



Supplement for

PLANNING AND LICENSING COMMITTEE - WEDNESDAY, 26 APRIL 2023

Additional Pages

Additional pages received for consideration.

This page is intentionally left blank

PLANNING AND LICENSING COMMITTEE
26th April 2023
ADDITIONAL PAGES

AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS : Page 1 - 7		
Agenda No:	Ref No:	Content:
08	22/03794/FUL (Land West of Worwell Farmhouse Tetbury)	<p>Case Officer Update: Updated and additional conditions added</p> <p>Updated wording for condition 3:</p> <p>“Prior to the occupation of the twentieth dwelling on site, the healthcare facility shall be completed and made available for occupation.</p> <p>Reason: In order to ensure the development is synchronised with the timing of the residential development and needs of the facility in accordance with Local Plan Policy INF2, and that the material public benefit is brought forward.”</p> <p>Addition of Condition 32:</p> <p>“The healthcare facility hereby approved shall be completed and made available for occupation within three years of the commencement of development on site.</p> <p>Reason: In order to ensure the development is synchronised with the timing of the residential development and needs of the facility in accordance with Local Plan Policy INF2, and that the material public benefit is brought forward.”</p> <p>Addition of Condition 33:</p> <p>“No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority’.</p> <p style="text-align: right;">Cont/.....</p>

		<p>Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 205 of the National Planning Policy Framework”</p> <p>Two additional third party support comments received:</p> <p>(1) “We have already submitted comments at consultation stage but would like to again express support for this application”</p> <p>(2) “Tetbury badly needs its own Doctors Surgery and there is no other suitable site currently assessed as being suitable. Timescales were assessed as being tight but doable when the application was submitted. It has been over 5 months since closure of the consultation period and timescales are now such that non-approval will have dire consequences for the residents of Tetbury.”</p> <p>One additional third party objection comment received:</p> <p>Please see attached submission dated 21st April 2023</p>
--	--	---

Submission / Objection to Planning Application / Worwell Farmland Tetbury

As I have recorded several times on Objection Comments, I have behind me a 42 year career working inside the NHS, Local Government and latterly for the Care Quality Commission as a Specialist Advisor and Governance Lead, inspecting NHS Trusts @ Executive Board level. So, I have spent my whole professional life believing in, driving forward person centred services, managing quality and ensuring quality healthcare services for people.

Like everyone else in Tetbury, I need high quality access to GP's as first line, well qualified clinicians and other disciplinary Primary Care professionals.

First Primary reason for Objection

I became involved in objecting to this particular application, not because Tetbury doesn't require a high quality Primary Care Service but because my wife and I highly value this particular tract of land, as green space, as AONB and as an out of town landscape which draws the eye down toward Preston Park and the countryside beyond.

For us, the harm done by a decision to approve this development on this land is **not** outweighed by the benefits of a Primary Healthcare Centre. They are not outweighed because we now **know and trust** that a solid, professional NHS GICB Policy begun in 2016, will not let the Town down!! Tetbury Primary Care Services, in the hands of GICB are safe for both the short term and longterm and, the Romney House service if it closes in 2025, won't be relocated to Malmesbury or Cirencester a plan will be developed to fund and base a temporary service. We believe, know and trust this because the Associate Director of NHS GICB, Andrew Hughes, published a clear commitment to Tetbury residents after my intervention, raising a detailed complaint.

Should Planning Committee decide, in line with their own published Site Assessment Report, February 2021, that the harms of such a development would outweigh the benefits of a Healthcare Centre there **will be no loss of service or service relocation 12 miles away.**

Like our current National government my wife and I support the protection of land designated as greenbelt and AONB. We walk past it every day on our way to Preston Park walking our dog, we know and appreciate it's high value and want to keep it.

For us, it remains true, that we should build a Primary Healthcare Centre pretty much anywhere else, on brownfield sites, on land judged by the Local Authority as suitable or indeed using Capital financing in converting existing buildings. Skilful and committed Primary Care clinicians can deliver quality in a range of good quality surroundings.

However, this piece of land, in an age when us humans should be avoiding covering land with more tarmac and concrete, will never ever be replaced or ever breathe in the same way again. If we were discussing a straightforward housing development this proposal would simply never be approved.

In my own journey, I have been publicly participating in the hope that I could deliver perspectives which would support you Committee member with alternative and informed

perspectives which are true and honestly researched. In particular, I've used the few skills I have to ensure that you as politicians and residents can see know that, as residents, our immediate access to healthcare in the Town is not inextricably linked to destroying this landscape. I have worked hard to show you that the early original message from the Phoenix Group Practice, who are Members of GICB, was never, ever, true NHS GICB Policy.

The future of healthcare services for residents of Tetbury is NOT reliant on your Planning Committee, approving this development. NHS GICB has publicly pledged on the CDC Comment Website, a corporate letter that it will stand by Tetbury and work with all stakeholders to give continuity of service until the long term solution is found.

It is important to acknowledge that the NHS has a range of tools and access to funding which is not just restricted to the Revenue budgets GICB has set aside for any development up to 938 sq meters, but it can also invest Capital finance into a range of solutions creating buildings to deliver modern services.(see below)

The Primary Care System Development Funding (SDF) is one such national programme:

115. Some examples of what capital developments could fund include:

- a. new consulting and treatment rooms to provide a wider range of services for patients so more people can be seen;
- b. improved reception and waiting areas;
- c. building new facilities to deal with minor injuries;
- d. creating better IT systems to improve the way information is shared between health services in the area;
- e. **extending existing facilities to accommodate a wider range of health staff – including GPs, nurses, clinical pharmacists and PCN staff funded through ARRS; and,**
- f. **building new health centres which have a greater range of health services for people in one place.**

Examples (e) & (f) shows us that building a Healthcare Centre on green belt or AONB in exchange for 27 houses does not have to be the only financial equation to answer Tetburys needs for new premises. NHS GICB can collaborate with other stakeholders to create services in Tetbury without having to destroy our land heritage!

Second interconnected reason for Objection

Along the way, in early November, 2022, I was shocked to read the Gloucestershire Live Press Release reporting the Phoenix Groups public statement, attributed to medical staff, which reads:

“If we can’t build where we are hoping to build, we are probably not going to have a premises to move to so there will be a big problem for the town. With no surgery in Tetbury people would have to travel Malmesbury or Cirencester.”

In my mind the meaning and purpose of this statement has never changed. It speaks to me as a power play and, in my view, needs to be investigated as an example of potential undue influence or coercion. If the Press Release was not NHS GICB Policy the fundamental question has to be asked, what was the purpose of the Press Release. GICB are still managing a detailed complaint from myself which is fundamentally asking whether Phoenix Group breached the NHS Constitution, Equality legislation and GICB business values in raising fears of a loss of service amongst 9000 residents without fully consulting the population regarding the serious risks and harms that the Press Release represents.

The message of the Press Release, in my view, fundamentally conflates not being able to, 'to build where we hope to', with Tetbury having no surgery, then delivers the fearful contingent consequence that, 'Tetbury people would have to travel to Malmsbury or Cirencester' to access services. In my mind this statement has always inserted a fearful and threatening narrative into a community and the planning process. In my view this press statement creates a fearful binary decision in the planning decision making, 'either give us planning approval or worsen the communities access to healthcare.' For many elderly, disabled and parents and families this would have been a very worrying narrative.

I therefore took responsibility for determining NHS GICB Policy. I am very grateful to Mr Andrew Hughes, Associate Director for agreeing to publish his corporate letter giving the true NHS GICB Policy. In perusing this statement I was informed in a phone call by an NHS GICB Officer that if the Phoenix Press statement was ever expressed through a Business Case as a contingency plan or a consequence for a GICB Board to consider, such a Business Case would **NOT** be approved. So the Phoenix Press Release was never, ever NHS GICB Policy and the Phoenix Group is a 'Member' Practice within the GICB.

The true NHS GICB Policy can deliver maintaining continuity of access to Primary Care Services in Tetbury while still developing a longer term solution, that's a world away from the Phoenix Press Release.

Indeed it seems clear to me that this has always been a false narrative creating a severe threat on residents and politicians for them to consider in supporting the Planning Application. For the Planning Committee it creates a false binary decision for Planning Committee, deciding the land versus the spectre of losing healthcare services to 9000 residents. This we know now is a fake mirage, a spectre and an untrue statement made outside the confines and discipline of NHS GICB Policy.

I am extremely concerned that all my efforts to raise curiosity, good governance and an investigation into whether undue influence has occurred within this Press Release have failed to raise any curiosity or contact from the local Council Representation on Tetbury Council. I cannot explain this given that, in the end of the period of consultation and the posting of Comments, there were two distinctly different NHS narratives telling completely different stories about what would happen to Primary Care Services if Planning Approval was denied.

I have formally asked the NHS GICB Board to respond to my public question regarding the whether they see undue influence or coercion having taken place. They have chosen to say they cannot say and that this judgement sits firmly within the remit of the Local Authorities governance.

Having pushed CDC Planning Officers on my concerns and requested that a formal Complaint be accepted and investigated, I have found that CDC Policy is that formal complaints are not accepted or investigated in a Planning process. A Policy fact I find extraordinary. I have also found that while CDC says on their website that it is committed to investigating undue influence and coercion, no Officer has picked this up and referred my concerns into these processes for investigation. Today I can only assume they don't exist. The nearest I have come to an Officer seeking is a statement that legal advice was being taken. I have asked to hear back about the content of that advice, but have not been informed.

At times the processes and procedure of CDC Policy has seemed virtually masonic!

I have however continued to show where an investigation could look to find evidence and validate undue influence:

An investigator could and should:

1. Undertake a validation of my own crude audit of all the Support Comments. I have estimate 26% of them (a quarter) reference the threat of loss of service to the Town as a reason and narrative of support. Some refer directly to the Phoenix Groups narrative, stating concerns about the problems of receiving services in Cirencester. Some just tick the box on 'Loss of general services'. 26% in my view demonstrates that the Phoenix narrative has found a life of its own in the Town.
2. Examine the Support Comments of Tetbury Council Planning Committee which refer directly to the Phoenix narrative stating that the Council is aware that a decision against Planning Approval, 'will' lead to a loss of service to the Town. Given the above realities about NHS GICB Policy being **the** true Policy and that true Policy being posted, surely it must at least be a concern that local democratic processes, actually have posted and continue to post Phoenix narrative onto the CDC Comments Website! Is that not worthy of CDC investigation as to why that has occurred across the Council as a whole! Why would each Councillor believe this narrative rather than the true one published by GICB?!
3. Lead a focus group of Councillors and individual interviews of most senior Councillors to understand why these posted Comments were made demonstrating influence on the Council and to determine further why they were influenced in this way. Was it, for example, just the Press Release or was this narrative confirmed verbally through a Phoenix/Stonewood presentation to Council? Again isn't this important for the Local Authority to determine how undue influence could be working?
4. The other area of investigation surely would be for CDC to go to an important partner organisation GICB and ask questions there about the existence of two very contradictory narratives about what would happen to vital Primary Care Services if Planning Approval is not granted. There are also other legal and statutory issues underlying this matter in respect of the NHS Constitution and Equality legislation regarding consultation and public involvement.
5. It's been clear in my email conversations that officers are very, very reluctant to question the issue of the Press Release conducted by a signed and agreed 'partner' of the Applicant. Officers have been adamant that they have no role in asking the Phoenix Group to go on record regarding the two different NHS outcomes of a

planning decision not to give Planning Approval. Instead they have contacted and requested a response from the Applicant but have been unwilling to consider that it is more than possible for an Applicant to benefit from a public narrative established by publicly trusted and qualified medical staff as a 'partner' to the Applicant. A narrative which it turns out, is **NOT** NHS Policy?

Conclusion

I have done all I can within my community to follow through my concerns. NHS GICB, in posting their true NHS Policy, confirmed and reinforced my concerns about the potential undue power play within the Phoenix Press Release which has been regurgitated and reiterated throughout the Planning Process by residents and politicians alike. I can only continue, at this late stage to assert that before this serious decision is made, there is still time to delay a decision in favour of completely investigating and understanding these worrying dynamics occurring throughout the planning process.

My wife and I continue to stand with both the primary needs of our community; to access high quality well qualified medical services from an expert Primary Care Service and also to enjoy the AONB seeing the Local Authorities protection of a valued landscape in declining this Planning Application.

Throughout this whole episode I have acted in good faith, with a curious mind and in the best interests of my community.

Graham Whitwell

21.04.2023

This page is intentionally left blank