



23 October 2020

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## **CABINET**

A meeting of the Cabinet will be held remotely, via Cisco Webex on **Monday 2 November 2020 at 6.00pm**

Christine Gore  
Interim Chief Executive

To: Members of the Cabinet  
(Councillors Rachel Coxcoon, Tony Dale, Andrew Doherty, Mike Evely, Jenny Forde, Joe Harris, Lisa Spivey and Clive Webster)

Due to the current social distancing requirements and guidance relating to Coronavirus Regulations 2020 – Part 3 – Modification of meetings and public access requirements this meeting will be conducted remotely using Cisco Webex.

Members of the public will be able to follow the proceedings through a broadcast on <https://www.facebook.com/CotswoldDC/> (You do not need a Facebook account for this).

**Recording of Proceedings** - The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

# AGENDA

1. **Apologies**
2. **Declarations of Interest**  
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
3. **Minutes**  
To confirm the minutes of the meeting of the Committee held on **5 October 2020**
4. **Leader's Announcements** (if any)
5. **Public Questions**  
To deal with questions from the public within the open forum question and answer session of fifteen minutes in total. Questions from each member of the public should be no longer than two minutes each and relate issues under the Committee's remit.
6. **Member Questions**  
To deal with written questions by Members, relating to issues under the Committee's remit, with the maximum length of oral supplementary questions at Committee being no longer than one minute. Responses to any supplementary questions will be dealt with in writing if they cannot be dealt with at the meeting.
7. **Partial Update of the Adopted Local Plan - A Planning Reform Update**
8. **Infrastructure Funding Statement**
9. **Gloucestershire Resources and Waste Partnership**
10. **Improvement Works to Environmental Services at Packers Leaze, South Cerney**
11. **Safety Improvements to Memorials at Council Cemeteries**
12. **Validation of Completed Procurement Exercise to renew Framework of Flood Defence Contractors**
13. **Decisions Taken by the Interim Chief Executive**  
  
In accordance with Council Procedure Rule 38, and following relevant consultation, the Head of Paid Service has taken the following decisions:-
  - a. To approve the expenditure of £40,000 in order to enter into a contract with consultants to prepare a district wide renewable energy strategy and resource assessment. This is in accordance with a decision made by Cabinet in September 2019 to allocate funding for this purpose.

- b. To approve the Policy for the implementation and payment of the Test and Trace Discretionary Support Payments, authorisations and protocols, as required under the Government's Test and Trace Support payment scheme. The discretionary element of this scheme commenced on 28 September and will be in place until 31 January 2021.
- c. To delegate to the Senior Officer with responsibility for Environmental Health, the authority to exercise the powers contained within the following regulations:
- The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 2) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 3) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 4) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 5) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) (Amendment) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020
  - The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020
  - Health Protection (Coronavirus) (Restrictions on Holding of Gatherings and Amendment) (England) Regulations 2020

14. **Schedule of Decisions Taken by the Leader of the Council and/or Individual Cabinet Members**

15. **Issue(s) Arising From Overview and Scrutiny and/or Audit (if any)**

(END)



**Minutes of a meeting held remotely of Cabinet held on 5 October 2020**

Councillors present:

Joe Harris - Chair

Rachel Coxcoon  
Tony Dale  
Andrew Doherty

Jenny Forde  
Mike Evemy  
Lisa Spivey

Officers present:

Interim Chief Executive  
Chief Finance Officer  
Interim Monitoring Officer  
Democratic Services

Economic Development Lead  
Community Wellbeing Manager  
Community Partnerships Officer

Observers: Councillors Stephen Andrews, Patrick Coleman, Nikki Ind, Juliet Layton, and Gary Selwyn.

CAB.38 Apologies were received from Councillor Webster.

**CAB.39 Declarations of Interest**

There were no declarations of interest by Members.

There were no declarations of interest under the Code of Conduct for Officers.

**CAB.40 Minutes**

**RESOLVED that the Minutes of the Meeting of Cabinet of 7 September 2020 be approved as a correct record:**

**Record of Voting - for 6, against 0, abstention 1, absent 1.**

**CAB.41 Leader's Announcements**

There were no announcements from the Leader.

**CAB.42 Public Questions**

No requests for public questions had been received.

**CAB.43 Member Questions**

No questions had been received from Members.

**CAB.44 Green Economic Development Strategy**

The Cabinet was requested to consider adopting the Green Economic Growth Strategy, to guide the District Council's activities to support economic growth in the District in line with Council Plan priorities.

The Cabinet Member for the Economy and Skills presented the Strategy and advised that a four week consultation exercise would be undertaken with further reporting to Cabinet once completed. He explained that the focus of the Strategy would be around agritech, cyber/digital and green technologies in order to support local businesses in adapting to new ways of working in the future and added that work would also continue to support the recovery of town centres and local retailers along with building upon the Fastershire broadband project in the Cotswolds.

The Cabinet expressed their support for the Strategy and thanked the Cabinet Member and Officers for a well written and detailed document. Members also identified some corrections to the document, including the use of consistent reference to the Royal Agricultural University and funding from the Council to the Barn Theatre, which would be amended by Officers following the meeting.

**RESOLVED that:**

- a) the Green Economic Growth Strategy be approved for consultation;**
- b) a focussed consultation exercise takes place over a four week period and a further report is brought back to Cabinet once this has been completed;**
- c) updates on progress against the strategy are brought to Cabinet every six months.**

**Record of Voting - for 7, against 0, abstentions 0, absent 1.**

**CAB.45 New Approach to Community Grants - Civic Crowdfunding**

The Cabinet received a report presenting the case for procuring a Civic Crowdfunding platform for Cotswold District, to enable community fundraising and an alternative approach to Council community investment.

The Cabinet Member for Health and Wellbeing and the Deputy Leader jointly introduced the report and explained the new approach to community grants by investing in a crowdfunding platform called Spacehive. They explained

this was not complicated and enabled local people to pledge money to support local projects and which would also improve transparency and deliver better outcomes from the Council's investment in grants. They added that the Council had been offered a 20% discount in the first year and Spacehive would support the development of new projects which met local priorities and would also provide data on the impact of projects on local communities.

The Cabinet noted the importance of investing to grow and supporting local project creators using this tool and also of the required amendment to recommendation (d) as advised by the Interim Chief Executive; that delegated authority be granted to the Interim Chief Executive in consultation with the Deputy Leader.

**RESOLVED that Cabinet:**

- a) **considers the opportunity presented by investing in a Crowdfunding Platform;**
- b) **agrees to promote its Community Projects Fund and Community Revenue grant scheme through the platform, as 'funds' to pledge the Council's support for community initiatives;**
- c) **agrees to the proposed procurement;**
- d) **agrees to delegate authority to the Interim Chief Executive in consultation with the Deputy Leader to agree the scheme criteria, in line with the Council's priorities.**

**Record of Voting - for 7, against 0, abstentions 0, absent 1.**

**CAB.46 Schedule of Decisions taken by the Leader of the Council and/or individual Cabinet Members**

Cabinet noted the decisions taken by Cabinet Members since the previous Meeting of the Cabinet.

**CAB.47 Issues arising from Overview and Scrutiny and/or Audit Committee (If any)**

There were no issues arising.

The Meeting commenced at 6.00pm and closed at 6.53pm

Chair

(END)



# COTSWOLD DISTRICT COUNCIL

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 7</b>
Subject	<b>PARTIAL UPDATE OF THE ADOPTED LOCAL PLAN – A PLANNING REFORM UPDATE</b>
Wards affected	ALL
Accountable member	Cllr Rachel Coxcoon Cabinet Member for Planning Policy, Climate Change and Energy Email: <a href="mailto:Rachel.coxcoon@cotswold.gov.uk">Rachel.coxcoon@cotswold.gov.uk</a>
Accountable officer	James Brain, Forward Planning Manager Tel: 01285 623549 Email: <a href="mailto:james.brain@cotswold.gov.uk">james.brain@cotswold.gov.uk</a>
Summary/Purpose	To report on the project to partially update the Cotswold District Local Plan within the context of the government's planning reform white paper and expected changes to government planning policy and guidance. The report also covers governance arrangements, the Council's Statement of Community Involvement and expected local plan making costs.
Annexes	Annex A - SWOT analysis of maintaining the existing Local Plan work programme Annex B - Local Plan Programme Board Terms of Reference Annex C - Cirencester Town Centre Masterplan Programme Board Terms of Reference Annex D - Statement of Community Involvement 2020 update Annex E - Local Plan Programme of Work Annex F - Anticipated costs of Plan Making
Recommendation/s	<i>That Cabinet:</i> <i>(a) Makes clear its preferred approach to plan making in the short term;</i> <i>(b) Approves Terms of Reference for the Local Plan Board and Masterplan Board;</i> <i>(c) Approves the update to the Statement of Community Involvement; and</i>

	<i>(d) Approves draw down of £284,500 from the Council Priorities Fund reserve to initiate and / or remunerate programmes of work identified in para 5.3</i>
Corporate priorities	<ul style="list-style-type: none"> <li>● Presenting a local plan which is green to the core</li> <li>● Responding to the challenges presented by the climate change emergency</li> <li>● Delivering good quality social rented homes</li> </ul>
Key Decision	YES
Exempt	NO
Consultees/ Consultation	<p>Internal consultation: Senior Management Team, Development Management and Heritage and Design Teams</p> <p>External consultation: Cirencester Town Council (Annex C)</p>



## **1. BACKGROUND**

- 1.1. At a meeting of Full Council on Wednesday 3 June 2020, members unanimously agreed to undertake a partial update of the Local Plan. The update only focuses on issues that need modification within the plan period (to 2031) and does not invite consultation and examination on matters beyond the plan period.
- 1.2. Subsequent to the meeting of Council, on Thursday 6 August 2020 the Government published two planning consultations. The first, a White Paper, seeks radical reform of the existing planning system. The second seeks to make specific changes to the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). Both consultations would change the way all authorities plan for new development and determine planning applications.
- 1.3. Council agreed on 23 September 2020 to reject Government proposals to the planning system. It is not the purpose of this report to reiterate all these proposals and their implications, although it is helpful to highlight the principal issues affecting local plan making:
  - Under the White Paper's proposals, Local Plans are expected to be produced within a statutory 30-month timeframe with sanctions for those who fail to do so. They would be significantly shorter in length, based on a new zonal system and limited to no more than setting out site- or area-specific parameters and opportunities.
  - Changes to the current planning system would mean Cotswold District's housing requirement (local plan target) would increase from an average of 420 homes a year to over 1,200 homes a year.

## **2. EXISTING LOCAL PLAN WORK PROGRAMME - OPTIONS GOING FORWARD**

- 2.1. At present the Forward Planning work programme is geared towards producing a revision of elements of the adopted Local Plan so that it remains a sound basis for decision-making.
- 2.2. The update covers a range of issues including housing numbers and site allocations, changes to the NPPF/NPPG, gaps in policy coverage relating to addressing the climate change and ecological emergencies, making the Local Plan green to the core, and other matters. Technical work is in hand regarding these updates. Preliminary "issues and options" for an initial round of stakeholder and public engagement have been identified by officers.
- 2.3. The "Planning for the Future" White Paper consultation changes the basis on which the Council's programme of work is predicated. If these changes are implemented in their current form the existing Local Plan and the system that it rests upon will become obsolete, albeit there is likely to be a transitional period to move from the extant system to a new one.
- 2.4. This begs the obvious question: should the Council carry on preparing the proposed revisions to the adopted Local Plan or should it take a different approach?
- 2.5. The options are relatively simple to identify and are twofold, although the consequences are multifaceted:

- a) OPTION A: Carry on preparing proposed revisions to the adopted Local Plan; and
  - b) OPTION B: Pause the formal / regulatory plan making process until there is clarity on the White Paper and transitional arrangements from the old system to the new, and consequent change to the NPPF and NPPG.
- 2.6. A strengths, weaknesses, opportunities and threats (SWOT) analysis of the options has been carried out (ANNEX A), which succinctly examines what the different approaches may entail.
- 2.7. Both options have their pros and cons. The decision before members is difficult because the impacts of proposals contained in both government consultations may or may not take effect either partially or in full.
- 2.8. There are several factors in favour of continuing with a partial update of the Local Plan (Option A). Chief amongst them is that it is consistent with the Administration's objective to upgrade the Local Plan. Equally, there is no guarantee that changes to the planning system and the National Planning Policy Framework will be made and even if they are that they will be made in a timely manner, especially given the current Covid-19 and Brexit-dominated context. However, there are two significant factors that should be considered when deciding to continue with this approach, a) the cost to the Council of continuing to prepare a plan that may become obsolete, either during production or soon after adoption; and b) the approach is unable to address the significantly higher housing need figures proposed by the "changes to the current planning system" consultation.
- 2.9. Conversely, Option B allows the Council to 'hedge its bets'. Plan making activities continue but they are focussed on projects that are less affected by changes to the planning system. Equally, it allows the Council to pause and review its position once housing need figures and White Paper proposals are confirmed. However, this will mean delaying the delivery of the consultation draft of a partially updated local plan into the public domain. It also assumes that the proposed changes to the planning system and national policy will take effect.

### Conclusion

- 2.10. Although the White Paper has wider ranging effects on the planning system, the most significant issue for Cotswold District, in the short term, is the government's proposed changes to the 'standard method for calculating housing need'. Unlike the White Paper, changes proposed in the 'changes to the current planning system' consultation, in which the new housing need figure resides, are expected to be adopted within a few months. Should the higher housing need figure become the new accepted figure then it is highly likely that the Council will need to reconsider its programme of work and move away from partially updating the Local Plan to a more comprehensive update.
- 2.11. The Local Plan Review PAS toolkit<sup>1</sup> advises Councils that a full update of its spatial strategy and strategic policies will be required if there is a material change in the housing requirement (housing target) because these changes are likely to have

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<sup>1</sup> Council paper agenda item 10, 3 June 2020 - <https://www.cmis.cotswold.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4746/Committee/879/Default.aspx>

implications for other plan requirements / the overall evidence base. A principal agent affecting the housing requirement is a change in the underlying housing need figures.

2.12. The White Paper and changes to existing national planning policy and guidance do not directly prevent the Council from proceeding with a partial update of the local plan at this stage. However, it does affect the basis that the review, and the subsequent decision to partially update the local plan, is predicated. It is therefore important, at this early stage, to reflect how the Council should proceed with its plan making activities.

2.13. An interview with a former senior planning inspector who spent many years examining and advising local planning authorities on local plans provides an unfiltered opinion of the issues that local planning authorities face.

*“More than 50 per cent of local planning authorities do not have an up-to-date local plan. Past experience shows that many of these authorities will be reluctant to start a plan now. They will wait for the current uncertainties to be resolved and for the primary and secondary legislation and housing numbers to be produced. Inevitably, local planning will come to a slow, confused halt. Housebuilding will be delayed.*

*Don’t expect a quick resolution of these questions. There is no way the government can get through all this by its projected date of 2024, especially with Brexit and Covid-19 in the way.*

*There are too many known unknowns. So there are three words I associate with the white paper: confusion; complexity; delays.”<sup>2</sup>*

2.14. Lichfield’s planning consultancy provides an equally insightful review of the challenges that local planning authorities face and in particular state,

*“There will also be some LPAs who are in early plan-preparation stage, with less time and money invested, who might just wait. Why spend lots of local authority money on a Plan now, when there will be a statutory duty to prepare one within 30-months - potentially starting from Summer next year?”<sup>3</sup>*

2.15. This commentary is somewhat countered by the government’s Chief Planner who, in her letter dated October 2020<sup>4</sup>, conveys the following message:

*“...some local authorities may be considering pausing or slowing down the preparation of their local plan, in part due to the uncertainty of when the proposals outlined in “Planning for the Future” come into force. We would strongly encourage local authorities to continue in the preparation and adoption of local plans. There will be a period of policy development after the receipt of the responses to the White Paper. This will in turn be followed by the preparation and progress of any*

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<sup>2</sup> The Planner (RTPI) - The planning white paper is like a complex and confusing science fiction novel  
<https://www.theplanner.co.uk/opinion/the-planning-white-paper-is-like-a-complex-and-confusing-science-fiction-novel>

<sup>3</sup>  
<https://lichfields.uk/blog/2020/september/18/the-local-plan-transition-from-the-nppf-2019-and-the-standard-method-to-a-new-white-paper-planning-system/>

<sup>4</sup>  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/924423/Chief\\_Planners\\_Newsletter\\_-\\_October\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/924423/Chief_Planners_Newsletter_-_October_2020.pdf)

*legislation required to implement the planning reforms. This will take some time and it's therefore important that local areas have a plan in place. As part of the detailed design of the reforms a suitable transition period from approved to new local plans will be implemented."*

- 2.16. The Chief Planner's letter is a useful reminder and aid for those authorities that do not have an up to date local plan. However, it offers little advice on how local planning authorities should proceed with plan making for those authorities such as Cotswold District Council who have already adopted local plans and seek a partial update.
- 2.17. The complication is that the Council needs to have a firm basis on which to plan i.e. how many houses does it need to provide. The suggested higher housing need is a fundamental issue, so much so that it may require a new Local Plan (not a partial update). However, there is currently no certainty as to whether the methodology will be modified following consultation and, if so, what the need figure will be.
- 2.18. If a full and comprehensive update of the local plan is required this will take at least three years before it advances to the examination / adoption stages at which point a new planning system could be in place. It is not difficult to imagine that the government would place an expectation on all local planning authorities to update their plans in accordance with the new system. Meaning the newly approved local plan requires an immediate update.
- 2.19. The Council has to accept the government's intention for some kind of reform of the plan-making system in the near future. The issue is that the extent of this, and when it will happen, are currently unknown.
- 2.20. In these uncertain times, the pragmatic approach is to keep Cabinet updated at regular intervals. If something does start to firm up (e.g. housing need or white paper proposals), then officers will inform Cabinet immediately and where possible suggest a course of action.
- 2.21. This watching brief is a short term solution. It allows the Council to proceed with other plan making activities and commit to delivering wider corporate priorities, such as the Cirencester Town Centre Masterplan and Sustainable Transport Strategy, until such time as the government provides clarity on a replacement plan-making system and housing needs.
- 2.22. Once greater clarity has been established the Council will be better able to update its Local Development Scheme; a document that sets out the programme of work and key milestones associated with preparing and adopting a local plan. In the absence of an official LDS, Annex E provides a list of activities and tasks that the Forward Planning team will be actively delivering over the next 12 to 18 months.

### **3. GOVERNANCE (PROGRAMME BOARDS - TERMS OF REFERENCE)**

- 3.1. Activities preparatory to plan-making will continue in either scenario and it is therefore important to ensure internal governance arrangements are in place and up to date.

- 3.2. Historically the Council has set up non-executive boards to monitor the progress of plan making projects. Draft terms of reference for the Local Plan Board and the Masterplan Board are provided at Annex B and Annex C, respectively. The former updates the extant terms of reference and the latter are new terms of reference.
- 3.3. Although the Boards are separate entities it is likely both board meetings will be held on the same days to help manage resources effectively. The CEO of Cirencester Town Council has been consulted regarding the Cirencester Masterplan Board.

#### **4. STATEMENT OF COMMUNITY INVOLVEMENT (SCI) UPDATE**

- 4.1. Local planning authorities are statutorily required to prepare a Statement of Community Involvement (SCI) setting out how local communities will be engaged in respect of planning matters including plan-making and the determination of planning applications, specifically:
  - Plan-making (e.g. Local Plans, Area Action Plans);
  - Neighbourhood Planning (e.g. Neighbourhood Plans, Neighbourhood Development Orders); and
  - Development management (e.g. the processing and determination of planning applications).
- 4.2. To ensure their effectiveness, SCIs should be kept up to date and reviewed at least once every five years. The current SCI for Cotswold was adopted in 2014 and has therefore been refreshed and updated accordingly. The updated SCI is attached at Annex D.
- 4.3. The sections on plan making and development management have been updated to reflect current practice and procedure and there is a new section on neighbourhood planning. The SCI has also been updated to reflect Covid-19 social distancing guidelines and changes to regulations.
- 4.4. Subject to the approval of Members, the updated SCI will be published on the Council's website and also made available at the Council's main offices and various 'deposit' locations across the District.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1. The financial implications associated with preparing and updating a Local Plan were set out at the Council meeting on Wednesday 3 June 2020. To recap, the costs can be considered against several discrete parts, principally updating the evidence base; policy writing; undertaking consultations (formal regulations and informal); preparation of the publication/submission plan; examination; adoption and legal challenge.
- 5.2. Expected costs for the Local Plan update have been considered as part of the Council's future budget setting process and a more refined update is provided at Annex E. A partial update of the Local Plan is expected to cost up to approximately £740,900.
- 5.3. Approval is sought to draw down £284,500 from reserves to initiate and / or remunerate neighbouring authorities for the following studies:

- Cirencester Town Centre Masterplan (£95,000);
- Gloucestershire-wide Economic Needs Assessment (£3,012);
- Gloucestershire-wide Gypsy Assessment and Site Assessment (£10,000);
- Growth Zone Study / Urban Capacity / Strategic land search (£75,000);
- Preparation of a Sustainable Transport Strategy (£75,000);
- Historic Environment Strategy (£1,500); and
- Public Engagement (£25,000).

It is stressed that officers consider these projects to have a degree of immunity to the implications of what may or may not happen to the plan-making system should the White Paper be enacted. Whatever form the development plan eventually takes, up-to-date evidence in these areas will be required.

It is also very important for members to be mindful of the fact that should the White Paper proposals be enacted as currently proposed the Council may only have 30 months from the date of these coming into force to get a new Local Plan adopted. Ensuring that the Council already has critical pieces of up-to-date evidence in hand will significantly ease what is likely to be a very pressured period for officers and members alike.

## **6. HUMAN RESOURCE IMPLICATIONS**

- 6.1. The most significant implication is the ongoing effects of Covid-19. There is a risk of projects being delayed if the Council needs to redeploy resources to support the community in response to Covid-19.

## **7. LEGAL IMPLICATIONS**

- 7.1. The preparation of a Statement of Community Involvement (SCI) is a requirement of the Planning and Compulsory Purchase Act 2004.
- 7.2. The Council currently has an up to date Local Plan. Whilst pausing the Local Plan update at this stage has no specific legal implications, the Council is statutorily required by the NPPF to maintain an up to date Local Plan. Should the housing need of the District increase significantly, then the Council is obliged to commence a full Local Plan review in order to meet that need. Cabinet will be kept apprised of any such changes to national policy and guidance.

## **8. RISK ASSESSMENT**

- 8.1. The key risks emanate from the uncertainty created by the government's White Paper: Planning for the Future and changes to the NPPF and NPPG, and in particular changes to the 'standard method for calculating housing need' which would increase housing need from 420 per annum to over 1,200 per annum.
- 8.2. These risks are described and explained in papers presented to Council on 23 September 2020.

## **9. EQUALITIES IMPACT**

9.1. There are no equality impacts resulting from the recommendations in this report.

**10. CLIMATE CHANGE IMPLICATIONS**

10.1. The Council has declared a climate emergency which commits the Council to prepare an action plan to show how it will support the District to become carbon neutral. The Council has also committed to make the Local Plan green to its core. An update to the Local Plan will directly support local communities and businesses to mitigate and adapt to climate change.

**11. ALTERNATIVE OPTIONS**

11.1. None.

**12. BACKGROUND PAPERS**

12.1. None

(END)

**ANNEX A - SWOT analysis of maintaining the existing Local Plan work programme**

<b>Option 1: Carry on preparing proposed revisions to the adopted Local Plan</b>	
<b>Strengths</b>	<b>Weaknesses</b>
A five year housing land supply could be maintained. The current slightly increased housing need of 490 homes could be planned for. This would reduce the potential for planning appeals, the associated staff resource requirements and costs associated with appeals and the reputational risk of losing appeals.	Partially updated Local Plan will take until 2023/2024 to adopt
There is no guarantee that “Planning for the Future” White Paper will be enacted (work should continue until the government’s proposals are nearer to becoming reality).	The partial update could be obsolete before it is adopted. If this happens, significant parts of the preparation of the partial update would need to be written off as abortive work and both staff time and budgets would have been wasted.
Ensures implementation and delivery of the Council’s adopted planning policies and development strategy	New-style Local Plans will have to be prepared and adopted within 30 months of commencement. Waiting until “zero hour” before beginning preparation, and taking into account the unfamiliar nature of the new system, risks failure to meet very tight deadlines.
Maintains certainty about the Council’s planning policies and proposals, thus providing clarity to the development industry and public. People know where they are.	The Council is at the beginning of the revision process. The Council could apply the brakes now and change course without having expended a lot of resources.
Many aspects of the Local Plan are working well and don’t need updating or just need tweaking. This approach ensures continuity and improvement of tried and tested policies.	Drafting a new Local Plan from scratch that is “green to the core” is easier than retrofitting new strategic policy objectives into an established framework.
Avoids any delay should the planning reforms not come into force (i.e. there is no guarantee the White Paper or other national policy changes will be enacted).	
<b>Opportunities</b>	<b>Threats</b>
Directly addresses climate and ecological emergencies and other council objectives introduced since the Local Plan was adopted, and could increase delivery of affordable housing.	Reputational risk to the Council. Continuing to prepare a plan (and publicly consult on it) based on an outmoded system may be regarded by the public and development industry as foolhardy.
	A revised Local Plan that is based on a moribund or obsolete system will be more vulnerable to challenge at appeal



	and in the courts. Delay in bringing forward new-style Local Plan will exacerbate that threat.
	Obsolete Local Plan will be a potential threat to local sustainability due to predatory applications
	Fails to address proposed housing need (1,200+ homes p.a.)

**Option 2: Pause the formal / regulatory plan making process until there is clarity on the White Paper and transitional arrangements from the old system to the new, and consequent change to the National Planning Policy Framework.**

<b>Strengths</b>	<b>Weaknesses</b>
Allows the Council to hedge its bets. Preparatory plan- making activities continue but they are focussed on essential projects that are less affected by changes to the planning system.	The approach assumes that the White Paper either in full or parts will survive the transition to primary legislation. The White Paper has been received with scepticism across the board although the government continues to insist that it wants to significantly increase housing delivery.
The Council does not commit significant resources and finance to a programme of work that may become obsolete in 2021/22.	This approach delays the delivery of a partial update of the local plan and the desire to make the local plan green to the core.
Allows resources (in the short term) to be focused on corporate projects, such as the Cirencester Town Centre Masterplan and Sustainable Transport Strategy. These strategies have a bearing on the local plan (and its updates) as well as other corporate objectives such as the Investment Strategy, Economic Recovery Strategy; etc.	
Responds to known risks, such as the increased higher housing need. This will help the Council to identify and promote sustainable forms of planning. Evidence will also help to challenge speculative applications should the Council find itself unable to demonstrate sufficient land supply and/or rates of delivery.	
Ensures that the Council does not risk confusing the public or exhausting its goodwill through consulting on an	

updated Local Plan only to withdraw it before or shortly after adoption.	
<b>Opportunities</b>	<b>Threats</b>
To start a fresh. Build a new long term local plan that has the climate and ecological emergencies interwoven within the plan's vision and objectives.	The White Paper might not be translated in to primary and secondary legislation
Get ahead of the curve. Delivering strategic evidence before the new local plan 30 month timeline takes affect will help the Council to expedite the delivery of a new style local plan.	The Council is unable to progress to local plan to a sufficiently advanced stage to demonstrate sufficient supply of land for housing and /or sufficient rate of houses being built – increasing threat of speculative applications and planning by appeal.

## **ANNEX B: LOCAL PLAN PROGRAMME BOARD TERMS OF REFERENCE**

The overall purpose of the Local Plan Programme Board (“the Board”) is to oversee the review of the Council’s Local Plan and any associated policy documents, and address any emerging programming or resource issues. The Board will champion spatial planning’s key role in future corporate planning and assist with the wider ambition of making the Local Plan is green to its core.

### **Terms of reference:**

#### **1. Strategic management**

- a) Agree a project plan that will lead to the:
  - i. review of the Cotswold District Local Plan;
- b) Receive updates on, and monitor progress against, the project plan, key tasks and critical paths;
- c) Agree remedial actions to be taken in the event of any slippage against the project plan;
- d) Agree a communications strategy (who, what, when, where and how) and undertake defined roles in relation to that strategy;
- e) Act as a sounding board for any specific issues requiring member input prior to the submission of formal reports to Cabinet;
- f) Oversee and report to Cabinet on progress made;
- g) The Board will make recommendations to Cabinet in relation to work programming and staffing resources;
- h) Champion the use of modern technology to aid plan-making and community engagement;
- i) Oversee responses to government consultations on the planning system; and
- j) Receive updates on the progress of Neighbourhood Development Plans and highlight matters of strategic merit.

#### **2. Financial management**

Consider and oversee (and if necessary, recommend to Cabinet) the allocation of financial resources to support the development of the Local Plan; any associated policy documents; and evidence in line with the project management plan.

#### **3. Accountability**

The Board is accountable to Cabinet where it will be represented by the Portfolio Holder for Planning Policy, Climate Change and Energy.

#### **4. Performance management**

The Board will be responsible for monitoring and reviewing performance against the council’s relevant efficiency measures and timetable. This will also include an oversight of risks.

#### **5. Membership**

To be determined.

**6. Arrangements for meetings:**

- a) Board meetings will normally take place once a quarter (or as projects demand) and where practical Meetings will normally be held immediately following the Cirencester Town Centre Plan Board.
- b) The Board is not a decision making body.
- c) Administrative support (minutes) will be provided by Committee Services.
- d) Project support will be provided by Forward Planning's Project Officer.

## **ANNEX C: CIRENCESTER TOWN CENTRE PROGRAMME BOARD TERMS OF REFERENCE**

The overall purpose of the Cirencester Town Centre Programme Board (“the Board”) is to oversee the delivery of a new Masterplan for Cirencester Town Centre, a requirement of the Council’s adopted Local Plan and the Corporate Plan.

### **Terms of reference:**

#### **1. Strategic management**

- a) To give effect to the agreed Memorandum of Understanding between Cirencester District Council and Cirencester Town Council to work collaborative in the preparation of the Cirencester Town Centre Masterplan;
- b) Agree a project plan that will lead to the delivery of new Masterplan for Cirencester Town Centre and indirectly the delivery of the Cirencester Neighbourhood Development Plan
- c) Receive updates on, and monitor progress against, the project plan, key tasks and critical paths;
- d) Agree remedial actions to be taken in the event of any slippage against the project plan;
- e) Agree a communications strategy (who, what, when, where and how) and undertake defined roles in relation to that strategy;
- f) Act as a sounding board for any specific issues requiring member input prior to the submission of formal reports to Cabinet;
- g) The Board will provide oversight and make recommendations to Cabinet in relation to work programming and staffing resources;
- h) Champion the use of modern technology to aid plan-making and community engagement;
- i) Oversee responses to government consultations on the planning system; and
- j) Receive updates and to on the progress of Cirencester Town Council’s Neighbourhood Development Plans.

#### **2. Financial management**

Consider and oversee (and if necessary, recommend to Cabinet) the allocation of financial resources to support the development of the Masterplan; any associated policy documents (for example Cirencester Town Council’s Neighbourhood Development Plan); and evidence in line with the project management plan.

#### **3. Accountability**

The Board is accountable to Cabinet where it will be represented by the Leader of Cotswold District Council.

#### **4. Performance management**

The Board will be responsible for monitoring and reviewing performance against the council’s relevant efficiency measures and timetable. This will also include an oversight of risks.

**5. Membership**

To be determined.

**6. Arrangements for meetings:**

- a) Board meetings will normally take place once a quarter (or as projects demand) and where practical Meetings will normally be held immediately following the Cirencester Town Centre Plan Board.
- b) The Board is not a decision making body.
- c) Administrative support (minutes) will be provided by Committee Services.
- d) Project support will be provided by Forward Planning's Project Officer.



# Cotswold District Council Statement of Community Involvement 2020

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## I. Introduction/Summary

This document, the Statement of Community Involvement (SCI), outlines how you and the wider community can get involved in the planning process, subject to [exceptional circumstances](#). Planning affects the daily lives of us all, the homes we live in, the parks and open spaces we use and the roads we travel on. These are just some of the activities that planning is responsible for or involved in.

We are committed to ensuring that we involve the community, interested organisations and statutory stakeholders in planning and development matters which affect them. We want to make it as easy as possible for you to find out how to get involved. A SCI states who the Council will consult, when and how on applications and planning documents.

The SCI provides a framework for future consultation and community engagement, it is intended to be a flexible approach, and to address and expand upon (where appropriate) the requirements for consultation on plan-making and planning applications set out in legislation.

### **Equality**

We understand and respect that people are unique and have individual differences. We celebrate this diversity and encourage positive relationships between people with differing needs.

We are committed to equality of opportunity both in the services we provide and as an employer and we believe that every individual should be treated fairly and equally.

The Local Plan [Equality Impact Assessment](#), under the Equality Act 2010, analyses the impact that the Local Plan proposed policies are likely to have on particular groups in the community.

### **Accessibility**

We are committed to making our website accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. We intend to publish all documents relating to the Local Plan, evidence base and others mentioned in this SCI in an accessible format. For further information please see: [support accessibility](#)

### **I.1 The Benefits of Consultation**

Essentially, the purpose of consultation is to produce a better outcome. By fully involving people at the beginning of the planning process, there will be a better understanding of the issues and needs that are important to the community. A Local Plan can then evolve which reflects those views as far as possible and adequately mitigate the effects of new development. The main benefits of community involvement are:

- **Strengthening the evidence base for plans, strategies, and planning decisions** – stakeholders and local communities bring a different perspective to planning, and should be valued for their expertise, opinions and insight.
- **Community commitment to the future development of an area** – local people can be encouraged to make a difference in their area, with long-term benefits.
- **Promoting regeneration and investment** – by publicising proposals and inviting the involvement of stakeholders and local communities, we can demonstrate our commitment to improving areas and facilitating joint working to achieve better quality outcomes; and
- **Fostering ownership and strengthening delivery** – many elements of the Local Plan will require joint working between the Council, local communities and stakeholders.
- **Involving communities at an early stage of document preparation** (known as ‘front loading’) and throughout, will help to identify and resolve issues earlier in the process, thereby avoiding the need for lengthy independent examinations and delays in plan production. The aim is to seek consensus on issues early in the process. This will offer the public and organisations an opportunity to influence the content of the plan by sharing their knowledge and views.

### **The regulations for producing an SCI**

The preparation of a SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended).

An SCI must set out how the Council intends to achieve community involvement, public participation and cooperation in the preparation of their Local Plan, including any Supplementary Planning Documents (SPDs), as well as setting out how they intend to involve the public when consulting on planning applications. The Neighbourhood Planning Act 2017 also requires SCIs to be up to date and to set out how we will support groups undertaking neighbourhood planning.

In short, the aim of the SCI is to ensure that all sections of the public and community, including local groups and organisations, are actively involved in the planning process and are notified of plans that may affect them.

Unless otherwise stated the ‘Regulations’ referred to in this SCI are: ‘The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)’. The ‘Regulations,’ set out the minimum requirements for community involvement, in local plan making.

### **Legislative changes**

There have been a number of changes in planning legislation since the adoption of our first SCI in 2007, which had minor revisions in 2010 and 2012. Our second SCI was adopted in 2014 following the publication of the National Planning Policy Framework (NPPF) in 2012 and the Local Plan Regulations which came into force in 2012.

This review is therefore vital to ensure that we continue to meet the latest statutory requirements and do all we reasonably can to encourage involvement in the planning process. Recent legislative changes include for example:

- [Neighbourhood Planning Act 2017](#)
- [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (as amended)
- [National Planning Policy Framework - GOV.UK](#) (2018) and [Planning practice guidance - GOV.UK](#)

## 1.2 Review of the SCI

The SCI should be reviewed every 5 years from the date of adoption. It is our intention to revise this document on an on-going basis to address any particular problems or successes which we experience, such as re-evaluate the languages we use. Revisions may also be necessary to reflect best practices, changes to legislation, policy or guidance.

The SCI is a 'Local Development Document' (LDD), which is a collective term to describe the SCI, as well as other planning documents like the Annual Monitoring Report (AMR). As SCIs are no longer defined as a 'development plan document' (DPD) there is no longer a requirement for the SCI to be examined and approved by the Secretary of State; and no longer a requirement for the Council to consult when reviewing and updating our SCI. Once adopted, it will supersede the Council's previously adopted SCI (2014).

## 1.3 What is the Planning System?

Development is influenced by national and local policies. The National Planning Policy Framework (NPPF) ([add link](#)) sets out the Government's national planning policy and includes things like use of land, sustainability, good design and managing flood risk.

The [Adopted Local Plan](#) is our long term strategy to ensure Cotswold District can meet local needs for new homes, employment, shops, open space and infrastructure like roads, schools and leisure facilities. It also includes policies which are used to decide planning applications.

The Local Plan is prepared taking national policy into account. We also publish additional information on how some of these policies will be used. These documents can be found here on the Local Plan Evidence Page: [Evidence base and monitoring](#)

At an even more local level, some town and parish councils and their communities are preparing or have adopted Neighbourhood Plans. Neighbourhood Plans add detail to Local Plan policies and influence what happens at a local level, for example identifying Local Green Spaces.

To date Tetbury and Tetbury Upton, Lechlade on Thames, Northleach with Eastington have adopted Neighbourhood Plans. There are a number of other Neighbourhood Plans underway, their progress can be found on the website: [Neighbourhood planning](#)

On a very site specific scale planning applications are needed for most types of development, such as building a house or an extension, or changing the use of land or buildings. We need

to approve these planning applications before work can start. All planning applications must take all national and local policy into account, including that of Neighbourhood Plans.

Therefore, to do this it is important that we find out people's views about the Local Plan or Planning applications as early as possible.

## 1.4 What is the role of the Council in planning?

Council staff and elected Councillors are involved in making planning decisions and the [Corporate Plan](#) provides a steer on how we act and operate. We work together in a fair and positive way to secure good development which is sustainable i.e. *meeting the needs of the present without compromising the ability of future generations to meet their own needs* (NPPF, para. 7).

### **Spatial Planning - The Forward Planning Team**

This team provides the planning framework for the Cotswold District through the Local Plan. They develop the Local Plan through consultation and engagement with local communities, organisations and statutory stakeholders. This also includes consultation and engagement on Supplementary Planning Documents and strategic Master Plans. The team also assists the Community Partnership Officer in helping Town and Parish Councils to develop their Neighbourhood Plans.

### **The Community Infrastructure Team**

This team is responsible for the Community Infrastructure Levy (CIL). The CIL is a charge placed on development, such as new homes and extensions to homes according to their floor area. The money generated through the levy contributes to the funding of infrastructure to support development growth in Cotswold District

### **Development Management Team**

This team receives, considers and decides planning applications. The team deals with hundreds of applications every year ranging from extensions to houses right up to new housing estates and business buildings.

We assess all planning applications against national policy set out in the NPPF and the Local Plan. Specialists within the team give advice on listed buildings and conservation, biodiversity and green infrastructure, tree preservation and landscaping. We also consult external organisations on technical aspects of an application such as flooding, traffic, and parking.

**Councillors** - Our elected Councillors have a key role to play in the planning process, activities include:

**Representation** - Listening to and representing the views and concerns of residents on planning applications.

**Committees** - Making decisions on some of the more significant or controversial planning applications and those that cannot be determined by officers under delegated powers.

More information can be found about the role of your local Councillor can be found here - [Elected representatives](#)

## 1.5 Our Consultation Commitments

We will actively encourage the community to play an integral role in addressing local issues. Everyone should be provided with the opportunity to be involved in planning. Plans should be shaped by early, proportionate and effective engagement.

We will apply the following principles to all of our planning consultations:

- Involvement will be open to all, regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation, for example.
- We will seek views from interested and affected parties early in the process when comments can have the greatest influence, and throughout.
- Consultation publications will be clear and concise and will not include avoidable “jargon”, without understating the complexities of any decision.
- We will give sufficient and proportionate information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.
- All responses will be considered conscientiously.
- Anyone who asks us to do so will be kept informed, where the issue is relevant to them and consulted on emerging plans in accordance with data protection principles.
- We will consult by a method appropriate for the purpose.

## 2. Consulting on Planning Policy Documents

### 2.1 What do we consult on?

We will consult on development plans and accompanying documents including, but not limited to, Development Plan Documents (DPD), Supplementary Planning Documents (SPD), Neighbourhood Plans and Orders and the Community Infrastructure Levy (CIL) Charging Schedule. As a minimum we will endeavour to meet the consultation requirements set out in the relevant regulations.

#### **Development Plan Documents**

Development Plan Documents (DPD) are planning policy documents which guide development in an area. They set out detailed planning policies which planning officers use to determine planning applications. DPDs form the statutory 'development plan' which includes any minerals and waste plans at County Level and alongside community-led 'made' Neighbourhood Plans. A Development Plan Document is a document produced by the local authority such as a Local Plan.

For Cotswold District, the [Adopted Local Plan](#) is the statutory development plan setting out the principal policies and proposals for land use in the District. It contains a development strategy, allocates sites for future development and sets out policies used in decision making on planning matters. It must be supported by evidence and accord with national planning policy and guidance.

Planning law stipulates that planning applications should be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

DPDs are also subject to the 'duty to co-operate' engagement on any cross boundary strategic matters e.g. housing, transport and flood risk. Each DPD is also accompanied by a Sustainability Appraisal (SA) and includes Strategic Environmental Assessment (SEA), which shows how the policies reflect sustainable development objectives.

#### **Supplementary Planning Documents**

Whilst not having development plan status, Supplementary Planning Documents (SPDs) can be used to expand policy or provide further detail to that already contained within the Local Plan. They can be used to provide guidance but cannot be used to set out new policy. SPDs can be a material consideration in planning decisions.

There will be formal community involvement in the preparation and adoption of the draft document. The preparation process allows for documents to be prepared quickly. Although not subject to independent examination, the underlying principles of soundness still apply.

#### **Neighbourhood (Development) Plans and Orders**

A Neighbourhood (Development) Plan (or NDP) is a community-led planning policy document, supported by the District Council that sets out policies for a designated neighbourhood area (normally a parish area). It can be used to influence the shape and type of development that will take place in a designated area. It can also allocate sites for

development including land for housing and employment, safeguard areas of local green space and include policies for managing development.

A Neighbourhood Development Order grants planning permission for a particular type of development in a designated area.

The process for consultation is set out in [The Neighbourhood Planning \(General\) Regulations 2012](#). Once it is adopted or 'made' by the District Council, a Neighbourhood Plan or Order forms part of the Development Plan and is a material consideration when making decisions on planning applications.

### **Community Infrastructure Levy Charging Schedule**

The Community Infrastructure Levy (CIL) is a charge placed on development, such as new homes and extensions to homes according to their floor area. The money generated through the levy will contribute to the funding of infrastructure, such as highway improvements, flood defences and schools, to support development growth in our District.

A Charging Schedule sets out the levy rate(s) that the authority will charge; the rate is charged per square meter. Like Local Plans it is subject to independent examination before it can be adopted. [The current rates can be found on the Council's website](#).

The CIL Charging Schedule will need to be reviewed periodically, usually at the same as the Local Plan.

In the event of a review of the CIL Charging Schedule, the processes for consultation and examination required to adopt such a schedule, as set out in [the Community Infrastructure Regulations 2010 \(as amended\)](#), will need to be repeated as appropriate. Any other legislative changes and requirements will be taken into account.

## **2.3 Other Planning Policy Documents:**

### **Cirencester Town Centre Masterplan**

The Cirencester Master Plan (or its successor) will provide a framework for the development of the Town Centre. In preparing such a framework there will be a need for consultation and engagement.

The adopted Local Plan 2011-31 paragraph 7.4.24 outlines the need for a Cirencester Master Plan

7.4.24 The Town Centre will, in the longer term, deliver significant retail and business opportunities along with new homes. This would be guided by a Town Centre Master Plan that will be produced by the District Council in association with other stakeholders, including the Town Council, Gloucestershire County Council, the local community, businesses and the Civic Society. The master plan will update and review the existing SPD and build upon the principles that are essentially still valid and supported. It will seek to develop Cirencester Town Centre in a holistic manner, balancing the need to manage traffic, and improve the appearance of the public realm with other competing, environmental, social and economic objectives.

The master plan will be considered for adoption by the Council. This will be accompanied by a consultation report that summarises the main issues raised and the main changes made to the draft document.

The Council maintains an evidence base to support the Local Plan and also produces a Local Development Scheme (LDS) which lists the programme for the preparation and review of planning documents, and the Authority Monitoring Report (AMR) to assess whether adopted planning policies are being successfully implemented and achieving their intended aims.

## **Evidence**

All plans are supported by a wide variety of evidence which is produced and updated throughout plan preparation stages. To keep communities informed and involved in the plan making process we will publish the SCI and any other documents forming part of the evidence base as they are completed.

Evidence is not normally consulted on but it is made publicly available on our website.

## **Local Development Scheme (LDS)**

The timetable for the production of the Local Plan and other Development Plan Documents is published in a Local Development Scheme (LDS). This is regularly reviewed and published when there are changes to ensure the most updated timescales are publicly available.

## **The Duty to Cooperate**

In addition to public consultation on plans, local planning authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This 'Duty to Co-operate' is set out in the Localism Act (2011) and described in the National Planning Policy Framework and National Planning Practice Guidance on plan-making.

The 'Duty to Co-operate' is not defined as consultation, but it ensures that we work effectively with neighbouring authorities and other public bodies to address strategic issues that affect local plans and cross local authority boundaries.

Cotswold District shares a boundary with the following local planning authorities:

- Cheltenham Borough Council;
- Gloucestershire County Council;
- Oxfordshire County Council;
- Swindon Borough Council;
- Stroud District Council;
- Stratford Upon Avon District Council;
- South Gloucestershire;
- Tewkesbury Borough Council;
- Vale of the White Horse;
- Warwickshire County Council;
- West Oxfordshire District Council;



- Wiltshire County Council;
- Worcestershire County Council; and
- Wychavon District Council.

The Local Plan Regulations 2012 sets out the public bodies that we are required to cooperate with and we will engage constructively, actively and on an ongoing basis ([see Appendix](#)). The Duty to Co-operate is not a duty to agree, but we will make every effort to secure necessary cooperation.

Planning practice guidance establishes the council's responsibilities further (<https://www.gov.uk/guidance/plan-making>). In accordance with regulations the council includes details of what actions have been undertaken in accordance with the duty to co-operate in the Authority Monitoring Report (AMR) published annually.

### **Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)**

The Sustainability Appraisal (SA) is an integral and iterative part of the plan preparation process and is required for each Local Plan document, and SA and/or SEA for some Neighbourhood Development Plans and SPDs. It looks at the environmental, social and economic effects of a plan to make sure that the plan promotes sustainable development and takes the most appropriate approach given the alternatives.

At each stage of the Plan preparation there is a corresponding stage of the SA/SEA and these documents are made available during public consultation, including publishing any SA/SEA reports alongside early consultation documents. We will consult on the updated versions at the same time as we consult on the Local Plan. For example, the SA Report should be published alongside the Publication version of a DPD. This allows any interested party the opportunity to comment on the potential environmental, social and/or economic effects of a particular proposal or policy as it emerges.

Due to their technical nature, these documents may also be shared with specific social, economic and environmental consultees for their input. As a minimum we will meet the consultation requirements set out in the relevant regulations. Copies will be available on the website and at deposit locations.

### **Brownfield Land Register**

The Council also has a duty to publish a Brownfield Land Register of previously developed land suitable for housing having regard to the criteria set out in [The Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#)

Proposals to give any land on the register Permission in Principle (PIP) i.e. establish the principle of residential development, will be subject to consultation where appropriate in line with prevailing legislation and guidance. Further information on the Register can be found at: [Brownfield land registers - GOV.UK](#)

## 2.4 Who do we consult?

The following broad sectors of the community will be engaged in the preparation of planning documents in accordance with the relevant legislation:

Engagement should be between ‘*planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees*’ (NPPF, 16c)

[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) sets out the legal requirements for consultation and public participation in respect of local planning documents. This includes specific and general consultation bodies, local residents and businesses.

A Neighbourhood Development Plan (NDPs) is community-led, prepared by a Parish Council or Neighbourhood Forum with support from the District Council, and like the CIL, it has its own set of legal requirements for consultation and examination (see chapter on Neighbourhood Planning).

### **Local Communities**

We will engage with a range of groups and individuals who may have a role or interest in shaping the planning of Cotswold District, including any who have asked to be consulted. By ‘community’ we mean the individuals, groups and organisations that live, work and operate in the District. This includes, but is not limited to, for example local residents, businesses, schools, and community groups and other ‘general’ consultation bodies that are considered appropriate.

The interests of local communities can be represented by town / parish councils or voluntary groups such as Residents’ Associations. These are easy to identify, have the capability to be involved, and offer continuity of representation at a local / neighbourhood level. Specific interests or perspectives can be represented by interest groups. Some Town and Parish Councils are also preparing and have adopted Neighbourhood plans, which can contribute to the evidence for the Local Plan.

Local residents are relatively easy to identify, however, particular sections of local communities can be harder to reach. We will endeavour to engage with groups in our community that can find us less accessible (e.g. disability groups and ethnic groups) these are sometimes referred to as ‘hard to reach’ groups); and encourage involvement from groups that have traditionally not been involved in the planning process (for example younger people). We will seek to engage with the local community through both our general consultation procedures and if appropriate, through more targeted events, (e.g. public meetings, exhibitions and other forums).

### **Statutory Consultees**

There are certain groups that we must involve when consulting on the Local Plan. The Regulations 2012 identify specific organisations that where appropriate we are required to consult, and more general bodies. These are sometimes known as ‘statutory’ consultees and include organisations such as the Environment Agency, Historic England, Natural

England and Highways England. A list of who we must consult is contained within the Regulations and set out in [Appendices](#).

### **Developers and Landowners**

Most developers are familiar with the planning system and seek to be involved. Many can be identified via previous involvement and have the capability to be involved. Similarly, many landowners will be keen to understand and consider the implications of any policies / decisions for their land holdings. As the potential 'deliverers' of development these groups will have an important part to play in identifying options for the Local Plan.

### **Service Providers**

Service providers include local health trusts, schools, colleges, transport providers, emergency services, utilities providers, community development organisations and voluntary groups.

### **Database of Consultees**

A free-standing register of consultees is maintained and up-dated regularly by our Forward Planning team.

On 25th May 2018 the General Data Protection Regulations (GDPR) came into force. We need to ensure that contact details are up-to-date and that consultees are happy to remain on our database. If consultees consent to us holding their contact details we will notify them of future Local Plan consultations and the publication of future planning policy documents that support the Local Plan. Consultees can ask to be removed from the database at any time.

If you would like to be added to the database or need to amend your details, please email [local.plan@cotswold.gov.uk](mailto:local.plan@cotswold.gov.uk) call our Front of House Team on 01285 623000 or sign up using this link: [Consultation Home](#)

We will protect the personal details of respondents in accordance with the [Data Protection Act 2018](#) or its successor.

## 2.5 How do we consult?

*'Plans should be shaped by early, proportionate and effective engagement...'* (NPPF, 16c).

*'Plans should be accessible through the use of digital tools to assist public involvement and policy presentation'* (NPPF, 16e).

**The various methods of engagement that we could use for consultations are listed below:**

- **Council's website** – The main source of all documentation we publish.
- **Email** – Enables large numbers of people to be contacted quickly and efficiently.
- **Media releases** – News releases to local media to raise interest and awareness
- **Social media** – Use of social media to raise awareness. Particularly useful for targeting working age and young people.
- **Availability of consultation documents** – Relevant documents will be made available online and in paper form at a variety of public locations, including libraries.
- **Leaflets and posters** – Information will be displayed in public locations, distribution to large groups, could be more targeted to specific groups
- **Meetings, workshops, 'Drop-in' sessions and focus groups** – These will be organised where appropriate to facilitate face to face engagement with relevant parties.
- **Community events** – Where relevant we will bring our consultation to local community venues
- **Online videos** – Short videos published on the website, for example via social media or on YouTube.
- **Virtual meetings** - Workshops and Focus Groups, for example via zoom or webex.
- **Target events** - such as exhibitions with harder to reach groups for example, e.g. those who find us less accessible or are traditionally unlikely to engage

This list is not intended to be exclusive there are other engagement methods that we may use. It is also not a commitment that all methods will be employed at relevant regulation consultation stages.

In order to ensure engagement with a wide range of organisations and individuals, all of our planning documents and planning applications will be available to view, where possible and access from our website: [Planning policy](#)

In addition, paper copies of planning policy documents are available to view at our office. During consultation periods, documents may also be made available at a number of deposit locations across the district, including libraries. We may make these documents available electronically to town and parish councils and statutory bodies. Requests for printed copies of documents may carry a printing, posting and administration charge.

### **Other engagement**

In addition to meeting statutory consultation requirements during each stage of plan preparation we may also undertake preliminary engagement when there are opportunities

for communities and interested bodies to shape the plan early on at the evidence gathering / survey stage. A range of methods, such as information gathering meetings and workshops, focus groups and targeted consultation may be used. The methods of consultation we use will vary depending on the nature of the planning policy document, the stage of the document being consulted on and the geographical scope or nature of the planning issue being considered. This may involve more than one round of consultation.

*‘There is considerable flexibility open to local planning authorities in how they carry out the initial stages of local plan production, provided they comply with the specific requirements in [regulation 18 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#), (‘the Local Plan Regulations’) on consultation...’ (NPPG, 2019, Paragraph: 034 Reference ID: 61-034-20190315)*

## **Plan Making - Consultation Protocol**

Typically planning policy documents follow a similar process of formal engagement, as laid out in relevant legislation or statute; public consultation on an initial document, a draft or submission version is then consulted upon following consideration of representations received; the document is submitted for examination where recommendations for modifications can be consulted upon and made, before adoption.

The following protocol\* is principally set out with the Local Plan (DPD) in mind; and other statutory consultation such as SPDs and CIL, as appropriate. We will endeavour to deliver the following protocols to assist with discharging duties contained within planning legislation:

At the start of the consultation, we will always notify statutory consultees and groups or individuals registered on our planning policy consultation database for planning matters, ideally by email or if specifically requested by letter, of the commencement dates and period for comment, along with clear guidance regarding how to comment.

Copies of the draft/submission Local Plan and any supporting documents will be made available for inspection during normal office hours at the Council’s main offices in Cirencester, the Moreton Area Centre and at local libraries\*, in accordance with the latest regulations; and will be published on our website.

Notice will be given by local advertisement of the fact that the draft/submission Local Plan and its supporting documents are available for inspection and the places and times at which they can be inspected.

Standardised representation forms will be produced at the presubmission stage of plan production so that comments are framed around the ‘tests of soundness’ upon which Local Plans are examined. Representations will be able to be submitted via the Council’s website.

Responses are encouraged through the online consultation software as this will help to process comments in a more timely manner. However, written comments including by email (send to [local.plan@cotswold.gov.uk](mailto:local.plan@cotswold.gov.uk)) or letter (FOA: Forward Planning) are equally valid methods of submitting comments and will be manually inputted into the Council’s online consultation software.

We will acknowledge receipt of all representations on planning policy. Correspondence sent to Local.plan@cotswold.gov.uk will receive an automated receipt.

We will publish comments received as soon as feasible on our website. However, comments must be 'duly made' (see glossary) to be considered within the plan making process.

We will summarise comments received after each consultation stage and this will be made available via a 'consultation statement' that accompanies the emerging local plan and other planning documents. This will be made available via the Council's website and will be updated following the completion of a formal consultation.

The choice of feedback such as workshop, report or summary will be based on a proportionate approach, dependent on the stage a document has reached and the need for expediency for example.

We will prepare a consultation statement in line with prevailing Regulations setting out:

- which bodies and persons have been consulted
- how these bodies, and any other persons, were consulted,
- A summary of the main issues raised;
- how those main issues have been addressed in the Local Plan,
- and set out the number of representations received.

This document will outline how the main issues raised by consultation have been addressed, including any benefits this brought to the process, setting out the changes made to a planning policy document following

*\*Please also note the section below 'Exceptional Circumstances'*

All 'duly made' comments on the relevant planning policy document will be carefully considered. It is important to note however, that it will not always be possible or appropriate to take a comment on board or decide an issue in accordance with the comment received. There may be other material considerations such as requirements of legislation or national policies to which the Council must adhere. At Examination only soundness or legal compliance issues can be addressed by the Inspector.

We often receive a high volume of correspondence and are unable to respond to individual comments that we receive during a particular consultation. The duly made comments we receive on our planning policy documents will be made publicly available online at the earliest opportunity.

## Feedback Protocol

We aim to provide feedback which is publicly available following informal community involvement activities and or statutory consultation processes associated with the Local Plan.

Feedback will include:

- An acknowledgement of your comments
- A summary, or full response report, of comments and;
- An outline of the actions taken and the reasons why in relation to a representation.
- Frame the responses on a 'we asked, you said, we did' basis, where possible.

Developing the Local Plan and associated documents such as SPDs will be an ongoing process. As well as consulting the community, we will undertake research and produce draft documents. To ensure that people are aware of progress, we intend to provide an ongoing commentary on our website and in other council publications where appropriate.

We will, in addition, make our consultation report or summary document available at our council office and on our website as soon as possible, at: [Planning policy](#)

## 2.6 Exceptional Circumstances

Responding to Covid-19 safety guidelines has affected all aspects of our planning functions. In particular, they have affected the ability to make documents available in public places including local libraries, hold exhibitions, circulate leaflets, attend forums or meetings and the submission of paper based representations as well as the ability for people and groups to meet together to prepare joint responses to applications and planning documents.

There may be times when we cannot meet all of our commitments due to exceptional circumstances, even though we have listed them in this document. We will always be committed to keeping essential services running but the way we deliver some services may change.

For example, during the coronavirus pandemic in 2020 we were not able to display printed copies of some of the Council's documents at the Customer Service Centres because the Centres in Cirencester and Moreton in Marsh were closed.

There may be other exceptional circumstances in the future which prevent us from doing what we have said we will. We will always follow the latest government advice on how to protect the community and our staff. In the meantime, we will try to use our website and social media more, and conduct virtual meetings and conversations where that is possible.

### **Government advice (at October 2020) states:**

*The local planning authority should then make any temporary amendments that are necessary to allow plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable. Local planning authorities are strongly encouraged to use online engagement methods to their full potential. (NPPG, Paragraph: 078 Reference ID: 61-078-201200513)*

## Coronavirus Development Management and Building Control

At the moment, Autumn 2020, we have had to adapt some of our processes and procedures to maintain the safety of our team and our clients. Our offices are now closed but staff are working remotely and electronic applications and pre-application responses will continue to be processed. We can assess samples from photographs, manufacturers details and also hold video conferences.

Our consultations will all be electronic as we reduce paper handling as much as possible. Anyone wishing to make comments on applications should do so online or by e-mail. For more information please visit. [Coronavirus - Planning and building](#)

### 2.6 When can I be involved?

How long does the Consultation Process last for each Planning Policy Documents?

We will normally consult on our plans for the minimum statutory periods of public consultation.

- Development Plan Documents, e.g. Local Plan - 6 Weeks
- Supplementary Planning Document - 4 Weeks
- Community Infrastructure Levy - 4 Weeks
- Scoping of Sustainability Appraisal/Strategic Environmental Assessment - 5 Weeks
- Neighbourhood Plan Area Designation - 4 Weeks
- Draft Neighbourhood Plan/Neighbourhood Development Order - 6 Weeks

The key stages are shown in more detail in the tables showing consultation involvement below.

Please note that if a consultation period will run over an established busy holiday period (for example Christmas or Easter) we may seek to extend the consultation period in such circumstances.

We will ensure that the time periods of consultations are clearly publicised. Late responses will be kept on file but these will be unlikely to influence the content of documents, and will not be considered to be 'duly made' (see the Glossary for what is considered to be 'duly made').

We will consult on our planning policy documents at the relevant stages of plan-making, and we will be guided by up to date legislation, government guidance and best practice advice, and from our communications team, where appropriate. We will carry out planning policy consultations in line with our commitments as set out at the beginning of this SCI, and in accordance with the latest timetable set out in our Local Development Scheme (LDS).

Once the Plan has been submitted for Examination, the Council will take a proportionate approach to further consultation. During this busy Local Plan period it is unlikely the Council would seek resource intensive and/ or specific engagement activities (such as workshops) at this time.



Any main modifications to the Local Plan after submission to the Planning Inspectorate will be subject to a further 6 week consultation period, or as otherwise directed by the Inspector.

## 2.7 Key Stages of Consultation

The tables below show the key stages of consultation for planning documents and the opportunities to be involved. This table highlights the formal stages only and it does not list informal engagements that may take place with organisations and groups in between the formal stages.

### Development Plan Documents (including the Local Plan) DPDs

Table 1 - Key Stages in the Preparation of the Local Plan (DPD)

<b>Stage</b>	The Local Plan - How and what? Public Participation/ Formal Representations or Both?
<b>Stage 1</b> Evidence Gathering	<b>Public Participation</b> - Early engagement with interested parties through meetings and information gathering.
<b>Stage 2</b> Draft Plan <b>Regulation 18</b>	<b>Public consultation</b> on the scope of the plan, draft policies and draft proposals. This stage may include more than one round of consultation depending on the nature of the plan being prepared. A period of 6-8 weeks consultation. Comments received during the consultation are considered and used to inform the next stage of plan preparation.
<b>Stage 3</b> Proposed Submission <b>Regulations 19 and 22</b>	<b>Public Participation and Public Representations -</b> Public consultation on the Proposed Submission version of the plan. A period of 6-8 weeks consultation. Representations received during the consultation are considered prior to the plan being submitted to the Secretary of State
<b>Stage 4</b> Submission <b>Regulation 22</b>	The plan is submitted to the Secretary of State and an Independent Planning Inspector is appointed.

Stage	The Local Plan - How and what? Public Participation/ Formal Representations or Both?
<b>Stage 5</b> Examination <b>Regulations 23-25</b>	<b>Formal Representations</b> - The plan and representations are considered by the Independent Planning Inspector at a public examination. The purpose of the examination is to consider if the plan meets relevant legal requirements and if it is 'sound'. Soundness is tested by considering whether it is justified, effective and consistent with national policy. Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their concerns. Anyone can observe the examination hearings but only those invited by the Planning Inspector can participate. At the end of the hearings the Planning Inspector will issue a report to the Council containing recommendations relating to the plan
<b>Stage 6</b> <b>Adoption</b> <b>Regulation 26</b>	The Council will consider the recommendations made by the Planning Inspector and decide whether to adopt the plan.  <b>All consultees will be notified of any decision to adopt.</b>

The Cotswold District Local Plan was adopted in August 2018 - [Adopted Local Plan](#)

### The Community Infrastructure Levy (CIL)

Table 2 - Key Stages in the Preparation of the CIL Charging Schedule

Stage	How & What?
Stage 1 Evidence gathering and early engagement	Early engagement with interested parties through meetings and information gathering, when necessary.  <b>Public Participation</b>
Stage 2 CIL Draft Charging Schedule Regulation 16	Public consultation on Draft Charging Schedule. The Council will publish a 'Statement of the representations procedure' setting out how and when consultations can be made.  <b>Public Participation &amp; Formal Representation</b>
Stage 3 Submission Regulation 19	An Independent Examiner is appointed to conduct an examination of the Charging Schedule.

Stage	How & What?
Stage 4 Examination Regulation 21	<p>The Charging Schedule is considered by an Independent Examiner at a public examination. Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their concerns. Anyone can observe the examination hearings but only those who have asked to speak will be heard. At the end of the hearings the Examiner will issue a report to the Council containing recommendations relating to the Charging Schedule.</p> <p><b>Formal Representation</b></p>
Stage 5 Approval Regulation 25	<p>Approval and publication of the Community Infrastructure Levy Charging Schedule</p> <p>Cotswold District Council adopted the CIL charging schedule in August 2018 and implemented CIL on 1 June 2019. <a href="#">More information can be found on the Cotswold District Council website.</a></p>

### Supplementary Planning Documents (SPDs)

Table 3 - Key Stages in the Preparation of a Supplementary Planning Document (SPD)

Stage	Supplementary Planning Documents - How and what? Public Participation/ Formal Representations or Both?
<b>Stage 1</b> Evidence Gathering Prepare draft SPD	<p>Early engagement with interested parties through meetings and information gathering. Preparation of the evidence base and input at an early stage.</p> <p>The preparation of draft documents will include the informal involvement of local communities and stakeholders in the development of policies.</p> <p><b>Public Participation</b></p>
<b>Stage 2</b> <b>Draft SPD Regulations 12</b>	<p>Public consultation on a draft version of the SPD. <b>Minimum 4 week period.</b> Representations received during the consultation are considered and used to inform the final version of the plan.</p>

<b>Stage</b>	Supplementary Planning Documents - How and what? Public Participation/ Formal Representations or Both?
<b>and 13</b> Representations and finalise SPD	<b>Public Participation and Formal Representations</b>
<b>Stage 3</b> <b>Adoption</b> <b>Regulation 14</b>	We will make final changes as appropriate. A final version of the SPD is prepared and adopted by the Council.

## 3. Neighbourhood Planning

Neighbourhood Planning was introduced into law by the Localism Act (2011) and gives communities the power and opportunity to develop a shared vision for their neighbourhood and shape the growth of their local area. Neighbourhood Planning is not a legal requirement but a right which communities can choose to use; they can draw up either a Neighbourhood Development Plan or Neighbourhood Development Order or both.

Neighbourhood Development Plans can allocate land or establish policies for land use; and have a say on what buildings should look like, where housing should go or what infrastructure should be provided for example. These plans must be in general conformity with the strategic policies in the Local Plan and have regard to the national planning policy framework.

Once approved at referendum (community vote) Neighbourhood Development Plans 'come into force' as part of the statutory development plan and sit alongside the Local Plan. Neighbourhood Plans carry equal weight to the Local Plan. Decisions on planning applications are made in accordance with the development plan, i.e. using the Local Plan and Neighbourhood Plan, as well as any other material considerations.

Neighbourhood Planning allows communities a stronger role in shaping their local area through three distinct statutory powers:

**Neighbourhood Development Plans** are documents that set out a number of new planning policies for a defined neighbourhood area. A Neighbourhood Development Plan is prepared by a Parish Council or Neighbourhood Forum and is aligned with and supports the strategic needs set out in the Local Plan for the wider local area.

**Neighbourhood Development Orders** grant planning permission for specific types of development in a particular neighbourhood area. They can apply to a specific site or sites or wider area, or for a certain type(s) of development

**Community Right to Build Order** is a form of Neighbourhood Development Order to grant planning permission for small scale development for community benefit on a specific site(s) in a neighbourhood area.

### 3.1 What is the role of the Council in Neighbourhood Planning?

Like Local Plans, regulations cover Neighbourhood Plan / Development Order preparation and referendum stages and should be prepared in accordance with [The Neighbourhood Planning \(General\) Regulations 2012](#) or in accordance with subsequent legislation and guidance. Unlike Local Plans, Neighbourhood Plans are produced by local communities with the support of the Council. We have a duty to provide advice and direction at all stages (making and modifying) that we consider appropriate to help communities produce a neighbourhood plan or order<sup>1</sup>.

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<sup>1</sup> [Neighbourhood Planning Act 2017](#), Section 6 (assistance) - amends Section 18 (SCI) of the [Planning and Compulsory Purchase Act 2004](#)

We will support and assist neighbourhood planning groups, for example by:

- Provide initial advice and information to those expressing an interest in neighbourhood planning;
- Determine applications for a Neighbourhood Forum where appropriate<sup>2</sup>;
- Determine applications to designate a ‘neighbourhood area’;
- Carry out screening to identify and provide an opinion and advice on the need for a Strategic Environmental Assessment, Sustainability Appraisal or Habitats Regulations Assessment;
- Share and provide advice on documents and relevant information from within the Local Plan evidence base;
- Practical assistance, such as mapping, where possible;
- Provide advice on community engagement, publicising consultation including in the preliminary stages of neighbourhood plan making;
- Provide advice and informal comments on draft policies, on the emerging plan and other supporting documents;
- Make formal representations at the pre-submission and submission consultation stages;
- The Council will undertake the consultation on the Submission Plan or order, and organise and fund the examination and referendum;
- Consider the examiner’s report, and determine whether the plan or order should go forward to referendum. Where an examiner recommends modifications, it is the Council’s role to consider and make the modifications;
- If the Plan or order passes the referendum, the Council will ‘make’ the Neighbourhood Plan or order as part of the development plan and publish on the Council website unless it considers that this would breach, or be incompatible with any EU obligation or any of the Convention Rights;

### 3.2 The key stages in preparing Neighbourhood Plans/Orders:

Table 4 - Key Stages in the Preparation of a Neighbourhood Development Plan or Order

Stage	The Neighbourhood Plan or Order - How and what? Public Participation/ Formal Representations or Both?
<b>Stage 1</b> Designation	Neighbourhood Area Application is submitted to the Council. No statutory consultation is required if the area proposed is a single parish. If this area is not the same as the parish or town council boundary, we will consult on the application for a minimum of 6 weeks <b>Formal Representations</b>
<b>Stage 2</b> <b>Draft plan</b>	The community will engage with and involve their residents in the plan preparation process and must report what they have done in their Consultation Statement. Draft Neighbourhood Plan or Order is prepared.

<sup>2</sup> In areas where there is no town or parish council, such as a ‘parish meeting’

<b>Stage</b>	The Neighbourhood Plan or Order - How and what? Public Participation/ Formal Representations or Both?
<b>preparation</b>	Council provides on-going support and assistance, informal comments <b>Public Participation</b>
<b>Stage 3</b> <b>Pre</b> <b>Submission</b> <b>Regulations</b> <b>14</b>	Public consultation on the Pre-Submission plan. A period of 6-8 weeks consultation. <i>Consultation coordinated by the Neighbourhood Planning Group or Forum.</i> Council makes formal representations. <b>Public Participation &amp; Formal Representations</b>
<b>Stage 4</b> <b>Submission</b> <b>to Local</b> <b>Planning</b> <b>Authority</b> <b>Regulations</b> <b>15, 16, 22</b> <b>and 23</b>	The Plan or Order is submitted to the Council. If the Plan or order meets certain legal requirements the Council formally publicises and consults on the Plan. Public consultation on the Plan or Order. Minimum 6 week period. Council makes formal representations. <b>Public Participation &amp; Formal Representations</b>
<b>Stage 5</b> <b>Submission</b> <b>of plan to</b> <b>examination</b> <b>Regulations</b> <b>17 and 24</b>	The Council, in liaison with the Neighbourhood Planning Group/Parish or Town Council/Neighbourhood Forum, will appoint an independent examiner who is sent all representations and who assesses the draft Plan or Order against required criteria. The Council organises and funds the examination.
<b>Stage 6</b> <b>Independent</b> <b>Examination</b> <b>Regulations</b> <b>18 and 25</b>	The examiner has 3 options: a) That the plan/order proceeds to referendum as submitted; b) The plan/order is modified by the LPA to meet basic conditions and then the modified version proceeds to referendum; c) That the plan/order does not proceed to referendum. If the Plan or Order proceeds to referendum and more than half the votes agree (50% plus one vote), it can proceed to adoption.
<b>The Final</b> <b>Stage</b>  Adoption Regulations 18 and 25	The Plan or Order is “made” (adopted) by the Council.

<b>Stage</b>	The Neighbourhood Plan or Order - How and what? Public Participation/ Formal Representations or Both?
<b>Proposals for the modification of a Plan</b>	Council advise and assist modifying an existing Neighbourhood Plan, proportionate to the changes proposed.

The process for modifying neighbourhood plans, should be flexible to correct errors and keep them up-to-date, and should therefore be proportionate to the changes proposed.

Minor updates that would not materially affect policies may be made by the local planning authority, with consent from the qualifying body. In these circumstances, there is no need to repeat consultation, examination and the referendum. Substantial revision to a neighbourhood plan would need to go through the later stages of the process (see table above), from pre-submission consultation onwards.

To date Tetbury and Tetbury Upton, Lechlade on Thames, Northleach with Eastington all have adopted Neighbourhood Plans. There are a number of other Neighbourhood Plans underway, their progress can be found on our website.

The Neighbourhood Planning web pages can be found here: [Neighbourhood planning](#)

For further Information see: [Locality Neighbourhood Planning: Home](#)



## 4. Consulting on Planning Applications

A planning application is submitted to the Council when planning permission is needed for a change of use or physical works. For example .The planning application may consist of an application form, accompanying plans and supporting details.

Planning decisions are made in line with the development plan unless material considerations such as national planning policies indicate otherwise.

This section covers our method for consultation and publicity on planning applications, as well as the opportunities for community participation regarding proposals determined by Cotswold District Council. It considers how community involvement should relate to different stages of the application process i.e. pre-application, application and post-application.

### 4.1 Community Involvement by the Developer

Section 61W of the Town and Country Planning Act 1990 added to by the Localism Act 2011, places a legal duty on developers to consult local communities on very large scale development proposals prior to submitting a planning application. For large scale proposals where there is no legal requirement to consult, the Council agrees with the suggestion in the National Planning Policy Framework that it should strongly encourage developers to involve the local community from an early stage. This may take a variety of forms such as local exhibitions, public meetings, circulation of leaflets or the creation of a well-publicised dedicated website, including a facility to make comments.

Community involvement should ideally be sought in two stages:

1. views should be sought from groups on what may be appropriate for a site so that these comments can, wherever possible, be taken on board before the proposals are drawn up; and
2. further views should be sought on the evolving proposals before a planning application is submitted, so that changes can be made in response before submission, and also so that people are already aware of the background and the proposals when we carry out consultations on the application.

Where an applicant has arranged some community involvement prior to making a planning application, we expect a supporting report to be submitted setting out the type of community involvement, undertaken, the views expressed and the changes made by the applicant in response; if no changes have been made, the report should explain why not.

Anyone proposing development of any scale is likely to find that early information of and consultation and discussion with neighbours, or others, likely to be affected by the development will ease the planning process.

### 4.2 Pre-Application discussions with the council

We encourage developers to seek our views on development proposals before they submit an application. While any views we express will not bind the Council in its subsequent

decision on any planning application, these pre-application discussions help to identify key issues, and help to ensure that the application closely accords with our planning policies. We charge a fee for pre-application advice in accordance with the publicly available detailed information and scale of charges on the Council's website.

### 4.3 Legal consultation requirements

All consultations will be undertaken in accordance with prevailing legislation and advice.

We ensure that we carry out all consultations that we are required to undertake and allow the necessary time period for comments to be made. Consultation according to individual site characteristics and the nature of development proposals, may include:

- Advertising proposals in local newspapers;
- Placing a site notice as near as possible to the application site;
- Advising in writing occupiers of properties immediately adjacent to the application site and directly affected by the proposal;
- Consultation as required with statutory consultees – such as the Environment Agency.

Where appropriate, we also consult others including the following:

1. We provide details of applications on our website. We provide public access to scanned application documents and drawings once applications are complete and ready to be processed. People can register to be notified by email about applications in their area or any part of the district they are interested in. Comments on proposals can be submitted online.
2. We consult other groups and bodies as appropriate to the particular nature of the proposals or its location. The relevant groups or bodies are too numerous to list in full here, but include, for example:
  - Gloucestershire County Councils Highways
  - Thames Water
  - Wessex Water
  - Neighbourhood Planning Groups

Any amendments to application details may be the subject of further consultation. The extent of any consultation will be determined by assessment in terms of impact, the comments received and the relevance of the revisions.

Copies of all current applications are kept for public inspection at the District Council Offices at Trinity Road, Cirencester. Town and parish councils are notified by email alert of applications for their area. A local viewing may be possible by prior agreement with the clerk.

All applications are scanned and entered onto our website using a continuously updated Planning On-Line system. Members of the public are able to view on-line application forms, full plans, drawings, applicant correspondence, submitted comments and can comment on them directly via the website. Comments from interested third parties are removed from the website after the application is determined and any timeframe for an appeal has expired.

Any planning-related comments made in response to a planning application will be placed on file. This is available for public inspection and the applicant will also be able to read the comments made. All representations, whether in support or against the application, will be taken into consideration during the decision making process.

A decision whether or not to grant planning permission can either be taken by the Planning Committee or by Development Management Officers. Over 90% of applications are determined by Officers using the adopted Scheme of Delegation. The scheme includes planning permissions or consents, including Listed Building Consents, TPO applications and Permission in Principle (PIP) applications. The Scheme of Delegation is available from our offices or can be viewed on our website.

Lists are published of the applications due to be considered at the forthcoming meeting of the Planning Committee including the officer's report to that meeting. Public speaking invitations/ notifications will be sent out to those who have submitted or commented on a proposal 10 days prior to the meeting.

People who have objected to or supported an application (or their representatives) are allowed to speak at meetings of the Planning and Licensing Committee subject to certain rules. This facility is also available to a representative of the town or parish council, and the applicant or agent. Information about public speaking is available either from our offices or can be viewed via our website [Public participation](#).

All decisions are available for inspection on our website. The email alert system allows anyone to subscribe and will provide information at various stages of the determination process.

To promote transparency in the decision making process the applicant and the community need to know why a planning application has been permitted or refused. The decision notice and the associated Committee or delegated reports therefore give the reasoning behind decisions. Where the Planning Committee makes a decision against officer recommendation, the reason for this an alternate view is reported in the minutes of the meeting. All information, including Officer reports, is publicly available, on our website.

## 5. Appendices

The legislation for specific and general consultation bodies can be found in the Local Plan Regulations 2012: <https://www.legislation.gov.uk/uksi/2012/767/regulation/2>.

Please note the following lists are not exhaustive and also relate to successor bodies where relevant.

### 5.1 Specific consultation bodies:

The following specific consultation bodies must be consulted where the Council considers that they may have an interest in the subject of the planning document:

- a) The Coal Authority
- b) The Environment Agency
  - c) Historic England
  - d) Marine Management Organisation
  - e) Natural England
  - f) Network Rail
  - g) Highways England former Highways Agency
- h) A relevant authority any part of whose area is in or adjoins the local planning authority's area (such as):
  - a. Adjoining local planning authorities
  - b. Gloucestershire County Council
  - c. Parish and Town Councils within and adjoining Cotswold District Council's area
- i) Electronic communications companies who own or control apparatus situated in Cotswold District Council
- j) Exercises functions in any part of the local planning authority's area:
  - a. NHS Gloucestershire Clinical Commissioning Group (former Primary Care Trusts)
  - b. Relevant utility and infrastructure providers (including water, sewerage, electricity, gas and telecommunications)
- k) Homes England (former Homes and Communities Agency)

## 5.2 Duty to Co-operate bodies

The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that all organisations involved in planning work together on strategic issues.

The authorities and agencies that the Council will co-operate with are specified in Regulation 4 of the Town and Country Planning (Local Development) (England) Regulations 2012. <https://www.legislation.gov.uk/uksi/2012/767/regulation/4>

The following bodies are prescribed as Duty to Co-operate stakeholders (though this may not be an exhaustive list):

- a. The Environment Agency
- b. Historic England
- c. Natural England
- d. Mayor of London
- e. The Civil Aviation Authority
- f. Homes England
- g. Gloucestershire Clinical Commissioning Group (CCG)
- h. The Office of Rail Regulation
- i. Integrated Transport Authorities
- j. Gloucestershire County Council as the local Highway Authority
- k. The Marine Management Organisation
- l. Gloucestershire (GFirst) Local Enterprise Partnership (LEP)\*
- m. Gloucestershire Local Nature Partnership (GLNP)\*

*\*have regard to their activities*

## 5.3 General consultation bodies

We also consult with general organisations and other consultees that we consider appropriate and have an interest in our policies and who can help us with information and ideas, such as, but not limited to;

- a) Voluntary bodies some of all of whose activities benefit any part of the administrative areas
- b) Bodies which represent the interest of different racial, ethnic or national groups within the administrative area
- c) Bodies which represent the interests of the different religious groups within the administrative area
- d) Bodies which represent the interests of disabled persons within the administrative area
- e) Bodies which represent the interests of person carrying on business within the administrative area (such as local Chambers of Commerce)

## 5.4 Others consultees

We may consider the need to consult where appropriate include, for example;

- Relevant educational bodies (such as The Royal Agricultural University)
- Bodies which represent the interest of environmental groups within the administrative area (such as Council Protection of Rural England, Cotswold Conservation (AONB) Board, Cotswolds Canals Trust, The Woodland Trust, Gloucestershire Wildlife Trust, Farming and Wildlife Advisory Group)
- Relevant service providers (such as transport providers ) and local community groups
- Bodies which represent health and sporting groups (such as Sport England)
- Registered Social Landlords, The House Builders Federation
- Emergency Services
- Gloucestershire County Council

Please note that this list is not an exhaustive one.

Any individual or organisation may request to be added to the Local Plan consultee database by contacting [Local.Plan@cotswold.gov.uk](mailto:Local.Plan@cotswold.gov.uk) or 01285 623000.

*\*For Neighbourhood Planning see Schedule 1 'consultation bodies' for Regulations 14 and 16*  
<https://www.legislation.gov.uk/uksi/2012/637/schedule/1/made>

## 6. Glossary

**Area Action Plan (AAP):** a Development Plan Document focused on a specific location or an area subject to significant change or requiring conservation.

**Annual Monitoring Report (AMR):** part of the Local Development Framework to assess the implementation of the Local Development Scheme and the extent to which policies in the Local Development Documents are being implemented.

**Area of Outstanding Natural Beauty (AONB):** A site with a statutory national landscape designation to provide special protection for the area's natural beauty.

**Community:** The term 'community' we use to mean the individuals, groups and organisations that live, work or operate in the District. This includes residents, businesses, community groups and service providers. There are different groups that make up our community and have different needs and expectations.

**Community Infrastructure Levy (CIL):** A charge that allows local authorities to raise funds from most types of development in their area to fund essential infrastructure.

**Development Plan:** document setting out policies and proposals for the development and use of land and buildings (usually the Local Plan)

**Development Plan Document (DPD):** a Local Development Document that has 'development plan status.

**Development Management Policies:** a suite of policies which set out the criteria against which planning applications for the development and use of land and buildings are determined. Such policies will ensure that development accords with the vision and objectives set out in the Local Plan.

**'Duly made' (comments):** Term referring to assessment of comments received during public consultation. To be considered 'duly made' they must;

- Be received within the specific consultation period – late comments at the formal stages will not be accepted;
- Not be anonymous;
- Not be offensive, libellous or otherwise breach the law i.e. inadmissible; and
- Relate to the document, its contents or preparation, and/ or as otherwise stated.

**Examination Hearing:** This is a public examination into the soundness of a development plan document by a Planning Inspector.

**Independent Examination:** The purpose of an independent examination is to consider the 'soundness of a plan' by an independent Planning Inspector, appointed by the Secretary of State to conduct the examination to consider the document as a whole and determine its soundness. In assessing this, the independent Planning Inspector will consider all representations made on the submitted document and the changes that have been suggested by those making representation.

**Local Development Document (LDD):** the collective term for Development Plan and Supplementary Planning Documents etc

**Local Development Framework (LDF):** The previous planning system, introduced in England and Wales by the Planning and Compulsory Purchase Act 2004. The Local Development Framework( LDF) was a term used to describe a 'folder' of documents, which included all the local planning authority's local development documents with a set of separate of DPD's, the first of which was the Core Strategy.

**Local Plan:** see 'Development Plan'.

**Local Planning Authority:** The public authority whose duty it is to carry out specific planning functions for a particular area.

**Made:** Refers to the final stage of Neighbourhood Development Plan (NDP) preparation in which the Plan is successfully 'made' (approved) by the Local Planning Authority

**Masterplan:** is an all-encompassing term. Its scope can range from 10 year implementation at the regional scale, to an illustrative plan of small scale groups of buildings.

**National Planning Policy Framework (NPPF):** The 2012 National Planning Policy Framework Introduced a new planning system. It's aim is to make the planning system less complex and more accessible, to protect the environment and promote sustainable growth. It replaces previous Planning Policy Statements and Guidance. Updated 2019.

**Neighbourhood Plan:** See Neighbourhood Development Plans.

**Neighbourhood Development Plans:** A plan prepared by a Parish or Town Council or a neighbourhood forum for a particular neighbourhood area.

**Neighbourhood Development Order:** Grants planning permission for a particular type of development in a particular area. This could be either a particular development, or a particular class of development (for example retail or housing).

**Participation:** The extent and nature of activities undertaken by those who take part in public or community involvement.

**Planning and Compulsory Purchase Act 2004:** This is an act which makes provisions relating to spatial development and town and country planning; and the compulsory acquisition of land.

**Planning Application:** An application to the Local Planning Authority to seek permission for development or use of land.

**Representations:** Comments submitted in response to a formal or informal consultation.

**Registered Social Landlord (RSL):** housing landlords that are registered with the Housing Corporation. The term currently applies to housing associations and not for profit companies. RSLs are obliged to have publicly available policies and procedures for allocating tenancies.



**Scoping:** The act of or involving an investigation or discussion to determine the effect a proposed policy or project would have on a community or the local environment.

**Statement of Community Involvement (SCI):** A document that sets out what consultation will take place with the community on planning policy documents and planning applications

**Supplementary Planning Documents:** These documents contain policy guidance to supplement the policies and proposals in the Local Plan.

**Supplementary Planning Document (SPD):** a local development document that may cover a range of issues, thematic or site specific, and provides detail of policies and proposals in the Local Plan

**Sustainability Appraisal (SA):** a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental, and economic factors).

## ANNEX E: Local Plan programme of work

Process / Document / Evidence	Status
Respond to the government's planning White Paper consultation	Completed Sept 2020
Review National Modal Design Code	Expected Autumn 2020
Update Terms of Reference for Local Plan and Cirencester Masterplan Programme Boards	November 2020
Statement of Community Involvement	November 2020
Gloucestershire Statement of Common Ground	December 2020
Support delivery of Neighbourhood Plans	ongoing
Commission / Publish key evidence:	
Sustainability Appraisal scoping document	Completed March 2020
Authority Monitor Report	Published June 2020
Residential Land Monitoring statistics	Published Sept 2020
Employment Land Monitoring statistics	Published Oct 2020
Housing Land supply report	Published Oct 2020
Glos. Local Housing Needs Assessment	Published Oct 2020
Glos. Local Economic Needs Assessment	Published Oct 2020
Renewable Energy Strategy	Commissioned Oct 2020
Cotswold District Green Infrastructure Strategy	Publish Dec 2020
Role and Function Settlement Study	Publish Dec 2020
Sustainable Transport Strategy	Commission Dec 2020
Gloucestershire LNP Natural Capital Mapping and Nature Recovery Network / Strategy	Expected 2021
Cirencester Town Centre Masterplan	Commission Jan 2021
Strategic Housing and Economic Land Availability Assessment	Publish July 2021
Glos. Gypsy Needs Assessment	Publish October 2021
Authority Monitor Report 2021	Published June 2021
Residential Land Monitoring statistics 2021	Published June 2021
Employment Land Monitoring statistics 2021	Published July 2021

**ANNEX E: Local Plan programme of work**

Housing Land supply report 2021	Published July 2021
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## ANNEX F – Anticipated plan making costs

Activity	Tasks / Evidence / Processes	Commission	Priority	Est. Cost
Evidence	Economic Development Needs Assessment (periodic updates)	Consultant	Complete	£10,000
Evidence	Five Year Housing Land Supply	In house	Complete	£0
Evidence	Roles and Function of Settlement Study	In house	Complete	£0
Statutory Document	Statement of Community Involvement	In house	Complete	£0
Statutory Document	Sustainability Appraisal Scoping Document	In house	Complete	£900
Evidence	Cirencester Town Centre Masterplan	Consultant	Continue work	£95,000
Evidence	Cotswold Sustainable Transport Strategy	Consultant	Continue work	£75,000
Evidence	Gloucestershire Statement of Common Ground	In house	Continue work	£0
Evidence	Green Infrastructure Strategy	In house	Continue work	£0
Evidence	Growth Zone Study / Urban Capacity / Strategic land search	Consultant	Continue work	£75,000
Evidence	Gypsy & Traveller Assessment and site assessment	Consultant	Continue work	£10,000
Evidence	Historic Environment Strategy	In house	Continue work	£1,500
Evidence	Strategic Housing and Economic Land Availability Assessment	In house	Continue work	£0
Evidence	Authority Monitoring Report	In house	Ongoing	£0
Evidence	Land Supply studies (Housing and Economic)	In house	Ongoing	£0
Evidence	Local Housing Needs Assessment - periodic updates required	Consultant	Ongoing	£15,000
Process	Neighbourhood Plans (supporting delivery)	In house	Ongoing	£0
Process	Public engagement and workshops (all projects)	In house / Consultant	Ongoing	£125,000
Evidence	Cotswold Retail Study	Consultant	Pause until clarity	£25,000
Evidence	Design Code Review	Consultant	Pause until clarity	£25,000
Evidence	Duty To Cooperate Statement	In house	Pause until clarity	£0
Evidence	Employment Land Review	Consultant	Pause until clarity	£25,000
Evidence	Evidence Papers - Development Strategy, Infrastructure, etc.	In house	Pause until clarity	£0
Evidence	Infrastructure Delivery Plan	Consultant	Pause until clarity	£25,000
Evidence	Strategic Flooding Risk Assessment Level 1 and 2	Consultant	Pause until clarity	£7,500
Evidence	Whole Plan and CIL Viability Assessment	Consultant	Pause until clarity	£20,000
Process	Local Plan Adoption	In house	Pause until clarity	£0
Process	Examination in Public	Consultant	Pause until clarity	£75,000

<b>Activity</b>	<b>Tasks / Evidence / Processes</b>	<b>Commission</b>	<b>Priority</b>	<b>Est. Cost</b>
Process	Inspector's letter confirming local plan is sound	In house	Pause until clarity	£0
Process	Legal advice throughout plan making process	Consultant	Pause until clarity	£50,000
Process	Main Modifications consultation	In house	Pause until clarity	£0
Process	Process regulation 18 and 19 consultation representations	In house	Pause until clarity	£0
Process	Regulation 18 and 19 consultation (formal publication)	In house	Pause until clarity	£5,000
Process	Regulation 18 and 19 consultation preparation	In house	Pause until clarity	£20,000
Process	Submission: Preparation / Appoint Programme Officer	Consultant	Pause until clarity	£11,000
Process	Submission: Submit Local Plan to PINS	In house	Pause until clarity	£0
Process	Transitioning from CIL & S106 to national levy	In house	Pause until clarity	£0
Statutory Document	Habitat Regulations Assessment	Consultant	Pause until clarity	£10,000
Statutory Document	Local Development Scheme	In house	Pause until clarity	£0
Statutory Document	Plan writing - Draft Regulation 18 and 19 documents	In house	Pause until clarity	£0
Statutory Document	Sustainability Appraisal	Consultant	Pause until clarity	£35,000



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 8</b>
Subject	<b>INFRASTRUCTURE FUNDING STATEMENT</b>
Wards affected	ALL
Accountable member	Cllr Rachel Coxcoon - Cabinet Member for Planning Policy, Climate change and Energy Email: <a href="mailto:rachel.coxcoon@cotswold.gov.uk">rachel.coxcoon@cotswold.gov.uk</a>
Accountable officer	Jasper Lamoon - Senior Infrastructure Delivery Officer Tel: 01285 623 508 Email: <a href="mailto:jasper.lamoon@cotswold.gov.uk">jasper.lamoon@cotswold.gov.uk</a>
Summary/Purpose	The Infrastructure Funding Statement (new yearly reporting requirement to be published by December 2020) includes a statement of infrastructure projects that Cotswold District Council expects to be wholly or partly funded by CIL for which approval is sought.
Annexes	Annex A - Infrastructure Funding Statement
Recommendation/s	<i>a) To note publication of the data in the CIL and S106 reports of the Infrastructure Funding Statement;</i> <i>b) To approve the publication of the Infrastructure List.</i>
Corporate priorities	In line with the Council's principle of 'rebuilding trust and confidence in the council by promoting a culture of openness and transparency'
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Internal consultation (Development Management, Forward Planning, Heritage & Design, Housing, Community Wellbeing and Finance)

## **1. BACKGROUND**

- 1.1. In the Community Infrastructure Levy (CIL) legislation changes of September 2019, the government introduced a requirement for Councils to produce a yearly 'Infrastructure Funding Statement' (IFS). The first statement, covering the financial year 2019/20, must be published by December 2020.
- 1.2. The aim of the IFS is to increase transparency by providing a statement of accounts of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and CIL collected and spent by a local authority per calendar year. The report has therefore been kept succinct and factual.
- 1.3. The IFS is split into three sections: The Infrastructure List, the CIL Report and the Section 106 Report. The CIL and S106 reports contain factual data about the collection and spending of funding for infrastructure in the District as set out in the CIL regulations. This data does not require Cabinet approval, although it is important for the Cabinet to be aware of its publication.
- 1.4. The Infrastructure List is a statement of infrastructure projects that the Council expects to be wholly or partly funded by CIL. Although this is an evidence based list derived from infrastructure needs identified in the Cotswold District Local Plan 2011-2031, the report seeks approval of its publication.
- 1.5. This IFS only contains information on infrastructure funding collected and spent by the Council and should be read in conjunction with Gloucestershire County Council's (GCC) IFS to get a full picture of infrastructure funding that is collected and spent in Cotswold District.

## **2. MAIN POINTS**

- 2.1. The first element of the IFS is the Infrastructure List.
  - 2.1.1. Prior to the introduction of Infrastructure Funding Statements, the Council's CIL spending priorities were set out in its regulation 123 list. This was a list of infrastructure projects for which the Council would not request financial S106 contributions as required by regulation 123 of CIL regulations 2010 (as amended). However, this list became defunct after the September 2019 CIL legislation changes.
  - 2.1.2. All projects on the list were identified in the [Cotswold District Local Plan 2011-2031](#) as critical or essential to the delivery of the local plan. The Infrastructure List is therefore a continuation of the defunct regulation 123 list. Projects that have been funded or have become obsolete since the creation of the regulation 123 list have been removed. Projects on the list are shown in alphabetical order.
  - 2.1.3. Although the Infrastructure List does not have the same legal restrictions as the regulation 123 list, the Council does not anticipate requesting S106 financial obligations for the infrastructure projects on the list. This is to ensure clarity for developers, GCC and the Council's development management team when negotiating S106 agreements.
  - 2.1.4. The Infrastructure List is a statement of intent. The Council can still opt to spend collected CIL monies on projects not on the list if other unexpected needs arise.

- 2.1.5. The Infrastructure List is evidence based. When documents which identify infrastructure needs and priorities in the district, such as [Cotswold District's Infrastructure Delivery Plan \(IDP\)](#) and [Gloucestershire County Council's Local Transport Plan](#), are updated, changes to the Infrastructure List are likely to be required. These changes would show in next year's IFS.
- 2.1.6. Officers are currently in the process of drawing up proposals regarding the governance arrangements for the spending of CIL monies. Such arrangements are expected to come into place in 2021. It is important to note that CIL monies cannot be spent on Affordable Housing.
- 2.2. The second element of the IFS is the CIL Report.
  - 2.2.1. CIL was implemented in Cotswold District on 1 June 2019. It is a non-negotiable rate on new development which is indexed each year. The rate for 2020 is set at £84.03/sqm for residential developments and £63.02/sqm for retail developments.
  - 2.2.2. CIL only applies to planning permissions granted after 1 June 2019 in Cotswold District and the CIL charge is paid by instalments spread over time to assist the viability of developments. This means that it takes time before enough CIL funds are collected for investment in infrastructure projects.
  - 2.2.3. The CIL regulations 2010 (as amended) set out which figures need to be reported on in the IFS. The full IFS with all figures can be found in Appendix A.
  - 2.2.4. The CIL monies collected so far (£16,635.42) have come from small developments which would not have been subject to a S106 agreement. Hence, none of these funds would have been collected without having CIL in place.
  - 2.2.5. The majority of CIL funds are expected to come from larger developments; however no large developments have been approved since the introduction of CIL in Cotswold District.
  - 2.2.6. 15% of collected CIL funds go to the town/parish council in which the development took place (25% if the application area is covered by a neighbourhood plan). These funds are automatically transferred to the town/parish council twice a year (1 October and 1 April) as defined in the regulations. No CIL funds had been collected on 1 October 2019. The transfer of funds in April 2020 will be reported in next year's IFS.
  - 2.2.7. The Council granted a total of £1,046,871.59 in CIL reliefs. These reliefs are defined in the legislation and the Council does not have any discretionary powers in this matter.
- 2.3. The third element of the IFS is the S106 Report
  - 2.3.1. The CIL regulations 2010 (as amended) set out which figures need to be reported on in the report.
  - 2.3.2. The report includes the S106 agreement for the strategic site at Chesterton which means the total figure of financial obligations (£3,925,445.50) and affordable housing (742) from agreements signed in 2019/20 is likely to be higher than usual.
  - 2.3.3. The Council holds a total of £1,144,885.27 of allocated S106 funds. The government's guide on developer contributions defines allocated as 'the received money has been allocated to a team within the local planning authority, who will spend the money'.



- 2.3.4. £1,014,266.00 of the allocated funds has been collected for the delivery of affordable housing across the district. This includes £200,000 which has already been assigned by the Council to a site at Berrington Road in Chipping Campden.
- 2.3.5. The Council holds £569,235.05 of non-allocated S106 funds. This is money that will be spent by external bodies such as Gloucestershire County Council or the town/local parish council.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. There are no direct financial implications arising from the publication of the Infrastructure List and the CIL report. Proposals regarding the governance arrangements for the spending of CIL monies will be finalised in 2021.
- 3.2. Most legal agreements with financial obligations include a payback clause. If collected S106 monies have not been spent within a defined time period, they need to be returned. An index is applied to such returns. Although the spending period varies among agreements, it is often 5 years from the date of receipt. The IFS clearly sets out which S106 funds are currently held by the Council, which may lead to payback requests from developers.

### **4. LEGAL IMPLICATIONS**

- 4.1. Section 121A of the Community Infrastructure Regulations 2010 require the Council to publish an annual infrastructure funding statement no later than 31st December in each calendar year. The first annual infrastructure funding statement must be published by 31st December 2020 and must comprise the following:
  - (a) a statement of the infrastructure projects or types of infrastructure which the authority intends will be, or may be, wholly or partly funded by CIL
  - (b) a report about CIL, in relation to the previous financial year (“the reported year”),
  - (c) a report about planning obligations, in relation to the reported year
- 4.2. The annual infrastructure funding statement must be published on the Council’s website.

### **5. RISK ASSESSMENT**

- 5.1. The IFS will be published yearly and will create increased transparency on how the Council deals with infrastructure funding. The risks outlined here therefore do not result from the IFS itself, but are possible consequences if S106 agreements are not properly monitored.
- 5.2. There is a risk associated with S106 monies not being collected or collected funds having to be returned as they go over the spending deadline.

**6. EQUALITIES IMPACT**

There are no equalities implications arising from the recommendations in this report

**7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1. An update to the local plan, making it green to the core, could impact on the Infrastructure List in the future. However there are no direct climate change implications from the Infrastructure Funding Statement.

**8. ALTERNATIVE OPTIONS**

- 8.1. It is a legal requirement to publish an Infrastructure Funding Statement with an Infrastructure List. The option of not publishing an Infrastructure Funding Statement has therefore not been considered.

**9. BACKGROUND PAPERS**

- 9.1. None.

(END)



COTSWOLD DISTRICT COUNCIL

# Infrastructure Funding Statement

1 April 2019 to 31 March 2020

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## I. Introduction

I.1 The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL) collected and spent by Cotswold District Council.

I.2 The aim of the IFS is to increase transparency by providing a statement of accounts per calendar year. The report has therefore been kept succinct and factual.

I.3 This report covers the period 1 April 2019 to 31 March 2020, which is referred to as '2019/20' in this report.

I.4 As required by the CIL regulations (paragraph 121A 1a), it also includes a statement of infrastructure projects that Cotswold District Council expects to be wholly or partly funded by CIL called 'The Infrastructure List'.

I.5 This statement only contains information on infrastructure funding collected and spent by Cotswold District Council and should be read in conjunction with Gloucestershire County Council's Infrastructure Funding Statement to get a full picture of infrastructure funding that is collected and spent in Cotswold District.

I.6 For more information on CIL collection and spending, please see our website [www.cotswold.gov.uk/CIL](http://www.cotswold.gov.uk/CIL).

## 2. Infrastructure List

2.1 Prior to the introduction of Infrastructure Funding Statements, Cotswold District Council's CIL spending priorities were set out in its regulation 123 list. This was a list of infrastructure projects for which the Council would not request financial S106 contributions as required by regulation 123 of CIL regulations 2010 (as amended). However, this list became defunct after the September 2019 CIL legislation changes.

2.2 All projects on the list were identified in the [Cotswold District Local Plan 2011-2031](#) as critical or essential to the delivery of the local plan. The Infrastructure List is therefore a continuation of the defunct regulation 123 list. Projects that have been funded or have become obsolete since the creation of the regulation 123 list have been removed.

2.3 Projects on the list are shown in alphabetical order by Parish.

2.4 Cotswold District Council is the custodian of the CIL funds, but is not responsible for the delivery of the projects. Partnership working with Gloucestershire County Council (which is the highways, education and lead local flood authority) will be required to deliver the infrastructure needed to support development in Cotswold District.

2.5 Infrastructure providers will be able to request funding to deliver projects once a year. This procedure will be outlined in the CIL spending governance guidance which will be published by Cotswold District Council in 2021. Infrastructure providers will be expected to demonstrate that match funding from other sources has been sought.

2.6 Although the Infrastructure List does not have the same legal restrictions as the regulation 123 list, the Council does not anticipate requesting S106 financial obligations for the infrastructure projects on the list.

2.7 [Cotswold District's Infrastructure Delivery Plan \(IDP\)](#) identifies all critical and essential infrastructure projects to deliver the Cotswold District Local Plan 2011-2031. The Infrastructure List will take into account any future updates to the IDP.

2.8 Similarly, [Gloucestershire County Council's Local Transport Plan](#), which identifies transport scheme priorities across Gloucestershire, is currently being updated. It is expected that this plan will be adopted by the time Cotswold District Council's 2020/21 Infrastructure Funding Statement is published, at which point changes to the Infrastructure List are likely to be required.

Table 1 - Infrastructure List

<b>Parish</b>	<b>Project</b>
Chipping Campden	Expansion of Chipping Campden Secondary School
Kemble	A429 / A433, between Cirencester and Kemble
Kemble	Re-use of the former railway line for cycling
Lechlade	A417 / Whelford Road, between Fairford and Lechlade
Moreton-in-Marsh	Improvements to A429 (Fosse Way)
Moreton-in-Marsh	Junction improvements at A429 (High Street)/A44 (Oxford Street)
Moreton-in-Marsh	Junction improvements at A429 (High Street)/A44 (Bourton Road)
Stow-on-the-Wold	Improvement of Unicorn junction (A436/B4068)
Tetbury	A433 (London Road / Long Street) / Hampton Street / New Church Street
South Cotswolds	SUDS and soft measure interventions to manage flood risk

### 3. CIL Report

3.1 The total value of CIL set out in all demand notices issued in 2019/20 was **£167,841.82** (see Table 2). Of this amount, **£159,405.21** was from liable floorspace and **£8,436.61** derived from surcharges imposed due to breaches of the Community Infrastructure Levy Regulations. Table 2 also shows the expected neighbourhood contribution for each development. Note that these figures are subject to change due to appeals or variations of the planning permission.

3.2 A total of **£16,635.42** was collected from CIL receipts (see Table 3). Of this amount, **£12,491.26** was from liable floorspace and **£4,144.16** was from surcharges imposed due to breaches of the Community Infrastructure Levy Regulations. There is no neighbourhood contribution on the latter.

3.3 The difference between the amount raised in demand notices and the amount actually collected is due to the CIL instalment policy. CIL payments are paid by instalments spread over time to assist the viability of developments. The instalment policy can be found [on the Council's website](#).

Table 2 – Demand Notices Issued

Reference	Parish	Amount (£)	Neighbourhood Contribution (£)
19/02727/FUL	Andoversford	10,076.80	1,511.52
19/00563/FUL	Bourton-on-the-Water	596.08	89.41
19/04585/FUL	Bourton-on-the-Water	339.62	50.94
19/03209/FUL	Boxwell with Leighterton	7,080.00	1,062.00
19/01955/FUL	Cirencester	8,978.88	1,122.36
19/02195/FUL	Cirencester	28,770.40	4,315.56
19/02223/FUL	Cirencester	12,711.00	1,906.65
19/01242/FUL	Fairford	36,523.20	5,478.48
19/01428/FUL	Fairford	22,940.00	3,441.00
19/01044/FUL	Kempsford	2,500.00	0.00
19/04300/FUL	Notgrove	4,105.03	513.13
19/01838/FUL	Somerford Keynes	11,001.60	1,650.24
19/01096/FUL	South Cerney	1,644.16	0.00
19/02414/FUL	Temple Guiting	18,619.20	279.29



Reference	Parish	Amount (£)	Neighbourhood Contribution (£)
19/02121/FUL	Tetbury	1,955.85	0.00
		<b>167,841.82</b>	

Table 3 – CIL receipts

Reference	Parish	Amount (£)	Neighbourhood Contribution (£)
19/02727/FUL	Andoversford	1,007.68	151.15
19/00563/FUL	Bourton-on-the-Water	596.08	89.41
19/03209/FUL	Boxwell With Leighterton	708.00	106.20
19/02223/FUL	Cirencester	1,271.10	190.67
19/01428/FUL	Fairford	2,294.00	344.10
19/01242/FUL	Fairford	3,652.32	547.85
19/01044/FUL	Kempsford	2,500.00	0.00
19/01838/FUL	Somerford Keynes	1,100.16	165.02
19/01096/FUL	South Cerney	1,644.16	0.00
19/02414/FUL	Temple Guiting	1,861.92	279.29
		<b>16,635.42</b>	

Table 4 – Breakdown of CIL receipts in 2019/20

Components of CIL receipts	Amount (£)
Administration (5%)	831.77
Neighbourhood contribution (15% or 25%)	1,873.69
Strategic Infrastructure Fund	13,929.96
	<b>16,635.42</b>

3.5 The total amount of CIL expenditure for 2019/20 spent on administrative expenses pursuant to regulation 61 was **£831.77 (5%)**. There was no other expenditure and no CIL receipts were allocated but not spent.

3.6 The first CIL receipts passed to town/parish councils under regulation 59A were transferred in April 2020 and will be reported on in the 2020/21 Infrastructure Funding Statement. No unspent CIL receipts were requested to be returned from town/parish councils under regulation 59E.

3.7 The Council retained **£15,803.65** CIL receipts at the end of the reported year. As this is the first year since CIL was implemented in the district, no figures for previous years are available.

3.8 The Council granted a total of **£1,046,871.59** of relief from paying CIL as per part 6 of the CIL regulations 2010 as amended. This consisted of **£602,437.26** of self-build housing relief, **£358,081.70** of residential extension relief and **£86,352.63** of residential annex relief. No claims for charitable or social housing relief were made.

3.9 The requirements for receiving the reliefs above are set in national legislation. The Council does not have any discretionary powers to amend these.

Table 5 – Reliefs granted

<b>Type of Relief</b>	<b>Amount (£)</b>
Self-Build Housing Relief	602,437.26
Residential Extension Relief	358,081.70
Residential Annex Relief	86,352.63
Social Housing Relief	0.00
Charitable Relief	0.00
	<b>1,046,871.59</b>

3.10 Please see Appendix I for all information relating to regulation 121A paragraph 1 (matters to be included in the CIL report) of the CIL regulations 2010 as amended.

## 4. Section 106 Report

4.1 The total amount of money to be provided under planning obligations which were entered into in 2019/20 was **£3,925,445.50**. This includes the S106 agreement for the strategic site in Chesterton, so this figure is likely to be higher than usual.

Table 6 – Financial contributions required from planning obligations signed in 2019/20

Reference	Location	Type	Amount (£)
I4/02365/OUT	Broad Marston Road, Mickleton	Community Facilities	250,000.00
I6/00054/OUT	Chesterton Strategic Site, Cirencester	Community Development Initiatives	100,000.00
		Public Art and Cultural Initiative	100,000.00
		Policing	14,350.00
		CMT Establishment Sum	200,000.00
		Town Centre Car Parking	500,009.50
		Town Centre Public Realm	100,000.00
		S106 Monitoring	199,980.00
		GP Surgery Commuted Sum	348,800.00
		Sixth Form Education	400,000.00
		Off Site Sport	900,000.00
I8/01615/FUL	Ullenwood Court, Coberley	Off Site Affordable Housing	744,975.00
I9/01692/FUL	Old Quarries, Rectory Lane, Avening	Off Site Affordable Housing	67,331.00
			<b>3,925,445.50</b>

4.2 The Council also entered into S106 agreements during the reporting year which will deliver the following non-monetary contributions.

Table 7 – Affordable Housing required from planning obligations signed in 2019/20

Reference	Location	No. of Dwellings
I6/00054/OUT	Chesterton Strategic Site, Cirencester	705
I7/04587/FUL	Sandylane Court, Upper Rissington	10
I9/00086/OUT	Evenlode Road, Moreton-in-Marsh	27
		<b>742</b>

Table 8 – Other non-monetary contributions required from planning obligations signed in 2019/20

Reference	Location	Type
I6/00054/OUT	Chesterton Strategic Site, Cirencester	See appendix C
I7/04587/FUL	Sandylane Court, Upper Rissington	1 self-build plot
I8/00996/OUT	Ebrington, Chipping Campden	Village Car Park and Footpath
I8/01615/FUL	Ullenwood Court, Coberley	1 self-build plot
I9/00086/OUT	Evenlode Road, Moreton-in-Marsh	3 self-build plots
I9/01395/FUL	Tetbury Memorial Recreation Ground, Tetbury	Sport/Recreational Ground

4.3 The Council collected **£268,889.49** from planning obligations entered into this or previous years.

Table 9 – Financial contributions received in 2019/20

Reference	Location	Type	Amount (£)
SC6009	Lower Mill Estate, Somerford Keynes	Section 106 paragraph 20 Nature Conservation Works	28,856.58
I2/00219/OUT	Berrells Road, Tetbury	Transport	21,317.00
I2/01792/OUT	Quercus Road, Tetbury	Dolphin Hall	179,733.00
I5/01020/OUT	Draycott Road, Blockley	Community Projects	38,982.91
			<b>268,889.49</b>

4.4 The Council spent **£132,389.84** collected from planning obligations on infrastructure in 2019/2020.

Table 10 – Total amount of planning obligations spent in 2019/20

Reference	Spent on	Recipient	Amount (£)
SC6009	Ecological Management Plan	Somerford Keynes Parish Council	660.00
SC6009	Neigh Bridge Marsh Creation	Cotswold Water Park Trust	1,600.00
SC6009	Assistant Biodiversity Officer	Publica – Cotswold District Council	3,905.93
SC6009	Water Vole Recovery Project	Cotswold Water Park Trust	7,500.00
02/02286/OUT	Footpath Improvements	Gloucestershire County Council Highways	9,406.00
I3/00291/OUT	Community Contribution	Bourton-on-the-Water Parish Council	35,775.00

13/05306/FUL	Goods Shed	Tetbury Town Council	6,165.00
13/05306/FUL	Dolphin Hall	Tetbury Town Council	9,750.00
13/05306/FUL	Public Sector Care	Relief in Need	15,000.00
13/05306/FUL	Public Sector Care	People for You	3,645.00
15/01020/OUT	Community Projects	Blockley Parish Council	38,982.91
			<b>132,389.84</b>

4.5 The Council currently holds a total of **£1,144,885.27** which has been allocated to infrastructure projects. **£1,014,266.00** of this amount has been collected for the delivery of affordable housing across the district. This includes £200,000 which has been assigned to a site at Berrington Road in Chipping Campden. Another £600,000 is expected to be assigned to a site at Sunground in Avening.

Table 11 – Allocated S106 funds

Reference	Allocated to	Amount (£)
04/01877/FUL	Affordable Housing	36,900.00
12/02133/FUL	Affordable Housing	175,500.00
13/02642/OUT	Affordable Housing	19,565.00
13/05181/OUT	Affordable Housing	104,944.00
13/05306/FUL	Public Sector Care	12,910.44
14/01377/OUT	Affordable Housing	84,957.00
14/02224/FUL	Affordable Housing	200,000.00
14/03208/FUL	Affordable Housing	200,000.00
14/05222/FUL	Affordable Housing	192,400.00
SC6010	CWP Cycleways	3,074.75
SC6006	CWP Cycleways	42,864.32
SC6009	CWP Biodiversity Strategy	84,680.20
		<b>1,144,885.27</b>

4.6 The Council currently holds **£560,793.00** collected before 2019/20 which has not been allocated.

Table 12 – Non-allocated S106 funds

Reference	Location	Contribution for	Amount (£)
02/00076/FUL	Partridge Yard, Birdlip	Off Site Highway Works	2,500.00
02/02286/OUT	Fairford Water Ski Club	Footpath/Cycleway	608.67
13/02391/OUT	Highfield Farm, Tetbury	Dolphin Hall	138,868.99
13/02391/OUT	Highfield Farm, Tetbury	Sports and Leisure Centre	48,000.00
13/02942/OUT	Kingshill Development, Cirencester	Community Facilities	65,305.00
13/03539/OUT	Former Meon Hill Nurseries, Mickleton	Health Facilities	28,076.34
14/01483/OUT	Fire Service College, Moreton-in-Marsh	Community Facilities	250,000.00
14/02365/OUT	Broad Marston Road, Mickleton	Cycle Stand	2,000.00
14/02365/OUT	Broad Marston Road, Mickleton	Sustainable Transport	3,000.00
Multiple	Moreton Park Play Area	Multi Use Games Area	22,434.00
			<b>560,793.00</b>

4.7 Please see Appendix 2 for all information related to regulation 121A paragraph 3 (matters to be included in the S106 report) of the CIL regulations 2010 as amended.

## Appendix A – Matters to be included in the CIL Report under regulation 121A paragraph 1

- (a) The total value of CIL set out in all demand notices issued in the reported year: **£167,841.82**
- (b) The total amount of CIL receipts for the reported year: **£16,635.42**
- (c) The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated: **£0**
- (d) The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year: **£0**
- (e) The total amount of CIL expenditure for the reported year: **£831.77**
- (f) The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year: **£0**
- (g) In relation to CIL expenditure for the reported year, summary details of—
  - (i) The items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item: **Not applicable**
  - (ii) The amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide(wholly or in part): **£0**
  - (iii) The amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation: **£831.77 (5%)**
- (h) In relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item: **Not applicable**
- (i) The amount of CIL passed to—
  - (i) Any parish council under regulation 59A or 59B: **£0**
  - (ii) Any person under regulation 59(4): **£0**
- (j) Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—
  - (i) The total CIL receipts that regulations 59E and 59F applied to: **£0**
  - (ii) The items of infrastructure to which the CIL receipts to which regulations 59E and

59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item: **Not applicable**

(k) Summary details of any notices served in accordance with regulation 59E, including—

(i) The total value of CIL receipts requested from each parish council: **£0**

(ii) Any funds not yet recovered from each parish council at the end of the reported year: **£0**

(l) The total amount of—

(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied: **£15,803.65**

(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied: **£0**

(iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year: **£0**

(iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year: **£0**



## Appendix B – Matters to be included in the S106 Report under regulation 121A paragraph 3

(a) The total amount of money to be provided under any planning obligations which were entered into during the reported year: **£3,925,445.50**

(b) The total amount of money under any planning obligations which was received during the reported year: **£268,889.49**

(c) The total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority: **£560,793.00**

(d) Summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—

(i) In relation to affordable housing, the total number of units which will be provided: **742**

(ii) In relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided: **Please refer to Infrastructure Funding Statement of Gloucestershire County Council for details regarding educational provisions ([www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk)).**

(iii) Other non-monetary contributions:

- **Village Car Park and Footpath in Ebrington**
- **Sport/Recreational Ground in Tetbury**
- **Non-monetary contributions for Chesterton Strategic Site (please see appendix C for more details)**
- **Provision of 1 Self Build Plot in Upper Rissington**
- **Provision of 1 Self Build Plot in Coberley**
- **Provision of 3 Self Build Plots in Moreton-In-Marsh**

(e) The total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure: **£1,144,885.27**

(f) The total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend): **£132,389.84**

(g) In relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item:

<b>Allocated to</b>	<b>Amount (£)</b>
Off Site Affordable Housing	<b>1,014,266.00</b>
CWP Cycle ways	<b>45,939.07</b>

CWP Biodiversity Strategy	<b>84,680.20</b>
Public Sector Care	<b>12,855.00</b>

(h) In relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of—

- (i) The items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item:

Reference	Type	Amount (£)	Recipient
SC6009	Ecological Management Plan	<b>660.00</b>	Somerford Keynes Parish Council
SC6009	Neigh Bridge Marsh Creation	<b>1,600.00</b>	Cotswold Water Park Trust
SC6009	Assistant Biodiversity Officer	<b>3,905.93</b>	Publica (CDC)
SC6009	Water Vole Recovery Project	<b>7,500.00</b>	Cotswold Water Park Trust
02/02286/OUT	Footpath Improvements	<b>9,406.00</b>	GCC Highways
13/00291/OUT	Community Contribution	<b>35,775.00</b>	Bourton-on-the-Water Parish Council
13/05306/FUL	Public Sector Care	<b>3,645.00</b>	People for You
13/05306/FUL	Goods Shed	<b>6,165.00</b>	Tetbury Town Council
13/05306/FUL	Dolphin Hall	<b>9,750.00</b>	Tetbury Town Council
13/05306/FUL	Public Sector Care	<b>15,000.00</b>	Relief in Need
15/01020/OUT	Community Projects	<b>38,982.91</b>	Blockley Parish Council

- (ii) The amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part): **£0**

- (iii) The amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations: **£0**

- (i) The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held: **£0**

## Appendix C – Chesterton Strategic Site, SI06 Agreement Summary

### Chesterton Farm

Cotswold District Council  
Section 106 Agreement Summary  
Reference: 16/00054/OUT



**COTSWOLD**  
DISTRICT COUNCIL

#### 1. Housing Need

- 30% Affordable Housing
  - 55% Affordable Rented
  - 10% Social Rented
  - 35% Shared Ownership
- 5% Custom and self-build housing
- 60 Elderly Housing Dwellings

#### 2. Green Infrastructure

- 39.9 ha of Green Infrastructure including;
  - 6.7 ha Formal Park
  - 23.1 ha Natural and Semi-natural open space
  - 9.4 ha Amenity green space
  - 0.7 ha Allotments
  - 16 Play Areas
- 1.0 ha of Onsite Sports Pitches including
  - 3 Tennis Courts
  - 2 Mini Football Pitches
- £900,000 Offsite Sports Contribution

#### 3. Employment Land

- Three areas of Employment Land for Use Classes B1 (Business), B2 (General Industry) and B8 (Storage or Distribution).
- Commitments for the employment land to be fully serviced and marketed.

#### 4. Neighbourhood centre

- Multi-Functional Community Centre including;
  - Community meeting space
  - Satellite library space
  - Community Management Trust Office
  - Policing point
  - Temporary space available prior to delivery
- Indoor Sports Centre (subject to marketing)
- Recycling Bank
- Central Square

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£100,000 Public Art and Cultural Initiatives Contribution

£100,000 Community Development Initiatives Contribution

£14,350 Policing Contribution

**5. Town Centre Requirements**

£212.77 per dwelling towards Town Centre Car Parking Contribution

£100,000 Town Centre Public Realm Improvements

**6. Community Management Trust**

£200,000 contribution to Establish a Community Management Trust

Long Term Endowment asset to contribute towards the Community Management Trust

**7. Sixth Form Education**

£400,000 towards Sixth Form Education at Cirencester College

**8. Primary Care Provision**

Safeguarded site within the Neighbourhood Centre for the provision of a minimum of a 3 GP surgery

Commitment to market the site for 36 months

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**For information only.**

**Further details and the full legal agreement can be found on the Cotswold District Council website.**

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## Appendix D – Glossary

**Allocated SI06 funds** – Defined on gov.uk as ‘the received money has been allocated to a team within the local planning authority, who will spend the money’

**Charitable relief** – Exemption to pay CIL on buildings for charitable use (paragraph 43 of the CIL regulations)

**CIL Instalment Policy** – The CIL regulations allow for CIL charges to be paid by instalments, provided the charging authority has published an instalment policy. [Cotswold District Council’s instalment policy](#) can be found on its website.

**CWP** – Cotswold Water Park

**Demand Notice** – A notice issued by the Council in line with the CIL regulations upon commencement of a CIL liable development. The Demand Notice states the amount to be paid and when it needs to be paid.

**Liability Notice** – A notice issued by the Council in line with the CIL regulations upon granting permission of a CIL liable development. The Liability Notice states the amount of CIL liability and how this liability was calculated.

**Liable Floorspace** – The floorspace of a development which will incur a CIL charge.

**Neighbourhood Contribution** – Element of collected CIL monies which is transferred to the local Parish or Town Council in which the development took place. The standard contribution consists of 15% of collected CIL monies, which rises to 25% if the Parish or Town Council has a neighbourhood plan in place. The monies need to be returned to the District Council if they have not been spent on infrastructure within 5 years of receipt.

**Residential extension/annex relief** – Exemption to pay CIL on self-build residential extensions or annexes (paragraph 42A of the CIL regulations)

**Self-build housing relief** – Exemption to pay CIL on self-build residential dwellings (paragraph 54A of the CIL regulations)

**Social housing relief** – Exemption to pay CIL on affordable housing (paragraph 49 of the CIL regulations)

**Surcharges** – The CIL regulations require for a series of surcharges to be applied when the CIL procedures have not been followed correctly. [An overview of the surcharges](#) can be found on Cotswold District Council’s website

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**COTSWOLD**  
DISTRICT COUNCIL



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 9</b>
Subject	<b>GLOUCESTERSHIRE RESOURCES AND WASTE PARTNERSHIP</b>
Wards affected	ALL
Accountable member	Cllr Andrew Doherty - Cabinet Member for Waste, Flooding and Environmental Health Email: <a href="mailto:Andrew.Doherty@cotswold.gov.uk">Andrew.Doherty@cotswold.gov.uk</a>
Accountable officer	Scott Williams, Business Manager - Waste Email: <a href="mailto:scott.williams@cotswold.gov.uk">scott.williams@cotswold.gov.uk</a>
Summary/Purpose	In September 2019, Cabinet recommended to Council that support should be given to the Council entering a structured but less formal Joint Waste Partnership within Gloucestershire.  The purpose of this report is to present Cabinet with details of the new Gloucestershire Resources and Waste Partnership, following the end of the Gloucestershire Joint Waste Partnership in December 2019.
Annexes	Annex A - Gloucestershire Joint Municipal Waste Management Strategy 2007-2020  Annex B - Gloucestershire Resources and Waste Partnership, Terms of Reference
Recommendation/s	<i>It is recommended that Cabinet approves Cotswold District Council's membership of the new Gloucestershire Resources and Waste Partnership.</i>
Corporate priorities	The Council being a member of the Gloucestershire Resources and Waste Partnership will contribute towards the corporate priority:  Respond to the challenges presented by the Climate Change Emergency
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Cabinet Member and Senior Officers from the Council and Publica have been consulted on this report





## **1. BACKGROUND**

- 1.1. Prior to the formation of the Gloucestershire Joint Waste Committee (GJWC) there had always been a less formal joint waste partnership, known latterly as the Gloucestershire Waste Partnership (GWP). This partnership did not have statutory or decision making powers but the voluntary structure was intended to maximise joint working. In 2007 all members of the GWP (Cheltenham Borough Council, Cotswold District Council, Forest Of Dean District Council, Gloucester City Council, Stroud District Council, Tewkesbury Borough Council and Gloucestershire County Council) developed and adopted the Gloucestershire Joint Municipal Waste Management Strategy 2007-2020 (**Annex A**).
- 1.2. All members of the GWP have been working in partnership since that time to deliver the objectives of this strategy.
- 1.3. In 2013 the GJWC was formally constituted between Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council and Gloucestershire County Council, with Tewkesbury Borough Council joining later in 2014.
- 1.4. The GJWC was set up to develop a more coordinated approach to waste collection services and improve recycling performance. By working closer together and by sharing officer resources, it was thought greater efficiencies could be achieved by removing duplication. Staff from each member authority were transferred to a Joint Waste Team administered by Gloucestershire County Council, with an annual membership fee payable.
- 1.5. As a result of the GJWC being set up the GWP was disbanded by agreement in 2014. Gloucester City Council and Stroud District Council took the decision not to join the GJWC but attended the group as non-voting partners.
- 1.6. On 6th December 2018, Cheltenham Borough Council sent notice of its intention to leave the GJWC. This triggered the termination provisions, meaning that the GJWC would end on 13th December 2019.
- 1.7. On 2<sup>nd</sup> September 2019 Cabinet received a report on the 'Future Joint Waste Partnership and Waste Management Provision' and recommended to Council that the formal Gloucestershire Joint Waste Partnership end in December 2019 and a new partnership be created, which would be less formal.
- 1.8. On 25<sup>th</sup> September 2019 Council endorsed the Cabinet recommendation to end the formal Gloucestershire Joint Waste Partnership (GJWP) in December 2019 and for a new partnership to be created which would be less formal.
- 1.9. This report presents the steps which were undertaken to review the outgoing GJWC in order to shape the proposed Gloucestershire Resources and Waste Partnership.

## **2. MAIN POINTS**

- 2.1. In order to consider the options available, Gloucestershire County Council (GCC) commissioned a report to review arrangements and to help consider future partnership options. The consultant conducted an interview with the Group Manager - Commissioning, alongside individuals from all other authorities in Gloucestershire. The consensus was there would be value in joint working and of

the options generated, forming a new partnership with a less formal approach that encouraged all partners to join, was favoured.

- 2.2. Officers from across the county have developed terms of reference (attached at **Annex B**) for the new Resources and Waste Partnership and these were considered and supported by the new board structure during its inception meeting on 1 October 2020.
- 2.3. The purpose of the new partnership will be to provide countywide leadership and a framework for joint working between Gloucestershire local authorities on resources and waste matters.
- 2.4. A principal function will be the development of a new joint Resources and Waste Strategy for Gloucestershire, setting out a clear plan for delivering sustainable and affordable services over the next decade. The new partnership will coordinate and oversee the delivery of this strategy which will replace the current Joint Municipal Waste Management Strategy 2007-2020 which is coming to an end.
- 2.5. The new partnership will not have any statutory powers. Statutory responsibility for waste management will remain with the individual local authorities. In addition, each local authority will hold its own budgets, contracts and employ its own staff.
- 2.6. It is proposed that Gloucestershire County Council will employ a Partnership and Community Engagement officer from the existing GCC revenue budget to support the proposed new partnership and coordinate joint communications and projects.
- 2.7. As part of the restructure of the food waste incentive payments, Gloucestershire County Council amended the payment mechanism and this resulted in a reduction in income to this Council, which has been reflected in our budget. However, the County Council has committed £120k p.a. to the new partnership by using £60k of this saving from all of the districts and allocating a further £60k to make the £120k. The intention is to use this fund to run generic waste communication campaigns, which as a member of the partnership, the Council will be able to both influence and take benefit from.
- 2.8. Any further funding, for identified joint projects or similar, would require opt-in and therefore, the model generates no financial burden.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. As detailed in paragraph 2.8 this model creates no financial implications for the Council.
- 3.2. Future decisions around waste and recycling investment will be considered by the Council as necessary.

### **4. LEGAL IMPLICATIONS**

- 4.1. This is an informal partnership to promote collaborative working around waste services in the County. No functions are to be transferred to the proposed body by the Council, and therefore there are no specific legal implications arising from the recommendations made in this report.

### **5. RISK ASSESSMENT**

- 5.1. There are no identified risks associated with the Council being a member of the Gloucestershire Resources and Waste Partnership.
- 5.2. There are however risks if the Council is not a member of the Gloucestershire Resources and Waste Partnership, because it would be potentially unsighted on future opportunities and joint working, and possibly not gain the anticipated benefits from joint communication activities.

## **6. EQUALITIES IMPACT**

- 6.1. There are no specific changes to the waste service delivery in the Cotswolds, connected with the Council being a member of the Gloucestershire Resources and Waste Partnership.

## **7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1. There are no significant implications within this category, although the Council being a member of the Gloucestershire Resources and Waste Partnership will positively contribute towards the corporate priority in relation to climate change, by engaging in joint initiatives with the other Gloucestershire authorities such as shaping the new strategy and undertaking joint communications to inform on the importance of reducing, reusing and recycling waste.

## **8. ALTERNATIVE OPTIONS**

- 8.1. The Council could choose not to be a member of the new Gloucestershire Resources and Waste Partnership however, that may hinder the Council from securing future improvements to waste services, and not realise the benefits from partnership working and joint communications on waste related areas.

## **9. BACKGROUND PAPERS**

- 9.1. None.

(END)



Annex A - Gloucestershire Joint Municipal Waste Management Strategy 2007-2020

<https://democracy.cheltenham.gov.uk/Data/Cabinet/20071030/Agenda/2007%2010%2030%20Gloucestershire%20joint%20municipal%20waste%20strategy%20headline%20strategy%20adoption%20draft.pdf>

## Gloucestershire Resources and Waste Partnership

### Terms of Reference

#### 1 Member Councils

1.1 The membership of the Gloucestershire Resources and Waste Partnership (the “GRWP”) is comprised of the following councils:

(a) **GLOUCESTERSHIRE COUNTY COUNCIL** (the “Waste Disposal Authority” / “WDA”);

1.

2. and the following district councils of Gloucestershire (the “Waste Collection Authorities” / “WCAs”):

3.

(b) **CHELTENHAM BOROUGH COUNCIL;**

(c) **COTSWOLD DISTRICT COUNCIL;**

(d) **FOREST OF DEAN DISTRICT COUNCIL;**

(e) **GLOUCESTER CITY COUNCIL;**

(f) **STROUD DISTRICT COUNCIL;** and

(g) **TEWKESBURY BOROUGH COUNCIL.**

#### 2 Vision

2.1 The vision of the GRWP is as follows:

4. *“We will work together to promote resource efficiency and provide sustainable, safe and cost effective waste management in order to respond to our climate emergency, to conserve natural resources and to protect our environment.”*

#### 3 Purpose

3.1 The purpose of the GRWP is to provide countywide leadership and a framework for joint working between its Council Members on resources and waste related matters. The GRWP has been formed to develop and oversee the strategic, financial and operational roles set out in paragraph 7 hereof.

## **4 Status**

- 4.1 The GRWP is a forum which considers the development and implementation of the Gloucestershire Resources and Waste Strategy.
- 4.2 The GRWP is not a legal entity, hence it does not itself have any statutory powers, functions or duties, nor is it under any statutory obligation pursuant to the Local Government Act 1972 to hold meetings in public or to provide public access to meetings.
- 4.3 These Terms of Reference are not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from these Terms of Reference. The parties enter into these Terms of Reference intending to honour all their obligations hereunder.

## **5 Principles**

- 5.1 The Member Councils shall comply with the following shared principles:
  - 5.1.1 To treat waste as a resource and ensure that it is managed in accordance with the waste hierarchy;
  - 5.1.2 To put climate change considerations at the heart of our decision making.
  - 5.1.3 To work in partnership with each other in order to continuously improve waste management services within Gloucestershire;
  - 5.1.4 To consider and share plans for the development of future services with the GRWP ahead of service changes; and
  - 5.1.5 To work together to ensure waste management services are cost effective and minimise the overall cost to Gloucestershire taxpayers.

## **6 Objectives**

- 6.1 The objectives of the GRWP are as follows:
  - 6.1.1 To help the residents of Gloucestershire to live more sustainably;
  - 6.1.2 To promote a circular economy, where waste is avoided and materials are kept in continual use;
  - 6.1.3 To promote more sustainable production;
  - 6.1.4 To improve local environmental quality;
  - 6.1.5 To develop and oversee high quality, safe and affordable waste management services; and
  - 6.1.6 To measure the GRWP's progress against the agreed actions within its annual plan and communications plan;
- 5.

6. as described more particularly in Annex 1 to these Terms of Reference.

## **7 Role of the GRWP**

7.1 The role of the GRWP is as follows:

### **7.1.1 Strategic**

- (a) To develop a strategic policy framework within which each Member Council can each discharge its statutory functions as a WDA or (as appropriate) as WCA.
- (b) To develop the annual action plan (described in paragraph 7.1.2) and the communications plan (described in paragraph 7.1.3(c)) and to link these to the individual Member Councils local plans.
- (c) To develop proposals for the future development of waste management in Gloucestershire that achieves the above-mentioned GRWP Objectives.

### **7.1.2 Financial**

- (a) To develop and agree with each Member Council an annual action plan for each forthcoming financial year by 31<sup>st</sup> July each year to include the proposed contribution (if any) from each Member Council and to regularly report how these contributions are being spent.

### **7.1.3 Operational**

- (a) To develop a strategy for Gloucestershire, for approval by the Member Councils, which shall contain the strategic priorities and policies for the management of waste within Gloucestershire;
- (b) To assist Member Councils in implementing such strategy once approved by them.
- (c) To develop an annual action plan and communications plan for approval by the Member Councils that is intended to deliver the Objectives set out in paragraph 6 hereof.
- (d) To continuously seek more efficient ways of delivering the GRWP's Objectives, including (without limitation) opportunities for joint procurement, asset sharing and shared service arrangements between the Member Councils.
- (e) To make recommendation regarding the commissioning of work, research and surveys into matters relevant to the GRWP Objectives set out in paragraph 6.



- (f) To agree press releases and carry out communications work subject to the prior approval of the relevant Member Councils.
- (g) To carry out such other activities that are intended to facilitate, or which are conducive or incidental to the objectives set out in this paragraph 7.

## **8 Representation and Composition of GRWP Board**

- 8.1 Two representatives may be appointed by each Member Council (each a “**Representative**”) to the GRWP Board with at least one such Representative for each Member Council being a Lead Member or Cabinet Member (where such a governance structure exists at a Member Council).
- 8.2 Member Councils may appoint another elected Representative to act as a substitute for either of their appointed GRWP Representatives on the occasions where either of their appointed Representatives is unable to attend a GRWP Board meeting.
- 8.3 Any such substitute Representative may speak and vote at meetings.
- 8.4 The quorum for a meeting of the GRWP Board shall be Representatives from at least five Member Councils. Officers may not substitute for elected Representatives but may attend meetings (either in person or via video link) and support members as required.
- 8.5 Other individuals (such as guest speakers and service providers) may be permitted to attend meetings provided they have received a prior written invitation from the Chair.
- 8.6 All meetings of the GRWP Board will be minuted.
- 8.7 The June GRWP Board meeting or whichever GRWP Board meeting occurs soonest after June in any year shall be deemed to be the Annual General Meeting (AGM) of the GRWP Board.

### **Election of Chair and Vice Chair**

- 8.8 A Chair and a Vice Chair of the GRWP Board will be appointed at the first AGM. The Vice Chair shall assume the role of Chair at the next following AGM and a new Vice Chair shall be appointed. The Chair and Vice-Chair shall be elected only from Representatives of the Member Councils.
- 8.9 If a Chair or Vice-Chair ceases to be their Member Council’s appointed Representative for any reason then they shall immediately relinquish the position of Chair or Vice Chair and a new Chair or Vice Chair will be appointed at the next meeting of the GRWP Board.
- 8.10 The responsibilities of the Chair and Vice Chair are:
  - 8.10.1 to oversee arrangements intended to ensure that the GRWP Objectives are achieved;

8.10.2 to facilitate effective consideration, discussion and decision of items at GRWP Board meetings and ensure good order is maintained;

8.10.3 to act as an ambassador for the GRWP and to represent it, as appropriate, to stakeholders and the media.

## **9 Meetings of the GRWP Board and Decision Making**

9.1 Meetings of the GRWP Board shall be held at least four times each financial year with dates to be agreed annually in advance at the AGM.

9.2 Such meetings will be hosted by the Chair's council (the "Host Council"). The Host Council will issue to the Representatives and supporting officers from each of the Member Councils an electronic copy of the agenda for each such meeting and the minutes of the previous meeting at least five clear working days in advance of each meeting. Questions to the board shall be submitted ten days in advance of the meeting.

9.3 Draft Minutes of GRWP Board meetings will be issued by the Host Council within ten clear working days following the relevant meeting.

### **Special GRWP Board Meetings**

9.4 The Chair or at least two Representatives may call a Special GRWP Board Meeting at any time by giving not less than five clear working days notice. Such call shall set out the proposed date of the Special Meeting and the business to be considered at such Special Meeting.

### **Voting**

9.5 Every question shall be determined on a majority basis by the voices of those voting Representatives present.

9.6 Only the appointed GRWP Representatives for each Member Council (or valid substituting Representative in the absence of the appointed Representative(s)) shall be entitled to vote at GRWP Board meetings.

9.7 If a proposal on which a vote is held is likely to have a direct financial impact on a Member Council or contravenes an adopted policy of a Member Council, then that proposal may only proceed if supported by the Representatives of the Member Council(s) affected.

9.8 Any Representative may request that votes are recorded.

## **10 Officer Support**

### **Senior Managers Group**

10.1 The GRWP will be supported by a Senior Managers Group (SMG). This group will consist of at least one senior officer from each Member Council. The Chair and Vice Chair of the SMG shall be from the same Member Councils as the Chair and Vice Chair of the GRWP Board.

10.2 The responsibilities of the SMG are as follows:

- 10.2.1 To develop a Joint Strategy for Gloucestershire for consideration by the GRWP Board and, if approved, recommend such strategy for adoption by each Member Council);
- 10.2.2 To prepare an annual GRWP action plan and communications plan;
- 10.2.3 To prepare and monitor GRWP annual budgets;
- 10.2.4 To prepare GRWP reports and recommendations for consideration by the GRWP Board;
- 10.3 The SMG will meet at least four times a year either in person or via video link.
- 10.4 SMG meetings are informal with the aim of reaching a consensus in respect of recommendations that will be put to the GRWP Board for its consideration. Such recommendations shall have as their purposes the delivery of the Objectives set out in paragraph 6 hereof.
- 10.5 The SMG will oversee the work described in paragraph 10.6 to 10.10 carried out by the “Communications Working Group” and the work described in paragraphs 10.11 and 10.12 carried out by the “Gloucestershire Waste, Safety and Health Group”. Other “task and finish” groups may be commissioned by the SMG as necessary for the achievement of the GRWP Objectives set out above.

#### **Communications Working Group**

- 10.6 A Communications Working Group (“CWG”) will be created by the SMG, which shall be comprised at least one officer from each Member Council. This group will report to and work under the guidance of the SMG.
- 10.7 The CWG will be responsible for the development, implementation and monitoring of the annual GRWP Communications Plan containing details of planned joint communications work to be undertaken.
- 10.8 The CWG will develop communications campaigns under the “Gloucestershire Recycles” brand, with localised, district variations as appropriate. The purpose of such campaigns shall be to ensure that local campaigns are in keeping with and can benefit from the wider national campaigns delivered for government by the Waste and Resources Action Programme (WRAP).
- 10.9 The CWG will meet at least four times a year, either in person or via video link.
- 10.10 Meetings of the CWG are informal with the aim of arriving at decisions by consensus.

#### **Gloucestershire Waste, Safety and Health (GWASH) group**

- 10.11 The Gloucestershire Waste, Safety and Health (GWASH) group will consist of at least one officer from each Member Council. This group will report to and work under the guidance of

the SMG. Waste collection, street cleaning and waste treatment contractors working for the Member Councils will also be invited to attend GWASH group meetings, either in person or via video link.

10.12 Meetings of GWASH group are informal with the aim of arriving at decisions by consensus.

## **11 Funding**

11.1 Each Member Council remains responsible for funding its own service costs.

11.2 A “Partnership and Communications Fund” (the “Fund”) will be generated and maintained in accordance with this paragraph 11 in order to enable the GRWP to support the Member Councils in delivering the Objectives set out in paragraph 6 hereto. This fund will be held by Gloucestershire County Council on behalf of the GRWP.

11.3 Funding for the Fund will be generated by Gloucestershire County Council (GCC) allocating up to (but not more than) a £10,000 top slice per annum from the discretionary Residual Waste Reduction Incentive Payments that would otherwise have been paid by GCC to each of the other Member Councils. For each top slice of up to £10,000, a matching payment of up to (but not more than) £10,000 will be made by GCC into the Fund in addition thereto. Such funding shall be allocated to the Fund by GCC only during the period that such Reduction Incentive Payments continue to be payable by GCC to the other Member Councils.

11.4 The allocation of funding from the Fund will be decided by the GRWP Board as part of an annual action planning and communications planning process. The implementation of work agreed by the GRWP Board and related expenditure will be overseen by the SMG with regular progress reporting to the GRWP Board. No additional expenditure will be incurred without the agreement of the relevant Member Councils.

11.5 GCC will provide budget monitoring information to the SMG on at least a quarterly basis.

## **12 Review**

12.1 These Terms of Reference shall be reviewed and revised by the Member Councils if two or more Member Councils send a request for such a review and revisions in writing to the Chair of the GRWP. A review of these Terms of Reference will also be undertaken annually.

## **13 Resignation**

13.1 Any Member Council may resign from the GRWP by giving at least 3 months prior written notice to the other Member Councils and the Chair of the GRWP. Any existing financial commitments made under the annual action plan and communications plan shall be honoured for the remainder of the relevant financial year.

## Annex 1 – GRWP Objectives

The GRWP shall:

### **7. Help residents to live more sustainably by:**

- a. Providing information and advice on waste prevention and reuse;
- b. Providing clear, consistent information and advice on the recycling services that we provide;
- c. Supporting local communities in their waste reduction efforts (such as supporting plastic free communities, repair and reuse initiatives, food redistribution schemes etc.);
- d. Supporting local residents to reduce waste (by promoting food waste avoidance, home composting, the use of real nappies etc.).
- e. Supporting the implementation of actions in line with the declared climate emergency.

### **8. Promote a circular economy by:**

- a. Providing recycling services for as many different material types as we can (through a combination of kerbside collections, bring systems and HRCs) where financially and operationally viable;
- b. Providing kerbside recycling services that collect a consistent set of dry recyclable materials from households;
- c. Providing recycling services that achieve high levels of material quality;
- d. Only collecting materials for recycling where sustainable, auditable end use markets are in place;
- e. Providing weekly, separate food waste collections;
- f. Providing separate collections for garden waste;
- g. Working in partnership with GFirst LEP and other stakeholders to develop and support local markets for reuse, remanufacture and recycling;
- h. Supporting local businesses to reduce, reuse and recycle their waste; and
- i. Reducing household residual waste and recovering energy from the residual waste that we do collect.

### **9. Promote sustainable production by:**

- a. Lobbying government for extended producer responsibility so that producers pay the full costs of managing materials (such as packaging) that they place on the market; and

- b. Lobbying government for better, more resource efficient product design (so that materials are more durable and/or more easily recycled).

**10. Improve local environmental quality by:**

- a. Developing communication campaigns (in conjunction with local businesses where possible) to reduce litter and fly-tipping;
- b. Sharing intelligence and best practice to tackle fly-tipping;
- c. Working together to coordinate the cleaning of fast roads; and
- d. Working with our service providers to reduce the emissions associated with our operations.

**11. Deliver high quality and affordable local waste management services by:**

- a. Providing good customer service;
- b. Providing regular, clear service information;
- c. Planning for future growth and development - working with planners and developers to provide efficient, easy to use collection services;
- d. Procuring services and managing contracts effectively (and jointly where a business case exists);
- e. Reviewing and planning for future waste collection, transfer, treatment and depot needs in a consistent and collaborative way in order to make best use of our assets;
- f. Developing income generation and cost saving initiatives;
- g. Prioritising Health, Safety and Environment management systems, regularly reviewing our performance;
- h. Recruiting, retaining and developing staff with the skills, abilities and qualities required to meet our objectives.

**12. Measure our progress by:**

- a. Developing a set of key waste management performance indicators that include not only traditional weight based measures, but also carbon accounting measures;
- b. Maintaining and seeking to continuously improve the collection and reporting of local authority collected waste data and performance trends;
- c. Measuring and reporting against Local Environmental Quality Measures;
- d. Working with government to streamline and improve national reporting requirements;
- e. Measuring and reporting contract and service delivery KPIs; and

- f. Sharing data and performance information in an open and consistent way to facilitate benchmarking and continuous improvement.



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 10</b>
Subject	<b>IMPROVEMENT WORKS TO ENVIRONMENTAL SERVICES DEPOT AT PACKERS LEAZE, SOUTH CERNEY</b>
Wards affected	SOUTH CERNEY VILLAGE
Accountable member	Cllr. Mike Every - Deputy Leader and Cabinet Member for Finance Email: <a href="mailto:mike.every@cotswold.gov.uk">mike.every@cotswold.gov.uk</a> Cllr. Andrew Doherty - Cabinet Member for Environment, Waste and Recycling Email: <a href="mailto:andrew.doherty@cotswold.gov.uk">andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Andrew Dike - Property & Facilities Manager Tel: 01285 623244 Email: <a href="mailto:andrew.dike@cotswold.gov.uk">andrew.dike@cotswold.gov.uk</a>
Summary/Purpose	To seek agreement for funding to enable improvements to site drainage to reduce surface water flooding to the refuse vehicle parking area at Packers Leaze, South Cerney. To allocate funding to enable installation of additional boundary fencing and gates to improve site security.
Annexes	Annex A - Site plan indicating area required for drainage improvement works.
Recommendation/s	<i>That Cabinet agrees to:</i> <i>a) allocate funding of up to £80,000 for the proposed drainage improvement works from the Capital Programme;</i> <i>b) allocate funding of up to £18,000 for the proposed security fencing works from the Building Maintenance Fund;</i> <i>c) delegate authority to the Interim Chief Executive in consultation with the Chief Finance Officer, Deputy Leader and Cabinet Member for Finance and the Cabinet Member for Environment, Waste and Recycling to award the contracts for the necessary works set out in (a) and (b).</i>
Corporate priorities	Ensure that all services delivered by the council are delivered to the highest standard
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Relevant officers





## 1. BACKGROUND

### Drainage

- 1.1. The site at Packers Leaze, South Cerney was purchased in 2016 by Cotswold District Council and then leased to Ubico to provide the Council's Environmental services under contract.
- 1.2. The site previously operated as a depot and whilst the Council undertook extensive refurbishment of the workshop, office and welfare facilities, the majority of the rest of the site has had limited improvement.
- 1.3. Since this time there has been increasing flooding issues in the refuse vehicle parking area which is laid to block paving. A Contractor was appointed to attend the site in November 2019 to survey the parking area and provide recommendations to rectify the issues. A phased approach was recommended as it was difficult to establish the exact cause of the problem and it was thought there may be a number of contributory factors.
- 1.4. **Security fencing to ownership boundary.**
  - 1.4.1 The main entrance serves two sites, the Council's depot and a privately owned Warehouse. The council has access rights only over the main entrance up to the point of its ownership.
  - 1.4.2. The warehouse has remained vacant since Ubico's occupation of the site commenced, however it is understood a sale is now proceeding which is likely to mean a third party will move in. This will create health and safety and security issues, as they will have access to the Ubico depot area once they are inside the main gates.
  - 1.4.3. There is a risk that the new owner may leave the main gates open and unattended during periods when the Ubico depot is not staffed which could significantly increase the risk of fuel theft and other loss or damage. Fuel theft has historically been a problem at this site. The risk of vehicle damage can take vehicles out of operation in the short term. Improvements to fencing, gates and security are therefore recommended.

## 2. MAIN POINTS

### 2.1. **Drainage works**

The block paving in the Refuse and Recycling Collection Vehicles parking area is very uneven and there is no drainage system in place nor are there adequate falls to enable this area to drain naturally. Drainage surveys indicated one adjoining storm drain has collapsed.

- 2.2. Intrusive investigation has been carried out to establish ground conditions and original construction below the paved area. Drainage in the form of french drains and gullies to the perimeter have been installed, with wheel stops to prevent vehicles backing over them. Unfortunately this identified that the bedding and base layers below the paving are inadequate and will not allow suitable drainage. The area therefore needs to be cleared, excavated and relaid with the correct

construction and additional drainage and then resurfaced to provide a safe, sound surface which drains correctly and utilises the initial drainage installed in stage 1.

The adjacent storm drain should also be excavated and this system replaced to provide supporting drainage that will also benefit the workshop and office building.

### **3. FINANCIAL IMPLICATIONS**

3.1. Officers have obtained estimated costs for these works. The Council will now tender this work to ensure it achieves best value. The budget allocation sought is £80,000 which allows for a contingency sum. The Capital Programme approved by Council on 23 September 2020 includes funding of £80,000 for these works.

3.2. Detailed proposals for fencing and security improvements need to be explored to ensure the core operational assets are adequately protected. The estimated cost of this is £18,000.

### **4. LEGAL IMPLICATIONS**

4.1. Under the current Lease, it is the Council's responsibility as landlord to maintain and keep in good repair the following:

- external surface of the property including roadways, accessways and storage bays
- external drainage
- boundary fencing & gates

4.2. Should the proposed works not proceed, the council is at risk of not providing a site suitable for the service provision and increasing Health & Safety risks. Ubico staff have to walk through the flooded lorry park to access vehicles and this matter has been raised as part of site risk assessments. HSE could serve an improvement notice on the Council to rectify the flooding.

### **5. RISKS**

5.1. There are current Health, safety and welfare risks from both the flooding issues and the uneven block paving surface. The flooding has caused drivers and operatives of the vehicles to have saturated footwear and wet feet when starting shifts. Further to this, should a vehicle be unable to start, it is both unsafe and impracticable to carry out maintenance to the vehicle.

5.2. Failure to improve site security could result in loss or damage to Council owned assets at the site which could result in financial loss, increased insurance premiums and impacts on operational service.

### **6. EQUALITIES IMPACT**

6.1. There are no equality implications arising from the recommendations in this report

### **7. CLIMATE CHANGE IMPLICATIONS**

7.1. There are no climate change implications arising from the recommendations in this report

**8. ALTERNATIVE OPTIONS**

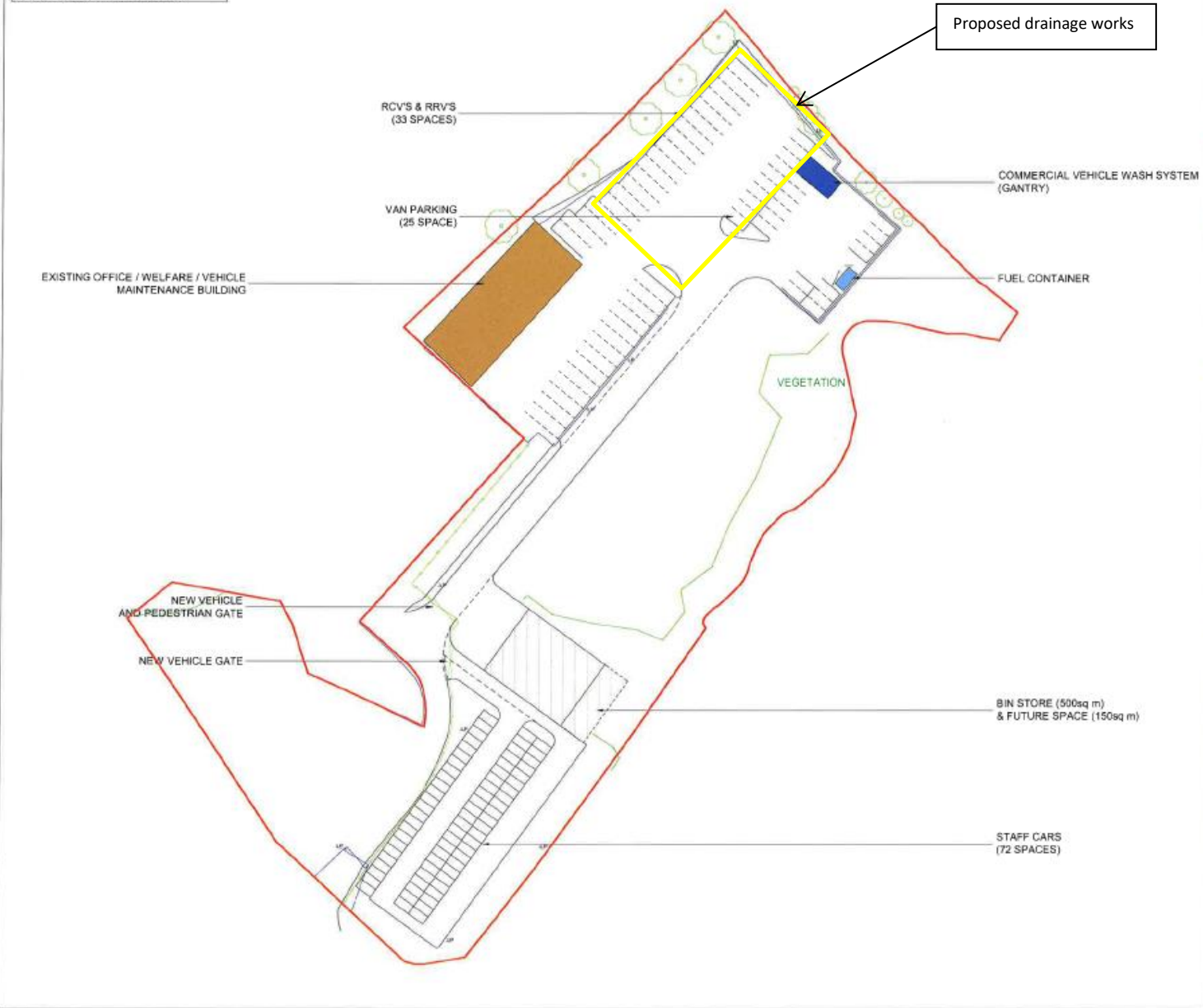
- 8.1. The Council could choose not to allocate funding and carry out these works.
- 8.2. After comprehensive surveys and ground investigations, no other options are available in order to rectify the increasing flooding and ground movement issues to the proposed area.

**9. BACKGROUND PAPERS**

- 9.1. None.

(END)

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 OS DATA LICENCE EXPIRATION: 27.08.2015



Proposed drainage works

**NOTES**

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**LEGEND**

- PLANNING BOUNDARY
- PROPOSED FENCES AND GATES
- EXISTING BUILDING
- EXISTING FENCES AND GATES
- EXISTING TREES AND VEGETATION
- LP EXISTING LAMP POST
- EXISTING FUEL CONTAINER
- COMMERCIAL VEHICLE WASH SYSTEM (GANTRY)

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**SITE**  
**COTSWOLD DEPOT**

**PROJECT**  
**COTSWOLD DEPOT DESIGN**

**DRAWING TITLE**  
**VEHICLE DEPOT**

<b>DRAWING NUMBER</b> 2	<b>REVISION</b> 6
<b>SCALE</b> 1:1000 @ A3	<b>DATE</b> 15.04.2015



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 11</b>
Subject	<b>SAFETY IMPROVEMENTS TO MEMORIALS AT COUNCIL CEMETERIES</b>
Wards affected	Chesterton, Stratton, Watermoor
Accountable member	Cllr Andrew Doherty - Cabinet Member for: Health, well-being & public safety Email: <a href="mailto:andrew.doherty@cotswold.gov.uk">andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Claire Locke - Group Manager - Commissioning Tel: 01285 623427 Email: <a href="mailto:claire.locke@cotswold.gov.uk">claire.locke@cotswold.gov.uk</a>
Summary/Purpose	To allocate funding, and agree actions to be taken to improve urgent memorial safety in the Council's Cemeteries.
Annexes	Annex A - Memorial testing report summary Annex B - Cost for repairs
Recommendation/s	<p>a) <i>To note the report on Memorial safety included at Annex A;</i></p> <p>b) <i>That the original allocation of £20,000 is utilised for repair works and supplemented with £35,000 from the Building Maintenance budget to undertake all Priority 1 repair works to memorials at Chesterton, Stratton and Watermoor Cemeteries;</i></p> <p>c) <i>That a waiver of Contract Rules is agreed to enable this work to be undertaken by 'Memsafe' an ICCM affiliated contractor, as additional quotations could not be obtained;</i></p>
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Officers, Consultant, (reference) Institute of Cemetery and Crematorium Management, Ministry of Justice Managing the safety of Burial Ground Memorials.

## **1. BACKGROUND**

- 1.1. Prior to 2019, no formal recorded inspection or specific repair works have been carried out to the three cemetery sites within Council ownership. Upon a review of the sites it became apparent there was a requirement for maintenance works to a high proportion of gravestones and burial plot areas so they do not present a risk to visitors or workers entering the cemeteries.
- 1.2. In January 2019 Cabinet agreed to appoint specialist contractors to assess grave safety and agreed a one off allocation of £20,000 to fund any priority repairs.
- 1.3. Memsafe were then appointed to carry out memorial testing to the three Council cemeteries, all memorials were tested and a full list was provided complete with photos.
- 1.4. It had initially been anticipated that £20,000 would be sufficient to cover the cost of repairs or measures to reduce risk. Unfortunately a higher number of gravestones and memorials than anticipated were found to be in a very poor condition and pose a risk. In addition very few can just be laid down next to graves as there is insufficient space between them. Having explored various options it has been concluded the cost to carry out minimal repairs to render memorials safe is £55,000. The additional £35,000 of funding will be found from the building maintenance revenue budget.

## **2. MAIN POINTS**

- 2.1. The Council owns Chesterton and Stratton cemeteries and manages a small closed cemetery at Watermoor. Chesterton has approx. 3150 plots, Stratton has approx. 600 plots and Watermoor cemetery has 42 plots.
- 2.2. A risk assessment was carried out and highlighted that there are a large number of memorials at Chesterton (around 1500), a low proportion at Stratton (41) and a small number that exist at Watermoor (3) that are large and potentially unstable. An inspection has been carried out using specialists in memorial safety to undertake a visual and physical inspection of each memorial, which was photographed for a report.
- 2.3. A temporary sign is currently positioned at each site, stating that testing works have been carried out and inviting related families to contact the Council and discuss the work required.
- 2.4. Any family members who make contact with the Council will then be involved in the decision on what alterations are made to the memorial. They could choose to undertake full repairs or replacement of stonework but would need to undertake this at their own cost.
- 2.5. If family members do not make contact or fail to carry out repairs within a reasonable period (to be specified depending on risk), the Council will need to make a decision to proceed with making the memorial safe. To date no families have made contact with the Council, with signage having been in place for over six months.

- 2.6. Laying the memorial flat is the cheapest option but this is not advised as it will be difficult in these cemeteries, as a large number of memorials are close together and it would affect the appearance of the cemetery. There is also a risk the memorial stones become a trip hazard and affect the ability to carry out grounds maintenance works, such as grass cutting.
- 2.7. There are also options to repair the memorials using a stainless steel dowelling system or via socketing (although this is not suitable for all memorials). These are more expensive options, the costs of which are set out in the appendix.
- 2.8. There will be a need for a rolling inspection programme for some of the older memorials each year and further safety improvements as conditions deteriorate. An annual revenue sum of £2,000 is therefore sought to support this rolling programme.
- 2.9. Whilst Memsafe undertook the survey and provided a price for repairs, the following additional contractors were contacted to provide a comparative specification and cost based upon the survey carried out. None were able to offer the service due to resources and nature of work required, with two of the companies providing details of Memsafe, as a contractor they recommended:
  - FJ Cambridge Stonemasons
  - CDS Group
  - Cleevely memorials
  - James long masons

### **3. FINANCIAL IMPLICATIONS**

- 3.1. To carry out the recommended works to all level 1 priorities at all three cemeteries the cost is quoted as £53,839.
- 3.2. A sum of £2,000 is then required per annum to support a rolling program of inspections. This will be funded from the existing building maintenance budget.
- 3.3. Indicative costs for the alternative option of re-siting memorials are in the region of £39,000 - £57,000. There is potential for some grounds maintenance savings to offset this but as plots are scattered through each cemetery, there would not be the same savings that would occur if all plots were in one area which would then simply be laid to grass.

### **4. LEGAL IMPLICATIONS**

- 4.1. When a plot is purchased for burial it is effectively leased for a set period. In some cases the contact details of the family who purchased the plot will be held on record but as most of the graves that will require safety improvements are very old it is highly likely the Council will not hold up-to-date contact details for the family and will have no practical affordable way of tracing them.
- 4.2. Whilst it must be recognised that the owner of a memorial is liable for maintaining the memorial, under the Health & Safety at work act 1974, the Council is responsible for health and safety in the cemeteries which are under their ownership or management. The Council must therefore ensure the cemeteries remain a safe environment for visitors, staff and contractors.



## **5. RISK ASSESSMENT**

- 5.1. If the Council fails to take action to make safe any dangerous memorials and set in place a rolling testing plan, there is a risk of serious injury to both public and contractors if a memorial was to fall on them. To mitigate this risk, signage was erected in the cemeteries.
- 5.2. If the Council lays flat or repairs a memorial, there is a risk the surviving family could complain that they are not happy that repairs have been carried out. A press statement was issued and attempts have been made to contact families using last known contact details held for each plot to mitigate this risk.
- 5.3. Reallocating £35,000 of the property maintenance budget to fund this work may result in a shortfall in funding available for other essential property maintenance.
- 5.4. Alternative options to memorial repair have been considered in section 8 below, however both options are likely to receive significant public objections.

## **6. EQUALITIES IMPACT (IF REQUIRED)**

- 6.1. None.

## **7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1. None.

## **8. ALTERNATIVE OPTIONS**

- 8.1. The Council could do nothing and accept the risk that someone is injured by a falling memorial. This could result in injury or death and significant financial, legal and reputational issues for the Council.

### Relocation of Memorial stones

- 8.2. One alternative to repairing memorial stones is their removal to the periphery of each cemetery site. Memorial stones would need to be lifted and moved using specialist equipment and then moved to the edge of the site where they would be held in place using rails. Both sites have very little solid boundary walls against which memorials may be leant, which means posts would be needed with rails behind and in front of each row of memorials to prevent them from falling forwards or backwards. Memorials would stand shoulder to shoulder effectively supporting each other. They would not be repaired but would deteriorate naturally in-situ.
- 8.3. The grave plot itself would need to be levelled and grassed over and then either a flat memorial plaque fixed into the ground, which mowing equipment could pass over, or small grave markers could be positioned which could be lifted out during grounds maintenance. Records are held which state who is buried in each plot, however grave markers would assist any person wishing to locate plots of their ancestors. Once memorial relocation was complete grounds maintenance costs should reduce although rails would need to be maintained and replaced and it may render hedge cutting and other grounds maintenance around the edge of each site, more time consuming.

Provisional estimated costs to undertake this work are:

Post and rail system	£9,000 - £12,000
Re-siting with machinery hire )	£20,000 - £30,000
Ground works and making good grave plots	£2,000 - £4,000
Grave marker plates	£8,000 - £11,000
Total	£39,000 - £57,000

8.4 Should members wish to explore this option in detail fully costed estimates will be obtained and designs drawn up to indicate where memorial stones would be re-sited.

## 9. BACKGROUND PAPERS

9.1. None.

(END)

## Annex A

The following is an extract from the report and summarises the number of graves that failed safety tests. The full reports lists each individual plot with the name of the deceased, plot numbers, pass or failure of that memorial and costs to repair.

<b>Cotswold District Council</b>				
Date	Section	Memorial Tests	Failures	Fail Rate
<b><u>Chesterton Cemetery</u></b>				
	Section 1	347	87	25.07%
	Section 2	134	47	35.07%
	Section 3	419	75	17.90%
	Section 4	80	7	8.75%
	Section 5	142	36	25.35%
	Section 6	90	18	20.00%
	Section 7	134	11	8.21%
	Section 8	29	4	13.79%
	Section 9	53	5	9.43%
	Section 10	75	2	2.67%
	Section 11	25	2	8.00%
	Section 24	169	39	23.08%
	Section 25	209	56	26.79%
	Section 26	211	49	23.22%
	Section 27	341	17	4.99%
	Section 28	226	6	2.65%
	Section 29	58	0	0.00%
	Section 30	72	0	0.00%
	Section 31	152	15	9.87%
	Section 35	102	14	13.73%
	Section B	80	12	15.00%
	<b><u>Total Tests</u></b>	<b><u>3148</u></b>	<b><u>502</u></b>	<b><u>15.95%</u></b>
<b><u>Watermoor Burial</u></b>				
		42	1	2.38%
<b><u>Stratton Cemetery</u></b>				
-				
-	Section 3	39	1	2.56%
-	Section 5	53	8	15.09%
-	Section 6	52	7	13.46%

-	Section 7	83	3	3.61%
-	Section 8	169	4	2.37%
-	Section 9	8	0	0.00%
-	Traditional	151	18	11.92%
	<b>Total Tests</b>	<b>555</b>	<b>41</b>	<b>7.39%</b>

## Annex B

Cost for recommended repairs range from:

£15 & £26 – lay flat – this is recommended for very few memorials

£85, £99.50 £120, £155, £190 – cost for using a stainless steel dowelling system or via socketing  
-price depending on style of memorial and extent of work required

<b>Cost &amp; works</b>	<b>Chesterton</b>	<b>Stratton</b>
Lay flat £15	23	
Lay flat £26	2	
Socket £49.50	4	
Socket or dowel £85	88	
Socket or dowel £99.50	234	23
Socket or dowel £120	114	
Socket or dowel some require foundation £155	19	
Socket or dowel some require void filling £190	3	
	£49,550.50	£2288.50



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2 NOVEMBER 2020</b>
Report Number	<b>AGENDA ITEM 12</b>
Subject	<b>VALIDATION OF COMPLETED PROCUREMENT EXERCISE TO RENEW FRAMEWORK OF FLOOD DEFENCE CONTRACTORS</b>
Wards affected	ALL
Accountable member	Cllr Andrew Doherty - Cabinet Member for Environment, Waste and Recycling Email: <a href="mailto:andrew.doherty@cotswold.gov.uk">andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Laurence King - Shared Principal Engineer Tel: 01993 861341 Email: <a href="mailto:laurence.king@cotswold.gov.uk">laurence.king@cotswold.gov.uk</a>
Summary/Purpose	Approval is sought from Cabinet on the completed procurement exercise to assist with the transparency and financial efficiency of commissioning flood defence work.
Annexes	None
Recommendation/s	<i>It is recommended that the Cabinet agree with the allocation of the LOTS as stated.</i>
Corporate priorities	The framework has been established following the conclusion of a transparent procurement exercise, which coupled with a clear strategy for the commissioning of flood defence work, will ensure value for money as well as ensuring only quality contractors are commissioned.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	None

## **1. BACKGROUND**

- 1.1. The Council has been awarding contracts for flood defence work from a flood defence contractors framework. Work has now been completed on an updated framework which is being recommended to Cabinet for approval.
- 1.2. The framework consists of five LOTS and covers the geographical areas of Cotswold District, Forest of Dean District and West Oxfordshire District:
  - LOT 1 – Reactive work of any description requiring a 2 hour response to any site across the districts.
  - LOT 2 – Reactive work across any of the districts that requires a response within 48 hours.
  - LOT 3 – Planned works in the public highway or footway.
  - LOT 4 – Planned works in third party land.
  - LOT 5 – Technical consultant, including commenting on planning applications with regard to drainage and flood risk.

## **2. MAIN POINTS**

- 2.1. The respective LOTS have the following contractors allocated;
  - LOT 1 – Amelio and Alliance
  - LOT 2 – Amelio and Alliance
  - LOT 3 – Alliance, MJ Church, Oxford Direct and Firmacore
  - LOT 4 – Amelio, Alliance and Firmacore
  - LOT 5 – Alliance, BMT and Capita property & Infrastructure

## **3. FINANCIAL IMPLICATIONS**

- 3.1. The use of a framework that has fixed costs for certain activities enables accurate and efficient costing of work and delivers value for money. .
- 3.2. In contrast, sourcing a contractor at the point of need inevitably allows for an inflated charge to be made to the Council due to the urgency of the need.
- 3.3. No costs other than officer time have been incurred in setting up the framework.
- 3.4. The terms of the framework state that there is not an obligation on the Council to award any work to the contractors if the need does not arise.

## **4. LEGAL IMPLICATIONS**

- 4.1. The Council must demonstrate that it has followed the Public Contract Regulations when awarding contracts. The use of frameworks with pre-approved contractors means that the Council can justifiably call off the framework which saves time and reduces the risk of challenge.

## **5. RISK ASSESSMENT**

- 5.1. The Council has permissive powers to carry out flood defence work (not a duty) but if it wishes to use those powers, with the inevitable expenditure of taxpayers money, it needs to be able to justify its decisions on how money is spent which means that there is a reputational risk to the Council if procurement is not transparent and cost effective.

**6. ALTERNATIVES/OPTIONS**

- 6.1. The alternative to using a framework for flood defence contractors would be to source contractors as and when required which could cause delays in the delivery of work and increase the cost to the Council due to the “call-out” charges that would be imposed.

**7. BACKGROUND PAPERS**

- 7.1. None.

(END)





**CABINET - 2 NOVEMBER 2020 - AGENDA ITEM (14)**

**SCHEDULE OF DECISION(S) TAKEN BY THE LEADER OF THE COUNCIL AND/OR INDIVIDUAL CABINET MEMBERS**

Note: Further details regarding the decision(s) are available in the relevant Decision Notice(s).

<b>Cabinet Member</b>	<b>Meeting Date</b>	<b>Subject</b>	<b>Decision(s)</b>
The Planning Department and Town and Parish Councils	10 September 2020	Neighbourhood Planning: Regulation 15 decision for Preston Neighbourhood Development Plan	RESOLVED that: (a) the submitted documents meet the requirement of Regulation 15 of the Neighbourhood Planning Regulations 2012; (b) the Council would launch the statutory 'Regulation 16' 6 week publicity period.
Deputy Leader and Cabinet Member for Finance	21 September 2020	Discretionary Covid Business Grants	RESOLVED that the Deputy Leader approve the additional discretionary awards as detailed within Annex A of the report.
Health and Wellbeing	23 September 2020	Consultation on the removal of 12 telephone boxes	RESOLVED that, having reviewed the community responses to British Telecommunications Ltd.'s consultation, the Cabinet Member agrees the proposed response to British Telecommunications Ltd.

(END)