestershire 2018 – 2032.....19                      Gloucestershire Waste Core Strategy 2027 – Adopted November 2012.....19                      The Emerging Borough Plan (Tewkesbury Borough Plan 2011 to 2031).....19                      M5 Junction 10 Improvement Scheme.....27                      Vision and Objectives.....29                      NDP Detailed Objectives.....29                      Environment Policies.....32                      Landscape and countryside.....32                      Policy E1: Landscape and countryside.....36                      Nature, ecology and biodiversity.....37                      Policy E2: Biodiversity.....39</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		Historic environment.....40 Policy E3: Historic Environment.....43 Community Action Point.....43 Housing development.....44 Planning for sustainable housing development...44 Policy H1: Design for New Residential Development.....46 Policy H2: Conversions and extensions to existing dwellings.....47 Policy H3: Developer Contributions.....48 Community Action Point.....48 Parking in New Residential Development.....49 Policy H4: Parking in New Residential Development.....49 <del>Caravan and Camping sites .....50</del> <del>Policy H5: Caravan and Camping Sites.....50</del> Flooding.....5150 Policy F1: Flooding.....5352 Community Action Point.....5352 Rural Economy.....5453 Policy EMP1: New Employment Development.....5554 Policy EMP2: Home Working.....5554 Community Action Point.....5655 Implementation and monitoring.....5756 Appendix A: Photographic examples of local historic Severn Vale buildings and materials.....5857  <u>Modification to Para 14 to read:</u> At the last count in 2016, there were 144 dwellings with a combined population of 357

## Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p>people of whom 70% had lived in the parish for more than ten years. Within the community is a small well run traveller <b>site with 16 pitches</b> (<del>Field-view</del> Fieldview) that has existed for many years. With a garage, shop, pub and farm shop at Coombe Hill, and bus services to the main towns, the Parish is compact with an opportunity for limited development. The vast majority of the population currently rely on their motor cars to commute for work, shopping, schools and other services.</p>
<p>Parish Aspirations</p>	<p><u>Recommended modification 2</u>  <i>Page 15, line 2</i>                      Replace "Apperley is equidistant from Norton" with "Apperley and Norton are equidistant from the parish" .</p>	<p><u>Modification to Para 33 to read:</u></p> <p>Historically, children from Leigh Parish have either gone to Norton School (south along the A38) for primary school, then progressing to Tewkesbury Comprehensive at senior level. Recently however, Norton has become over-subscribed and local children have been forced to go to Apperley with no provision of transport. Apperley <del>is equidistant from</del> and Norton <b>are equidistant from the parish</b>, but the roads circumvent the canal and it is therefore a much longer journey by car.</p>
<p>The Development Plan</p>	<p><u>Recommended modification 3</u>  <i>Page 16, paragraph 44</i>                      Delete the second indent.</p>	<p><u>Modification to Para 44 to read:</u></p> <ul style="list-style-type: none"> <li>• Saved policies of the Tewkesbury Borough Local Plan to 2011 (LP) <del>• The Flood and Water Management Supplementary Planning Document (March 2018)</del> • Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) 2011 – 2031,</li> </ul>

**Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations**

Policy / Section	Examiner's Recommendation	Action
		<p>Adopted December 2017 (JCS) • Mineral Local Plan for Gloucestershire 2018 – 2032 (Adopted March 2020) • Gloucestershire Waste Core Strategy 2027 – Adopted November 2012 • Saved policies of the adopted Gloucestershire Waste Local Plan</p>
<p>The Development Plan</p>	<p><u>Recommended modification 4</u>  <i>Page 19, paragraph 61</i>                      Replace “50 dwellings” with “up to 95 dwellings”.</p>	<p><u>Modification to Para 61 to read:</u>                      The emerging borough plan policies RES1 and RES2 seek to allocate a site of 4.9 ha, <del>for 50</del> up to 95 dwellings at Coombe Hill (COO1) and an adjacent site for 0.9 ha for 25 dwellings (COO2). The allocations are shown in <b>Figure 7</b>. This NDP seeks to address the development pressures that these allocations will give rise to.</p>
<p>Policy E1</p>	<p><u>Recommended modification 5</u>  <i>Page 36, policy E1, paragraph C</i>                      Replace “all current public rights of way in the parish” with “those public rights of way in the parish that are significantly affected by the development”.  <i>Paragraph F</i>                      Delete the whole of this.</p>	<p><u>Modification to Policy E1 to read:</u></p> <p>Development in The Leigh Parish will be supported where it will:</p> <p>A. Have a positive impact on the ecology and visual amenity of the area. Development schemes will demonstrate that they have improved biodiversity on the site and have where possible linked these improvements to adjacent corridors or natural features.</p> <p>B. Improve access to the valued landscapes and natural countryside features by ensuring that new development links to the existing public rights of way network where possible to promote better access to the countryside.</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p>C. Protect, maintain and enhance <b>all those</b> current public rights of way in the parish <b>that are significantly affected by the development</b>. Improvements should address signposting.</p> <p>Proposals at CO01 and CO02 should in particular:</p> <p>D. Improve the linkages to the historic village for walkers and cyclists, using standards in Local Transport Note 20. Improvement schemes provided by the developments should be complementary and cumulative where each will make a proportionate contribution to overall improved linkages.</p> <p>E. Where development at CO01 cannot provide a minimum of 10% biodiversity net gain on site, improvements may be made to land at the Coombe Hill Nature Reserve.</p> <p><del>F. A significant tree screen will be provided to the eastern boundary of CO02 to reduce the urbanising impact of the local plan housing allocation on views from the AONB. The tree screen should be designed in such a way as to provide a biodiverse multi-functional area that combines biodiversity improvements, recreational access and natural flood management.</del></p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
Nature, ecology and biodiversity	<p><u>Recommended modification 6</u>  <i>Page 37, above paragraph 90</i>                      Replace "Combe" with "Coombe".</p>	<p><u>Modification to Para 90 to read:</u></p> <p><b>Combe Coombe Hill SSSI</b></p> <p>The Coombe Hill Canal SSSI lies directly to the north on the parish boundary (the canal forms the boundary), though the parish lies within its Impact Zone. The SSSI is shown in <b>Figure 11</b>.</p>
Policy E2	<p><u>Recommended modification 7</u>  <i>Page 39, policy E2</i>                      Replace "Loss" with "Significant loss".                      Replace "like for like" with "appropriate compensatory".</p>	<p><u>Modification to Policy E2 to read:</u></p> <p>Development in The Leigh Parish will be supported where it will:</p> <p>A. Enhance local biodiversity or ecological networks on site, or where this is not possible, off-site. Suitable considerations for off-site improvements are to improve the SSSI, canal, local woodlands, trees and hedgerows, and improvements to grazing habitats.</p> <p>B. Schemes that reinstate orchards or re-introduce orchard trees will be encouraged.</p> <p>C. <b>Significant</b> Loss of existing natural features such as habitats, woodland, hedgerows, remnant orchards and veteran trees will be resisted.</p> <p>D. Where loss of natural features has occurred in the five years prior to the application, or unavoidably as a result of the proposal, <b>like for like appropriate compensatory</b> replacements will be required. Replacement can either be on-site or as part of an improvement scheme off-site in accordance with A above where it may be necessary to provide a commuted sum.</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
Historic Environment	<p><u>Recommended modification 8</u>  <i>Page 40, paragraph 95</i>                      Replace the first sentence with, "The parish, which has a long history, was originally divided between the hundreds of Deerhurst and Westminster".</p>	<p><u>Modification to Para 95 to read:</u>                      The parish, <b>which</b> has a long history, <b>was</b> originally divided between the hundreds of Deerhurst and Westminster. The first mention of St. Catherine's Church was in 1225, with the main settlement in the parish being close to the church and the moated Leigh Manor House, (now Leigh Court).</p>
Policy E3	<p><u>Recommended modification 9</u>  <i>Page 43, policy E3</i>                      Replace the second sentence of A with "Development at local plan housing allocation sites should provide interpretation of any historic context."</p>	<p><u>Modification to Policy E3 to read:</u>                      Development in The Leigh Parish will be supported where it will:                      A. Make provision for interpretation of and access to the historic environment to enable new residents to understand their historic context. Development at local plan housing allocation sites should provide interpretation of <b>its</b> <b>any</b> historic context <del>within the wider Parish</del>.                      B. Respect the historic features of neighbouring development as well as the wider character of the parish.</p>
Policy H1	<p><u>Recommended modification 10</u>  <i>Page 44 paragraph 108</i>                      Replace the second sentence with "It is important that developer estates contain a mixture of styles if we are to maintain the rural feel of the Parish".  <i>Page 47, policy H1</i>                      Delete the whole of D and re-letter appropriately.                      Delete "and will meet lifetime homes standards".</p>	<p><u>Modification to Para 108 to read:</u>                      As well as historic buildings, there are an eclectic mix of thatched cottages, Severn Vale cottages, grand houses, traditional workers terraces alongside more modern houses and bungalows. It is important that <del>the imposition of</del> developer estates <del>are maintained at lower densities and with</del> <b>contain</b> a mixture of styles if we are to maintain the rural feel of the Parish.</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p><u>Modification to Policy H1 to read:</u></p> <p>New housing development where a masterplan or design brief is required under JCS policy SD4 or other Development Plan policy will take the following considerations into account:</p> <p>A. Generic urban design will not be supported. Design and Access Statements should demonstrate how the locally distinctive character of the area has been accounted for using the Positive Local Design Features identified in <b>Table 1</b>.</p> <p>B. Biodiversity net gain will be required in relevant development. Natural landscape features such as hedgerows, hedges, orchard and mature trees, wildflower areas and habitats, should be retained and protected wherever possible and where not possible, should be replaced onsite or offsite with a feature of equivalent or better quality.</p> <p>C. Proposals should relate to the adjacent and nearby local character in massing, scale and use of outdoor landscaping, particularly in the village. Developments of multiple dwellings other than on allocated development sites should generally adopt a farmstead cluster to reflect the local rural character. Proposals that would lead to the creation of linear formed development alongside roads will be resisted.</p> <p><del>D. Other than on allocated development sites, housing density will be expected to be in keeping with adjacent and nearby development.</del></p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p><del>E.</del> D. Proposals will consider the local foot and cycle network and demonstrate that provision has been made to link the new development to the network in order to create attractive walking and cycling opportunities. Standards should conform to those in Local Transport Note 1/20.</p> <p><del>F.</del> E. A range of housing types, including housing appropriate to the elderly, and small houses for younger people, will be supported.</p> <p><del>G.</del> F. All development will be highly sustainable, including energy efficiency measures and energy generation <del>and will meet lifetime homes standards</del>. Adequate refuse and recycling storage that is not visible from the public sphere will be incorporated into all schemes. Superfast broadband will be provided for all developments.</p> <p><del>H.</del> G. Lighting schemes will reflect local character and be restricted to that necessary for public safety. Light pollution into the countryside will be avoided.</p>
Policy H2	<p><u>Recommended modification 11</u>  <i>Page 47, policy H2</i>                      In criterion E, replace “reduction” with “harmful reduction”.</p>	<p><u>Modification of Policy H2 to read:</u></p> <p>Conversions and extensions to existing dwellings will take the following considerations into account, especially within the Landscape Protection Zone:</p> <p>A. Generic urban design will not be supported. Proposals should demonstrate how the locally distinctive character of the area has been accounted for using the Positive Local Design Features are identified in <b>Table 1</b>.</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p>B. The proportion of the new building is in keeping within the scale, appearance and character of the existing dwelling and its surroundings. Extensions will be subservient to the main building.</p> <p>C. The privacy of neighbours will be respected so that they can enjoy in their own homes and gardens without fear of being overlooked.</p> <p>D. The development does not introduce an overbearing and incongruous feature that can be viewed from adjoining properties, from roadways or adopted footpaths.</p> <p>E. There is no harmful reduction in off street parking capacity.</p> <p>F. It does not detract from the character of the area.</p> <p>G. Extensions to dwellings will have the main access through the primary building and will not be capable of becoming severed from it to create a new and separate dwelling.</p>
<p>Policy H3</p>	<p><u>Recommended modification 12</u>  <i>Page 48, policy H3</i>                      Replace the opening sentence with:                      "To the extent that the following is not covered by a community infrastructure levy, developer contributions that are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects will be sought from the local plan site allocations and any other major development for the following:"                      In B, replace "Combe" with "Coombe".                      Delete E.</p>	<p><u>Modification to Policy H3 to read:</u></p> <p>To the extent that the following is not covered by a community infrastructure levy, <del>D</del> developer contributions that are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects will be sought from the local plan site allocations and any other major development for the following:</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p>A. Proposers of schemes on Housing Allocations in Coombe Hill will be expected to seek early engagement with The Leigh Parish Council to understand local requirements for a village hall and will make appropriate provision for a new village hall.</p> <p>B. Developer contributions will be sought from major development towards a footpath improvement scheme that will create a safe and attractive joint walking and cycling path between The Leigh village and Combe Coombe Hill along the A38.</p> <p>C. Developer contributions will be sought for the provision of schools and school transport schemes in accordance with advice from the Local Education Authority.</p> <p>D. A proportionate contribution will be made to support the Library Authority for major residential development.</p> <p><del>E. Developer contributions will be sought for the provision of schools and school transport schemes in accordance with advice from the Local Education Authority.</del></p>
Policy H4	<p><u>Recommended modification 13</u>  <i>Page 49</i>  Delete C and F and re-letter accordingly.</p>	<p><u>Modification to Policy H4 to read:</u></p> <p>Parking schemes for Major Development will demonstrate the following design principles and considerations, especially within the Landscape Protection Zone:</p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p>A. Parking spaces will be located in a manner that:</p> <ul style="list-style-type: none"> <li>a. ensures that parked cars do not dominate the street scene;</li> <li>b. clusters of cars will not form in the street scene;</li> <li>c. surfaces will be permeable;</li> <li>d. parking fits in with the character of the area.</li> </ul> <p>B. Garages should reflect the architectural style of the house they serve, and be set back from the road frontages. Garage blocks will be discouraged.</p> <p><del>C. A minimum of one off road space per dwelling up to two bedrooms, larger dwellings a minimum of two off road spaces should be provided. Such spaces should be in addition to garage spaces.</del></p> <p><del>D.</del>C Every dwelling will have at least one electric vehicle charging point.</p> <p><del>E.</del>D. Parking must be located in between or to the rear of houses, rather than in the front, to avoid dominating the street scene.</p> <p><del>F. A minimum of one off road visitor space should be provided for every two dwellings in addition to the above to discourage on street parking.</del></p>
Policy H5	<p><u>Recommended modification 14</u>  <i>Page 50</i>                      Delete everything on this page.  <i>Subsequent pages</i>                      Renumber pages and paragraphs accordingly.</p>	<p><u>Deletion of Para 125 – 127:</u></p> <p><del>125. The NDP area includes a long standing and well run traveller site, Fieldview Caravan Park, illustrated in the photos below. The Field View Caravan Park has 16 pitches.</del></p>

Appendix 2: The Leigh NDP Schedule of Examiner's Recommendations

Policy / Section	Examiner's Recommendation	Action
		<p><del>126. Seasonal camping and caravanning facilities can play an important part in the rural economy. However it is not felt that the Parish can sustain or encourage such developments. Holiday accommodation within existing residential holdings can be encouraged as a contribution to the county tourism industry.</del></p> <p><del>127. Emerging Borough Plan policy TOR3 states that new or extended caravan and camping sites for tourists accommodation should be located within or adjacent to existing settlements or existing sites. Proposals for new sites within the open countryside will need to demonstrate why the proposed location is essential.</del></p> <p><u>Deletion of Policy H5:</u></p> <p><del>Proposals for new caravan and camping sites will only be supported in the parish where it can be demonstrated that the proposed location is essential and will not affect residential amenity of neighbours, and that alternative appropriate sites have been proven to be unachievable.</del></p> <p><u>Modification to Pages 51 – 63 to renumber pages and paragraphs accordingly</u></p>

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	1 June 2022
<b>Subject:</b>	Ashchurch Rural Neighbourhood Development Plan Referendum
<b>Report of:</b>	Interim Planning Policy Manager
<b>Corporate Lead:</b>	Head of Development Services
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	Two

### **Executive Summary:**

Local Planning Authorities have a statutory duty to advise and assist communities in the preparation of Neighbourhood Development Plans, often referred to as 'Neighbourhood Plans', or by the acronym 'NDP'. The Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012, as amended, set out the responsibilities at each stage of the preparation of an NDP.

The Ashchurch Rural Neighbourhood Development Plan (ARNDP) was submitted to Tewkesbury Borough Council on 14 July 2021 and an Examination of the plan was undertaken by an independent Examiner during March and April 2022.

The Examiner's Final Examination Report (Appendix 1) concludes that, subject to the modifications recommended, the ARNDP meets the basic conditions and may proceed to referendum. The examiner also recommends that the referendum boundary is the designated Neighbourhood Plan area.

Having regard to the Examiner's conclusions, officers are not aware of any reasons why the Plan should not proceed to referendum in accordance with the Examiner's Report. Members are therefore recommended to approve the ARNDP to be sent for a referendum.

If the decision of the Committee is to send the plan to referendum, the Council is then required to publish a decision statement within 56 days. The Borough Council is responsible for organising a referendum of those people in the Neighbourhood area who are entitled to vote in local elections.

### **Recommendation:**

- 1. That the Ashchurch Rural Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, be formally approved to progress to referendum, as prescribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended.**
- 2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to referendum.**

**Reasons for Recommendation:**

To seek authorisation for the Ashchurch Rural Neighbourhood Development Plan to proceed to referendum.

**Resource Implications:**

If the Neighbourhood Development Plan is judged to meet the 'Basic Conditions' there will be human resource implications as the Council is required to arrange the Referendum; and, subject to the result of the Referendum, bring the plan into force within 56 days of a successful Referendum. This is a statutory requirement of the Council.

**Legal Implications:**

The Council has a duty to undertake this work under the Town and Country Planning Act 1990 (as amended), the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012, as amended and the Neighbourhood Planning (Referendums) Regulations 2012, as amended.

Notwithstanding the referendum date, as soon as publication of the decision statement has been made detailing the Council's intention to send a neighbourhood plan to referendum, that plan may be given additional weight in decision-making, so far as the plan is material to the application.

**Risk Management Implications:**

Tewkesbury Borough Council has an obligation, under Schedule 4B of the 1990 Town and Country Planning Act, to arrange a Referendum, unless the Examiner's recommended modifications and/or conclusions are to be challenged.

**Performance Management Follow-up:**

Since the 'Neighbourhood Planning (Referendums) (Amendment) Regulations 2016' came into force on 1 October 2016, the Referendum must be held within 56 days of the Decision Statement being published, following the expiry of the call-in period for this Executive Committee meeting.

**Environmental Implications:**

The implications for biodiversity, habitats, energy usage, waste and recycling or protected species have been considered by the Qualifying Body, with the assistance of the Borough Council, 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 planning system is essential for supporting economic growth, improving people's quality of life and protecting the natural environment. Neighbourhood Planning was introduced in the Localism Act 2011 with secondary legislation including the Neighbourhood Planning (General) Regulations 2012, as amended. It gives communities the power to create a shared vision for their local area and to shape future development and growth through the setting of planning policies.

- 1.2** Neighbourhood Plans which are adopted or ‘made’ by a Local Planning Authority form part of their development plan, alongside the Local Plan. Decisions on planning applications within the designated neighbourhood plan area will be made using both the local plan and the neighbourhood plan, and any other material considerations.
- 1.3** There are five key stages in the preparation of a Neighbourhood Plan:
- Stage 1 – Defining the Neighbourhood Area and apply to the Borough Council to have it formally designated.
- Stage 2 – Preparing the Plan includes a number of activities including public consultation undertaken by the Neighbourhood Planning Group, submission of a draft plan, as a proposal to the Borough Council and then the Borough Council undertaking its own public consultation.
- Stage 3 – With the agreement of the Qualifying Body (Parish Council), the Borough Council is required to appoint an independent examiner to check that it meets the basic standards required. It is when the Examiner publishes their final report that the Borough Council must consider any recommendations of changes to be made so that the plan meets the basic conditions and formally decide whether to send the plan to Referendum.
- Stage 4 – The Borough Council is responsible for organising a referendum of those people in the Neighbourhood Area who are entitled to vote in local elections.
- Stage 5 – If more than 50% of people voting in the referendum support the plan then the Borough Council must bring it into legal force.
- 1.4** The Ashchurch Rural Neighbourhood Plan area was designated on 8 January 2014 and since that time the Parish Council have progressed through the stages of Neighbourhood Plan preparation.
- 1.5** The ARNDP was submitted to Tewkesbury Borough Council on 14 July 2021 and the Borough Council undertook a consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 for a 6-week period from September to November 2021. A total of 13 representations were received.
- 1.6** An independent Examiner was appointed to conduct the examination for the Neighbourhood Plan and her final report was received on 26 April 2022.
- 1.7** In conducting her examination, the Examiner had due regard to the representations made by the Local Planning Authority and all other consultees.

## **2.0 THE EXAMINER’S REPORT AND RECOMMENDED MODIFICATIONS**

### ***Examiner’s Overall Findings***

- 2.1** The Examiner’s Report (Appendix 1) sets out her overall view on whether the ARNDP meets the necessary legal requirements.
- 2.2** The Examiner concludes that subject to the modifications recommended, as summarised below, the ARNDP meets the basic conditions and may proceed to referendum. The examiner also recommends that the referendum boundary is the designated neighbourhood plan area.

### ***Examiner's Key Findings***

- 2.3** The following summarises the Examiner's key findings and, where appropriate, sets out where modifications are recommended in order for the plan to meet the basic conditions.
- 2.4** The Plan covers matters of community infrastructure; roads, traffic and transport; rural character and recreation; water management; and housing in rural areas. Generally, the policies relating to these were accepted as meeting the basic conditions. However, the Examiner recommended that modifications are necessary to the following policies in order to make them acceptable.
- 2.5** **Policy S1** sought to allocate a major site which already has the benefit of planning permission (Fiddington 1 – 17/00520/OUT). However, the Examiner concluded that, in making a 'strategic' allocation, it would conflict with the strategic policies of the JCS and would therefore fail to meet the basic conditions.
- 2.6** **Policy T1** proposed to include a requirement of major development proposals to provide for frequent, convenient and modern bus services along the A46/A438 corridor. The Examiner did not consider this to be a land-use issue and recommended deletion of the criterion.
- 2.7** **Policy T2** proposed to require submission of a plan showing routes to avoid 'rat-running', where freight and HGV traffic will arise from a development scheme and for the plan to be attached as a condition to any permission. The examiner considered the latter requirement to be straying into development management and therefore not paying due regard to National Planning Policy and Guidance. As such amendment to the policy wording is required.
- 2.8** **Policy E2** sought to ensure that extensions or modifications of existing B2, B8 and E class development would be of a scale, type and character commensurate with existing and surrounding development. Given that the use classification exists to categorise land and buildings by their type, the Examiner has recommended deletion of the word 'type' to have due regard to Government Policy.
- 2.9** **Policy V1** sought to introduce criteria to protect the intrinsic value of the countryside, outside the settlements of Claydon, Fiddington, Pamington, Walton Cardiff. However, the Examiner is not persuaded that Claydon should be designated as a settlement, particularly given that there is no clear settlement boundary, and therefore recommends deletion of its reference within the policy.
- 2.10** In line with her findings on the above, the examiner also required amendments to **Policy H1**. This had proposed to provide particular support to new residential development within existing settlements. **Policy H2** concerned the design of housing in the countryside and the four named settlements. Deletion of reference to Claydon in both housing policies is therefore required for general conformity with the strategic policies in the development plan.
- 4.0** **MOVING FORWARD TO REFERENDUM**
- 4.1** The Borough Council must consider each of the Examiner's recommendations, including the recommendation relating to the referendum boundary, and publish a 'Decision Statement' on whether the amended plan meets the 'Basic Conditions' and if it should progress to a 'Referendum'. Officers have, in liaison with the Parish Council, considered the modifications and are satisfied with Examiner's conclusions (Appendix 2).

- 4.2** The decision to refuse a plan proposal can only be made on the following grounds:
- If the Council is not satisfied that the plan proposal meets the basic conditions;
  - If the Council does not believe that with modifications the plan proposal can meet the basic conditions;
  - If the Council considers that the plan proposal constitutes a repeat proposal; and
  - If the Council does not believe that the Qualifying Body is authorised or that the proposal does not comply with that authorisation.

**4.3** Within 56 days of the publication of the 'Decision Statement', the Borough Council must organise a Referendum on any plan or order that it has determined meets the 'Basic Conditions'. A Referendum version of the NDP that incorporates all of the amendments as set out in Appendix 2 will also be made available.

## **5.0 OTHER OPTIONS CONSIDERED**

**5.1** The options open to the Council are limited by legislation. In summary, the Committee can either:

- (i) Make modifications to the ARNDP in accordance with the examiner's recommendations and approve the plan to proceed to referendum; or
- (ii) Make a decision that differs from the examiner's recommendation (Option (ii) is not recommended because the Council would need to consult on such a proposal and refer the issue to a further independent examination if appropriate); or
- (iii) Refuse the plan if it is not satisfied with the plan proposal with respect to meeting the basic conditions, compatibility with Convention rights, definition and provisions of the NDP even with modifications. Option (iii) is not recommended. Without robust grounds, which are not considered to be present in this case, refusing to take the plan to a referendum could leave the Council vulnerable to a legal challenge.

## **6.0 CONSULTATION**

**6.1** 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 the plan the regulations require two statutory 6-week periods of consultation in the second stage of the process:

- Under Regulation 14 the Qualifying Body is required to consult; and
- Under Regulation 16 the Council is required to consult on the plan submitted as a plan proposal (under Regulation 15) and forward the responses to the Independent Examiner for consideration.

## **7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**7.1** Tewkesbury Borough Council Plan.

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031.

Tewkesbury Borough Local Plan 2006 – 2011.

Emerging Tewkesbury Borough Plan 2011 – 2031.

## **8.0 RELEVANT GOVERNMENT POLICIES**

**8.1** National Planning Policy Framework and Planning Practice Guidance.

## **9.0 RESOURCE IMPLICATIONS (Human/Property)**

**9.1** If the plan is judged to meet the 'Basic Conditions' there will be human resource implications as the Council is required to arrange the Referendum; and, subject to the results of the Referendum, bring the plan into force within another 56 days of a successful Referendum.

**9.2** The resource implications are corporate including Development Services, Community Development, Financial Services and One Legal. However, at the Referendum stage the greatest demand will be on Democratic Services.

## **10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**10.1** Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver, as part of the planning framework for the area, the sustainable development they need.

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

**11.1** As part of the Examination process the plan was found to meet the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. A requirement of meeting these conditions is that the plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

## **12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**12.1** Decision of Council to delegate to the Executive Committee the authorisation for Neighbourhood Plans to go to Community Referendum – 20 September 2016.

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**Background Papers:** Ashchurch Rural Neighbourhood Development Plan 2020 – 2031 Submission Draft (July 2021).

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**Appendices:**

- 1 Examiner's Report on the Ashchurch Rural Neighbourhood Development Plan (April 2022).
- 2 Schedule of the Examiner's recommended modifications.

# **Ashchurch Rural**

## **Neighbourhood Development Plan**

### **Submission Version 2020 – 2031**

**Report of Examination**

**April 2022**

**Undertaken for Tewkesbury Borough Council with the support of  
Ashchurch Rural Parish Council on the submission version of the plan.**



**Independent Examiner:**

Liz Beth BA (Hons) MA Dip Design in the Built Environment MRTPI

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### **Abbreviations used in the text of this report:**

The Ashchurch Rural Neighbourhood Plan is referred to as ‘the Plan’ or ‘ARNDP’.

Ashchurch Rural Parish Council is abbreviated to ‘Ashchurch RPC’.

Tewkesbury Borough Council is abbreviated to ‘Tewkesbury BC’ and sometimes referred to as the Local Planning Authority (LPA).

The National Planning Policy Framework is abbreviated to ‘NPPF’.

The National Planning Practice Guidance is abbreviated to ‘NPPG’.

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-31 is abbreviated to ‘JCS’.

The Tewkesbury Borough Plan 2011-31 (emerging) is abbreviated to ‘eTBP’.

The Tewkesbury Borough Local Plan to 2011 (saved policies) is abbreviated to (TLP2011).

Regulations 14 and 16 are abbreviated to ‘Reg14’ and ‘Reg16’ respectively.

## Summary

- I have undertaken the examination of the ARNDP during March 2022 and detail the results of that examination in this report.
- The Ashchurch Rural PC and Steering Group have undertaken consultation over several years on this Plan, and it complies with legislative requirements. The Plan is a concise and well-presented document, in a complex planning environment. The strategic policy framework as defined by the Local Planning Authority is the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. The Tewkesbury Borough Local Plan 2011-31 currently at examination has some policy weight.
- I have considered the comments made at the Regulation 16 Publicity Stage, and where relevant these have to an extent informed some of the recommended modifications. I have also considered further submissions from the LPA regarding strategic policy.
- Subject to the modifications recommended, the Plan meets the basic conditions and may proceed to referendum.
- I recommend the referendum boundary is the designated neighbourhood plan area.

**Acknowledgements:** Thanks to Local Authority and qualifying body staff for their assistance with this examination. My compliments to the local community volunteers and Ashchurch Rural Parish Council, who have produced their Plan in difficult planning circumstances.

# 1. Introduction and Background

## 1.1 Neighbourhood Development Plans

1.1.1 The Localism Act 2011 empowered local communities to develop planning policy for their area by drawing up neighbourhood plans. For the first time, a community-led plan that is successful at referendum becomes part of the statutory development plan for their planning authority.

1.1.2 Giving communities greater control over planning policy in this way is intended to encourage positive planning for sustainable development. The National Planning Policy Framework (NPPF para 29) states that:

“neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can ... help to deliver sustainable development”.

Further advice on the preparation of neighbourhood plans is contained in the Government’s Planning Practice Guidance website:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

1.1.3 Neighbourhood plans can only be prepared by a ‘qualifying body’, and in the Ashchurch area that is the Ashchurch Rural Parish Council (RPC). Drawing up the Neighbourhood Plan was undertaken by the Ashchurch Rural Neighbourhood Plan Steering Group (the Steering Group), working to the Parish Council.

## 1.2 Independent Examination

1.2.1 Once Ashchurch RPC had prepared their neighbourhood plan and consulted on it, they submitted it to Tewkesbury BC. After publicising the plan with a further opportunity for comment, Tewkesbury BC were required to appoint an Independent Examiner, with the agreement of Ashchurch RPC to that appointment.

1.2.2 I have been appointed to be the Independent Examiner for this Plan. I am a chartered Town Planner with over thirty years of local authority and voluntary sector planning experience in development management, planning policy and project management. I have been working with communities for many years, and have recently concentrated on supporting groups producing neighbourhood plans. I have been appointed through the Neighbourhood Plan Independent Examiners Referral Service (NPIERS). I am independent of any local connections to the Ashchurch area and Tewkesbury BC, and have no conflict of interest that would exclude me from examining this plan.

1.2.3 As the Independent Examiner I am required to produce this report and recommend either:

- (a) That the neighbourhood plan is submitted to a referendum without changes; or
- (b) That modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
- (c) That the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.2.4 The legal requirements are firstly that the Plan meets the 'Basic Conditions', which I consider in sections 3 and 4 below. The Plan also needs to meet the following requirements under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990:

- It has been prepared and submitted for examination by a qualifying body;
- It has been prepared for an area that has been properly designated by the Local Planning Authority;
- It specifies the period during which it has effect;
- It does not include provisions and policies for excluded development;
- It does not relate to land outside the designated neighbourhood area.

The ARNDP complies with the requirements of Paragraph 8(1). The Neighbourhood Area was designated on the 8<sup>th</sup> January 2014 by Tewkesbury BC. The plan does not relate to land outside the designated Neighbourhood Area. It specifies the period during which it has effect as 2020 – 2031 and has been submitted and prepared by a qualifying body and people working to that qualifying body. It does not include policies about excluded development; effectively mineral and waste development or strategic infrastructure.

1.2.5 I made an unaccompanied site visit to the Ashchurch Rural Parish to familiarise myself with the area and visit relevant sites and areas affected by the policies. This examination has been dealt with by written representations, as I did not consider a hearing necessary.

1.2.6 I am also required to consider whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to a referendum. I make my recommendation on this in section 5 at the end of this report.

## 1.3 Planning Policy Context

1.3.1 The Development Plan for Ashchurch and Tewkesbury, not including documents relating to excluded mineral and waste development, is the Joint Core Strategy (JCS) for Gloucester, Cheltenham and Tewkesbury 2011-31 adopted December 2017 and the saved policies of the Tewkesbury Borough Local Plan to 2011, adopted March 2006. The Tewkesbury Borough Plan 2011-31 is currently at examination, and policies in this document while not formally part of the development plan need to be taken into account (NPPG ID:41-009-20190509). The LPA have informed me that all policies in the JCS are strategic policies, but the Local Plan policies are not.

1.3.2 The National Planning Policy Framework 2021 (NPPF) sets out government planning policy for England, and the National Planning Practice Guidance (NPPG) website offers guidance on how this policy should be implemented.

1.3.3 During my examination of the ARNDP I have considered the following documents:

- National Planning Policy Framework (NPPF) 2021
- National Planning Practice Guidance 2014 and as updated
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- The Localism Act 2011
- The Neighbourhood Planning Regulations 2012 (as amended)
- Submission version of the Ashchurch Rural Neighbourhood Development Plan (ARNDP)
- The Basic Conditions Statement submitted with the ARNDP
- The Consultation Statement submitted with the ARNDP
- The SEA Environmental Report for the ARNDP
- The HRA Report for the ARNDP
- Neighbourhood Area Designation (map)
- Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) 2011-2031
- Tewkesbury Borough Local Plan 2011 (adopted 2006 -saved policies)
- Tewkesbury Borough Plan 2011-2031 (emerging Local Plan)
- Representations received during the publicity period (reg16 consultation)
- Email 14<sup>th</sup> April from Tewkesbury BC
- Appeal Decision Land at Fiddington, Ashchurch APP/G1630/W/18/3210903

## 2. Plan Preparation and Consultation

### 2.1 Pre-submission Process and Consultation

2.1.1 Ashchurch Rural is a parish just to the east and bordering the town of Tewkesbury. Besides the urban area of Ashchurch and an adjacent large army base, the rural area is flat agricultural land with small settlements and rural roads and paths. The M5 and the A46 strategic highways run through the Parish, and development pressure is considerable, with proposals for major strategic development in the neighbourhood area currently in progress.

2.1.2 The Steering Group, made up of Parish Councillors and community volunteers, worked on developing the Plan with help from a planning consultant. Evidence of previous extensive consultation with residents was offered to me during the progress of this examination. Surveys and other consultation exercises were undertaken with the help of a professional consultation organisation in 2014-15.

2.1.3 The planning policy and site availability in Ashchurch Rural has been complex – including uncertainty around the availability, or not, of the former army base for development. An initial draft ARNDP was drawn up and a formal Reg14 consultation, as required by the Neighbourhood Planning Regulations 2012 was undertaken around November - December 2018, but the Plan was changed extensively as a result of feedback received and errors identified. When revisions were completed, a second Reg14 consultation was undertaken, running for longer than the required 6 week minimum, from the 20<sup>th</sup> July 2020 until the 11<sup>th</sup> September 2020.

2.1.4 The Pandemic impacted the nature of this consultation, but a leaflet advertising the consultation was sent to all households in the Parish, and hard copies were made available as required. Responses could be made online or by hard copy on a standard response form provided. Statutory consultees as identified by the LPA and including local community groups and businesses and all those consulted in the previous Reg14 were emailed with links to the documentation.

2.1.5 Representations were received from 31 respondents during this second Reg14 consultation period, and several amendments have been made to the Plan as a result of constructive suggestions for changes. A third Reg14 consultation was run from the 10<sup>th</sup> May to the 21<sup>st</sup> June 2021 to allow comments to be received on the SEA and HRA reports as amended. Fourteen comments were received during this consultation including from the LPA, and as a result minor corrections made to the site allocation boundary and Policy V1 made reference to biodiversity net gain. I am satisfied

that due process has been followed during the consultation undertaken on the Plan, although it is not correct to describe the 2021 consultation as the 'second' Reg14 consultation – it is the third (page 10 para 40 of the Consultation Statement).

2.1.6 As required, the amended plan, together with a Basic Conditions Statement, a Consultation Statement, a Habitats Regulation Assessment, a Strategic Environmental Assessment and a plan showing the neighbourhood area was submitted to Tewkesbury BC on the 14<sup>th</sup> July 2021.

## **2.2 Regulation 16 Consultation Responses**

2.2.1 Tewkesbury BC undertook the Reg 16 consultation and publicity on the ARNDP for six weeks, from the 24<sup>th</sup> September 2021 to the 7<sup>th</sup> November 2021. Thirteen representations were received during this consultation, from residents, landowners and their agents and statutory bodies. Four statutory bodies had no specific comments to make on this Plan but offered general guidance. Other comments, and the issues they raise that are pertinent to my consideration of whether the Plan meets the basic conditions, are considered in sections 3 and 4 of this report below.

2.2.2 I am specifically limited by legislation to correcting with recommended modifications the Plan's compliance with the Basic Conditions and other legal requirements. Notification of minor corrections needed to the text are very useful, but again cannot be the subject of any modifications I recommend. The LPA will be aware however that it is authorised to correct minor errors that may have been missed so far [Town and Country Planning Act 1990 Schedule 4B section 12(6)]. This also applies to the need to update explanatory text in the Plan and other background material if necessary.

### 3. Compliance with the Basic Conditions Part 1

3.1 General legislative requirements of the 1990 Town and Country Planning Act (TCPA) other than the Basic Conditions are set out in paragraph 1.2.4 above. The same section of this report considers that the ARNDP has complied with these requirements. What this examination must now consider is whether the Plan complies with the Basic Conditions, which state it must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations and comply with human rights law; and
- Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (*prescribed basic condition since December 2018*).

3.2 The Basic Conditions Statement sets out in Table 2 and para11 on page 5 how the Plan promotes the social, economic and environmental goals of sustainable development. I accept that the Plan does contribute to sustainable development in line with the Basic Conditions.

3.3 An Environmental Report and Habitat Regulations Assessment (HRA) Report have been submitted with the ARNDP, as both Strategic Environmental Assessment (SEA) and HRA were required for the Plan. Ashchurch Rural Parish is within the catchment of Dixton Wood and Bredon Hill Special Areas of Conservation (SAC).

3.4 The Environmental Report April 2021 for the SEA of the ARNDP considers that the Plan is broadly neutral in terms of SEA themes of Biodiversity and land soil and water resources, and is likely to have minor positive effects in relation to the remaining SEA themes. It was suggested in comments at Reg16, that due to the lack of any consideration of alternatives in the SEA process, the Basic Conditions have not been met. However the Environmental Report has dealt with this issue (Chapter 5 paras 5.12-15 in particular). Due to the ongoing review of strategic options by the LPA that include land within the neighbourhood area, no appropriate reasonable alternatives were realistically available for the ARNDP and this SEA process. I am satisfied that the Plan is compatible with EU regulations and complies with the Basic Conditions in this regard.

3.5 The HRA Report Dec2020 has considered the site allocations and policies for likely significant effect on the European sites (SACs), screened out this possibility.

3.6 The ARNDP in my view complies with Human Rights Legislation. It has not been challenged with regard to this, and the consultation statement showed that the need to consult with a wide cross-section of the community was appreciated.

## 4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan

4.1 The final and most complex aspect of the Basic Conditions to consider is whether the ARNDP meets the requirements as regards national policy and the development plan. This means firstly that the Plan must have regard to national policy and guidance, which for this neighbourhood plan is the NPPF 2021 and the NPPG. Secondly the Plan must be in general conformity with the strategic policies of the development plan, seen by the LPA as being those in the JCS. The phrase 'general conformity' allows for some flexibility. If I determine that the Plan as submitted does not comply with the Basic Conditions, I may recommend modifications that would rectify the non-compliance.

4.2 The Plan and its policies are considered below in terms of whether they comply with the Basic Conditions as regards national policy and the development plan. If not, then modifications required to bring the plan into conformity are recommended.

Modifications are boxed in this report, with text to *remain in italics*, new text **highlighted in Bold** and text to be deleted ~~shown but struck through~~. Instructions for alterations are underlined.

4.3 The ARNDP is a well-presented document, with a clear vision to retain the amenity and rural character that currently exists within the new development. Ten policies have been developed to promote this, in line with stated development principles. It is a minor point, and not a Basic Conditions issue, but Policies S1, E1, E2, C2 all use a single bullet point 'A' despite there being no further bullet points in the policy, which I found confusing.

4.4 **Policy S1: Site allocation at Fiddington** This policy allocates a large site, that has obtained outline planning permission granted on appeal, for residential and other related development. The policy was objected to at the Reg16 consultation, as serving no purpose but to obtain protection from Para 14 of the NPPF. This was felt to be inappropriate as the allocation would not increase the existing housing supply. Objections also mentioned that it was not the result of any assessment of housing requirement, and that there was a Basic Conditions issue with the SEA as alternative site allocations had not been considered. The latter point is dealt with in para 3.4 of this report above.

4.4.1 Whether or not the allocation will give the protection offered by para 14 of the NPPF is not for my examination to determine. As development has not commenced on the site, an allocation does offer policy support for the proposed development, and updates the allocation of part of the site for employment uses in the JCS. It is not just repetition.

4.4.2 The LPA have argued (email 14<sup>th</sup> April 2022) that allocating a site this size makes it a strategic allocation and neighbourhood plans may not deal with strategic matters. This is true in as much as neighbourhood plans are required by the Basic Conditions to be in 'general conformity' with the strategic policies of the development plan. The Appeal was called in by the Secretary of State (SoS), and in the Decision Notice the view of the SoS concurs with that of the Inspector that the proposal would be classed as a strategic site, and is in conflict with policy SD10 of the JCS (para 14 and 15 page 3). However the appeal report goes on to state that the site would have been included in the strategic sites of the JCS were it not for highway objections. The highway objections were resolved by the time of this planning application and appeal, and the Inspector on summarising the Statement of Common Ground (report para 25 page 4) states that

"Both parties agree that the appeal should be allowed and would represent sustainable development."

The situation is further complicated by policy REV1 in the JCS which states that:

"A partial review of the housing supply for Gloucester and Tewkesbury will commence immediately upon adoption of the JCS. On adoption, the authorities will publish a Local Development Scheme to set out the timescales for completion. The review will cover the allocation of sites to help meet any shortfall in housing supply against the JCS housing requirements for the respective authorities."

Although the JCS was adopted in 2017, the Review of it is still at an early stage and was agreed at the appeal to have no planning weight.

4.4.3 The Appeal decision was given in January 2020. Since that date the emerging Tewkesbury Borough Local Plan (eTLP) has gained considerable planning weight and is currently at examination. This document however changes nothing with regard to any strategic allocation at the site allocated in Policy S1. Policy SD10 (2) of the JCS states that

"2. Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans."

There is an indication here that allocations in district and neighbourhood plans will not be strategic. Policy SD2 (4 and 5) allows for smaller-scale development meeting local needs in larger villages in Tewkesbury Village to be allocated in neighbourhood plans. Fiddington is not a service village for the purposes of this policy, and the scale of the proposed development is strategic not 'smaller-scale'.

It could be that the allocation in Policy S1 is a 'specific exception' as suggested in JCS policy SD10 (4iv), but this was not the decision reached in the appeal decision allowing this site. I therefore concur with the decision at the Appeal that the site conflicts with policy in the JCS, and that no strategic policy since then has altered this situation.

4.4.4 My role is to consider whether the ARNDP meets the Basic Conditions, and in particular whether this site allocation is 'in general conformity with the strategic policies of the development plan.' Particularly pertinent is Policy SP2(8) which states:

"The identification of any additional urban extensions to help meet the unmet needs of a Local Planning Authority must be undertaken through a review of the plan. Any additional site allocations made through a local plan or any neighbourhood plans must be in conformity with the JCS spatial strategy. Consideration will also be given to meeting needs in another local authority area where it is clearly established that they cannot be met within the JCS area, or provide a more sustainable and appropriate option"

The situation is complicated by the acceptance of the LPA of residential development on this site, and the requirement of Policy REV1 in the JCS that further strategic residential allocations will need to be made. However much circumstances since the adoption of the JCS would suggest that the site has effectively been accepted as a residential allocation, it has not been formally adopted as a strategic policy allocation. My examination must be based on conformity with the development plan, not wider planning circumstances, even if they post-date the development plan. Thus I find this policy is not in general conformity with the development plan, and in order that the ARNDP meets the Basic Conditions I recommend that Policy S1 is deleted.

**Modification 1:** Policy S1 to be deleted

Text of Plan to be altered: para 132 last sentence to be deleted. Other references to Policy S1 to be deleted. Para 154 – 159 to be deleted.

4.5 **Policy T1: Modal shift for major development proposals** There is a Reg16 objection to the use of the term 'will' in the 2<sup>nd</sup> paragraph of bullet point point C, as the list of requirements will not always be relevant for every development. It is a point I accept, and for the clarity of policy as

required by the NPPF (para 16d) this should be amended. Bullet point C vi. is dealing with the nature of bus services, which is not a land-use issue, and therefore not acceptable in a planning policy. In order that Policy T1 has paid due regard to government policy and guidance, and thus complies with the Basic Conditions, I recommend that it is amended as shown in Modification 2.

**Modification 2:** Criteria C of Policy T1 to be amended as follows:

... “C. Proposals for major development will only be supported where they demonstrate measures to integrate the new community with existing communities, where applicable, within the parish by encouraging a shift from car-based travel to walking, cycling and public transport.

These requirements ~~may~~ **will** include, but are not limited to:

....

vi. ~~Provision of quality (frequent, convenient and modern) bus services along the A46/A438 corridor. “.....”~~

**4.6 Policy T2: Road safety for walking and cycling** Policy T2 at Criteria B is specifying a planning condition that needs to be attached to a future planning permission in certain circumstances. It is not the role of planning policy to pre-judge any future planning permission, and aspects of the wording where it is effectively doing this need to be amended in order that the policy deals with land-use issues as required by the NPPG (ID: 41-004-20190509), and does not stray beyond this into development control and management. In order that Policy T2 has paid due regard to government policy and guidance and complies with the Basic Conditions, I recommend that it is amended as shown in Modification 3:

**Modification 3:** Criteria B of Policy T2 to be amended as follows:

... “B. Where freight and HGV traffic will arise from the **development scheme**, including during construction, scheme proposers should provide a plan showing routes that will avoid rat-running along minor roads or through settlements **as part of the development proposals**. ~~The submitted plan should form part of the development proposal and if not, will be attached to any permission as a planning condition. “.....”~~

4.7 **Policy E1: Employment and traffic** Complies with the Basic Conditions.

4.8 **Policy E2: Modification of existing B2, B8 and E class development** Tewkesbury BC have indicated concern with the use of the word 'type' in relation to a use class. I agree that it is redundant and could cause confusion. The NPPF requires policy to be clear to decision-makers (para 16d), and thus in order that Policy E2 has due regard to government policy and complies with the Basic Conditions, I recommend that it is amended as shown in Modification 4.

**Modification 4:** Policy E2 to be amended as follows:

~~A~~ *Extensions or modifications of existing Use Classes B2 (industrial), B8 (storage and distribution) and E must be of a scale, ~~type~~ and character commensurate with existing and surrounding development, particularly if located within an existing settlement or the countryside.*

4.9 **Policy C1: Community Infrastructure** Complies with the Basic Conditions.

4.10 **Policy C2: Broadband** Complies with the Basic Conditions.

4.11 **Policy V1: Protection of the intrinsic value of the countryside** No settlement boundaries have been defined for this Plan, although an intention to do this in the likely early review of the Plan is indicated (para 49 page 13). Policy V1 offers Claydon as a settlement that should be distinguished from the surrounding rural area. I visited Claydon as part of my site visits, and do not accept that it is in any real sense a 'settlement'. As the description of settlements deals with Fiddington and Claydon jointly, I assume that the idea is to consider this area as a dispersed settlement. Claydon is a kilometre or more from property that could be considered part of Fiddington however, and I do not consider considering them as a joint single settlement sensible. Claydon consists of a farm, a separate farm house, two cottages and maybe 2-3 other dwellings.

4.11.1 Policy RES4 in the emerging Tewkesbury Local Plan (eTBP) states that any new development in rural areas should generally be no more than 5% of current dwelling size in a rural settlement. Thus a rural settlement needs to have at least twenty dwellings in order to be considered for small-scale development, and Claydon does not. Claydon is defined as a rural area in the eTBP: it is not in a defined settlement boundary in the eTBP or identified as a service village. Policy in the eTBP is in line with the JCS (Policy SD10), which would allow for specific exceptions to be brought forward in a neighbourhood plan. However no justification for effectively allocating Claydon for limited new residential development has been attempted in this Plan. Thus the proposal to define Claydon as a settlement is not in general conformity with the strategic policies of the development plan, and in order that the Plan complies with the Basic Conditions and is in general conformity with the development plan, I recommend it is amended as shown in Modification 5 below.

**Modification 5: Criteria A of Policy V1 to be amended as follows:**

*A. Development proposals in rural parts of the Parish other than on sites allocated through the Development Plan, particularly south of the A46 and in other rural areas and outside the developed areas of existing settlements (~~Claydon~~, Fiddington, Pamington, and Walton Cardiff) will provide evidence that the tranquillity and accessibility of the countryside by foot, cycle, horse or other non-motorised mode will be protected. ....*

4.12 **Policy W1: Water Management** The Environment Agency have commented at Reg16 that due to the neighbourhood area now being included within a defined area of 'serious water stress' the policy could be strengthened. However the LPA were not supportive of doing this in the absence of further consultation. As the changed circumstances are likely to impact on any future planning permission, I do not see that Policy W1 will impede the need for more efficient water targets. The policy complies with the Basic Conditions.

**4.13 Policy H1: Housing in Rural Areas** As discussed above for Policy V1, I do not accept that Claydon is appropriately designated as a settlement. In order that Policy H1 is in general conformity with the strategic policies of the development plan and complies with the Basic Conditions, I recommend that it is amended as shown in Modification 6.

**4.14 Policy H2: Design of housing in the countryside and Claydon, Fiddington, Pamington and Walton Cardiff** As discussed above for Policy V1, I do not accept that Claydon is appropriately designated as a settlement. In order that Policy H is in general conformity with the strategic policies of the development plan and complies with the Basic Conditions, I recommend that it is amended as shown in Modification 6.

**Modification 6:** Criteria A of Policy H1 to remove reference to Claydon as a settlement.

The title of Policy H2 to remove Claydon as a specified settlement.

## 5. The Referendum Boundary

5.1 The Ashchurch Rural Neighbourhood Development Plan (ARNDP) 2020 – 2031 has no policy or proposals that have a significant enough impact beyond the designated Neighbourhood Plan Boundary that would require the referendum boundary to extend beyond the Plan boundary. Therefore I recommend that the boundary for the purposes of any future referendum on the ARNDP shall be the boundary of the designated Neighbourhood Area for the Plan.

Appendix 2: ARNDP Schedule of the Examiner’s Recommended Modifications

Policy / Section	Examiner’s Recommendation	Action
Policy S1	<p><b>Modification 1:</b> Policy S1 to be deleted</p> <p>Text of Plan to be altered: para 132 last sentence to be deleted. Other references to Policy S1 to be deleted. Para 154 – 159 to be deleted</p>	<p><u>Policy S1 to be deleted</u></p> <p><u>Paras 154 to 159 to be deleted</u></p> <p><u>Modification to Para 131 (Sustainable development table) to read:</u></p> <p>Economic Objective</p> <ul style="list-style-type: none"> <li>• Infrastructure priorities are identified <del>• Housing and employment land with associated infrastructure is allocated in S1</del> • Transport development principles are set out in Table 3 • Parameters for modification of commercial (B and E class) uses is set out in E2 • Broadband is supported in C2 • Equestrian businesses are identified in Figure 10</li> </ul> <p><u>Modification to Para 132 to read:</u></p> <p>At present, the parish is experiencing severe development pressure through ‘windfall’ housing sites and the strategic proposals for the A46 Growth Corridor. There is currently no secure 5-year housing land supply and this may lead to unplanned and speculative development. <del>The NDP will allocate land for 850 homes which may provide a secure planning policy framework in the parish for a two year period after the plan is made, as explained in NPPF para. 148.</del></p> <p><u>Modification to Para 137 to read:</u></p> <p>The current Development Plan policies for Ashchurch generally resist major development because of its largely rural character, except to the north near the A46. However, despite this, the lack of a secure housing land supply has led to speculative significant housing and commercial development being allowed on appeal <del>(see NDP Policy S1).</del></p> <p><u>Modification to Para 141 to read:</u></p>

		<p>The greatest threats to Ashchurch Rural Parish arise from climate change and flooding, traffic congestion, and loss of walking/cycling and recreational opportunities. However, as new developments come on stream, such as that at Ashchurch Rural NDP 2019-2031 Submission Draft, July 2021 32 Fiddington (<del>Policy S1</del>) other infrastructure such as education, community, broadband, green infrastructure will become more important.</p>
Policy T1	<p><b>Modification 2:</b> <u>Criteria C of Policy T1 to be amended as follows:</u>  ... “C. Proposals for major development will only be supported where they demonstrate measures to integrate the new community with existing communities, where applicable, within the parish by encouraging a shift from car-based travel to walking, cycling and public transport. These requirements <del>may will</del> include, but are not limited to:  ....  vi. <del>Provision of quality (frequent, convenient and modern) bus services along the A46/A438 corridor. “.....”</del></p>	<p><u>Modification to Policy T1 to read:</u></p> <p>Policy T1: Modal shift for major development proposals</p> <p>A. Transport Assessments should facilitate the delivery of the “Transport development principles in Ashchurch Rural Parish” set out in Table 3 of this neighbourhood plan.</p> <p>B. Transport provision will be required to apply standards set out in the Manual for Gloucestershire Streets.</p> <p>C. Proposals for major development will only be supported where they demonstrate measures to integrate the new community with existing communities, where applicable, within the parish by encouraging a shift from car-based travel to walking, cycling and public transport. These requirements <del>will</del> <b>may</b> include, but are not limited to:</p> <p>i. Provision of walking and cycling links between new and existing communities which use quiet routes/streets and/or traffic free routes according to the standards in LTN1/20</p> <p>ii. New access arrangements and routes must be convenient and direct for walkers and cyclists and must create new accesses and routes that follow pedestrian desire lines according to guidance set out in LTN1/20 10 .</p>

		<p>iii. Improvements to the public rights of way.</p> <p>iv. Travel awareness and behaviour programmes which seek to encourage new residents and employees to use sustainable modes of transport or to use their cars less than they otherwise would. Predicted modal shift must be demonstrated in proposals.</p> <p>v. Infrastructure improvements to significantly increase use of sustainable modes of transport including walking, cycling, bus and rail between Ashchurch Rural Parish and Tewkesbury, Bishop's Cleeve, Cheltenham, Gloucester, Evesham and the surrounding area.</p> <p><del>vi. Provision of quality (frequent, convenient and modern) bus services along the A46/A438 corridor.</del></p> <p><del>vii.</del> vi. Where appropriate, proposals should contribute towards improving walking and cycling access to Ashchurch for Tewkesbury Station, Ashchurch Primary School and any new schools and employment areas within reasonable walking (1 km) and cycling (10 km) distance.</p> <p><del>viii.</del> vii. All proposals should demonstrably seek to avoid or at the least minimise any increase in motorised traffic on the network of quiet lanes in Figure 9.</p> <p>D. Where appropriate, developer contributions will be sought to provide the sustainable transport solutions referred to in this policy, and as a priority, to improve walking and cycling infrastructure along/to the A46, A438 and M5 Junction 9.</p> <p>E. Developments will be required to provide a robust Construction Management Plan and Construction Travel Plan that makes specific reference to Policies T2.</p>
Policy T2	<b>Modification 3:</b> <u>Criteria B of Policy T2 to be amended as follows:</u>	<u>Modification to Policy T2 to read:</u>

	<p>... “B. Where freight and HGV traffic will arise from the <b>development scheme</b>, including during construction, scheme proposers should provide a plan showing routes that will avoid rat-running along minor roads or through settlements <b>as part of the development proposals</b>. The submitted plan should form part of the development proposal and if not, will be attached to any permission as a planning condition. “....</p>	<p>A. Transport provision made under Policy T1 should be supported by evidence that indicates existing road safety issues will not be exacerbated and, where justified, should demonstrably improve road safety for all road users including pedestrians and cyclists.</p> <p>B. Where freight and HGV traffic will arise from the <b>scheme development</b>, including during construction, scheme proposers should provide a plan showing routes that will avoid rat-running along minor roads or through settlements <b>as part of the development proposals</b>. <del>The submitted plan should form part of the development proposal and if not, will be attached to any permission as a planning condition.</del></p> <p>C. Development should not, including during construction, cause harm or obstruction to the public rights of way network. Where diversions to the network are suggested, these must be of a similar or better quality than the route that is being replaced. Diversion routes will be drawn up in consultation with the Parish Council and local community in order to identify best routes.</p> <p>D. Development should ameliorate existing and potential new conflicts between sustainable transport and surface water flooding in order to encourage greater walking and cycling in inclement weather.</p>
Policy E2	<p><b>Modification 4: Policy E2 to be amended as follows:</b>  <del>A.</del> Extensions or modifications of existing Use Classes B2 (industrial), B8 (storage and distribution) and E must be of a scale, <del>type</del> and character commensurate with existing and surrounding development, particularly if located within an existing settlement or the countryside.</p>	<p><u>Modification to Policy E2 to read:</u>  <del>A.</del> Extensions or modifications of existing Use Classes B2 (industrial), B8 (storage and distribution) and E must be of a scale, <del>type</del> and character commensurate with existing and surrounding development, particularly if located within an existing settlement or the countryside.</p>
Policy V1	<p><b>Modification 5: Criteria A of Policy V1 to be amended as follows:</b></p>	<p><u>Modification to Policy V1 to read:</u></p>

	<p>A. Development proposals in rural parts of the Parish other than on sites allocated through the Development Plan, particularly south of the A46 and in other rural areas and outside the developed areas of existing settlements (<del>Claydon</del>, Fiddington, Pamington, <b>and</b> Walton Cardiff) will provide evidence that the tranquillity and accessibility of the countryside by foot, cycle, horse or other nonmotorised mode will be protected. ....</p>	<p>A. Development proposals in rural parts of the Parish other than on sites allocated through the Development Plan, particularly south of the A46 and in other rural areas and outside the developed areas of existing settlements (<del>Claydon</del>, Fiddington, Pamington, <b>and</b> Walton Cardiff) will provide evidence that the tranquillity and accessibility of the countryside by foot, cycle, horse or other non-motorised mode will be protected.</p> <p>B. Loss of existing equestrian infrastructure will be resisted. Where a change of use is proposed, evidence will be required to demonstrate that the building or facility was actively marketed for sale within its current land use for a period of 12 months and that the current use is no longer viable or necessary.</p> <p>C. All development within or adjacent to the countryside will deliver biodiversity enhancements, including biodiversity net gain to ecological networks set out in the Nature Recovery Network and Local Nature Partnership’s Natural Capital <u>Map</u>.</p>
Policy H1	<p><b>Modification 6:</b> Criteria A of Policy H1 to remove reference to Claydon as a settlement. The title of Policy H2 to remove Claydon as a specified settlement.</p>	<p><u>Modification to Policy H1 to read:</u></p> <p>A. New residential development, other than on sites allocated through the Development Plan, will be supported in the countryside and within existing settlements (<del>Claydon</del>, Fiddington, Pamington, Walton Cardiff) where the following criteria are met and the development is:</p> <ul style="list-style-type: none"> <li>i. “Infill” development or adjacent to the edge of the settlement, or</li> <li>ii. An extension or modification of an existing dwelling house, or</li> <li>iii. Conversion and modification of a redundant building, or</li> <li>iv. Within the garden of an existing dwelling house as defined by fences, hedges and other boundary features, but not necessarily within the wider land ownership that may fall outside the normal residential curtilage of the existing dwelling house.</li> </ul>

		<p>B. Single level and bungalow developments will be supported.</p> <p>C. Residential proposals for the development of isolated homes will usually be resisted except under the provisions set out in paras. 78 and 79 of the NPPF (2019).</p> <p>D. Development and modifications to existing buildings must be appropriate in terms of scale and overall size and respect local character and density.</p> <p>E. Development will only be allowed where local infrastructure can meet the impact of the development.</p> <p><u>Modification to title of Policy H2 to read:</u></p> <p><b>Policy H2: Design of housing in the countryside and <del>Claydon,</del> Fiddington, Pamington and Walton Cardiff</b></p>
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