



URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Council

27 February 2023

Agenda Item Number	Page	Title	Officer Responsible	Reason Not Included with Original Agenda
4.		<p>Petitions and Requests to Address the Meeting</p> <p>No petitions or requests to address the meeting have been received. The deadlines for petitions and requests to address the meeting has no passed.</p>	N/A	Deadline to register after agenda publication
8.	(Pages 3 - 6)	<p>Questions</p> <p>Response to written questions</p>	N/A	As set out in the Constitution, responses to written questions are published on the working day before the meeting
17.	(Pages 7 - 10)	<p>Motions</p> <p>No amendments to motions have been received. The motions are republished to reflect a minor administrative correction to the motion "Children's health, wellbeing and access to educational provision" and change to proposer and seconder for the motion "London Road Crossing, Bicester"</p> <p>The deadline for amendments has now passed. No further amendments are therefore permitted.</p>	N/A	Deadline to submit amendments after agenda publication

If you need any further information about the meeting please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

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Council

Monday 27 February 2023

Agenda Item 8 (a), Written Questions

Question From: Councillor John Broad

Question To: Leader of the Council, Councillor Barry Wood

Topic: Pan Regional Partnership (PRP)

Question

“Dear Cllr Barry Wood,

The introduction of the Pan Regional Partnership (PRP) at the last Executive meeting came as a shock to many councillors.

As this is a renewed version of the previous Growth Arc and its subsequent iterations that have all been rejected, can the leader explain to members how this otherwise already dismissed type of project has so quickly been produced and approved without any scrutiny or approval from this full council?

Response From: Leader of the Council, Councillor Barry Wood

“I am surprised you were surprised about the PRP – Councillors were updated in the Chief Executive’s weekly email in January, and will have read the Executive Report and could have addressed the meeting as you did or sent questions to me by email. None did so.

Both the report to the Executive and my remarks to your observations at the meeting sought to make clear that the new PRP follows the same model as similar organisations such as the Western Gateway and Midlands Engine. In so doing it does NOT concern itself with strategic planning or local planning. Strictly the Oxford to Cambridge Leaders collaboration was at no point ended but over many months sought to lobby Government on the merits of a more formal Partnership complete with more independent locally defined governance and narrow non duplicating objectives. Government funding for this programme was only recently confirmed (the formal letter circulated to all councillors by the Chief Executive on 20 January having only been received on 18 January) and that is why a report came to the Executive at the earliest opportunity.

At this stage the PRP is only in "shadow" form and so when it moves to a formal or "real" setting this summer, it will be appropriate for our Scrutiny Committee to ask the Independent Chair and/or the Managing Director to attend and present.”

Question From: Councillor Ian Middleton

Question To: Leader of the Council, Councillor Barry Wood

Topic: 5 Year Housing Land Supply

Question

“At a recent meeting of the Executive, a policy decision was taken to change the way this council calculates its 5 Year Housing Land Supply (5YHLS). This increased our 5YHLS from 3.5 years to 5.4 years, seemingly at the stroke of a pen.

Whilst this may be good news for many regions of the district that are being eyed by developers keen to take advantage of our reduced 5YHLS, it raises questions about why the council has been working on incorrect figures for so long. The report concludes that the Strategic Housing Market Assessment or SHMA is unreliable, yet this has been what many important housing policy decisions have been based on and was intended to inform such decisions until 2031.

The SHMA was also the basis for housing need assumptions that led to the Local Plan Partial Review (LPPR) and generated a working assumption of Oxford’s housing need across Oxfordshire. This included an artificial uplift that pushed Cherwell’s housing need figure way beyond that of any other authority in the country.

This was challenged extensively during both the LPPR and the City Council local plan examinations by campaigners and expert planning consultants who argued that we should be using the standard method to calculate housing need rather than the inflated figures being relied on by CDC and the City Council. This in turn led to the ‘working assumption’ of Oxford’s unmet need and resulted in a huge amount of land being taken out of the greenbelt and handed over to developers. The argument then was that this would prevent speculative development, yet we now see that the council’s over-estimate of housing need and projected growth pushed the 5YHLS beyond achievable limits and still left the district open to speculation. In other words the communities in my area and others have sacrificed their green spaces for nothing.

The SHMA is now just over half way through the period it was intended to cover and the LPPR was only adopted three years ago, yet we now have a final admission that it’s an unreliable assessment of true housing need.

Why has it taken so long for the council to accept they got their figures wrong, and will the leader now finally admit that those of us who raised questions about the council’s housing need assessments were right all along?”

Response From: Leader of the Council, Councillor Barry Wood

“There are differences between housing evidence that informs a Local Plan Examination process, and that used for monitoring purposes, where a plan is more than five years old and some of its policies are considered to be out-of-date.

The 2014 Strategic Housing Market Assessment provided housing evidence to inform the Cherwell 2015 Local Plan, and all other Oxfordshire Local Plans being prepared in the same period (i.e., for South Oxfordshire, West Oxfordshire and the Vale of White Horse). These plans were all subject to Examination and found to be sound by independent Planning Inspectors. On this basis, the 2014 evidence was found to be soundly based and fit-for-purpose.

The emerging Cherwell Local Plan will be informed by new evidence, in this case the 2022 Housing and Economic Needs Assessment, although this new evidence will also be considered through the upcoming local plan Examination, perhaps in 2025, and it will only be after this Examination that the housing need for the emerging Local Plan will be finalised. Clearly there are differences in the emerging 2022 evidence, vs. that published in 2014 and that is part of the reason Local Plans must be updated every five years. However, national policy makes provision for the monitoring of housing land supply, to revert to using the Standard Method figure, where plans are more than five years old, and where relevant policies may be out of date.

NPPF Paragraph 74 states:

“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”.

NPPF Footnote 39 States:

“Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance”

Cherwell have now published updated housing evidence (2022 Housing and Economic Needs Assessment) and their plan is more than five years old (adopted in 2015) and on that basis, in accordance with NPPF paragraph 74 and footnote 39, it is appropriate to revert to using the Standard Method for monitoring purposes. This does not imply that the 2014 evidence was in anyway inappropriate when considered at the local plan Examination in 2015, simply that for monitoring purposes in 2023, the Council can revert to the Standard Method figure.

This matter is described in more detail in the Executive Report and appended documents.”

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Council

Monday 27 February 2023

Motions

Motion Proposer: Councillor Eddie Reeves

Motion Seconder: Councillor Adam Nell

Topic: Children's health, wellbeing and access to educational provision

Motion

"This Council notes with concern Oxfordshire County Council's decision to withdraw school bus services under its Spare Seats scheme without parental or wider public consultation.

Oxfordshire's Spare Seats programme has offered children a safe and affordable bus service to school for over 35 years, the scheme having largely been cost-neutral throughout its operation. Under the scheme, families are offered spare seats for their children on school buses taking children eligible for free home-to-school transport at reasonable cost.

Following a decision by Oxfordshire County Council, nearly 10 routes in predominantly rural areas are set to be cancelled from September 2023, with more set to follow as contracts are retendered. This decision will affect the 1-WA17 route serving the Warriner School and the 2-ML05 route to the Marlborough CoE School. Over the medium term, as many as 1,384 students could be affected.

Oxfordshire County Council has defended its decision on the basis that it has no legal obligation to operate the scheme, adding that its continuation:

"would incur a financial cost and reinforces children travelling to schools further away than their nearest school".

This Council strongly disagrees with this reinterpretation of what has been established policy and practice. For clarity, it does so on financial grounds as well as for reasons of personal choice, child safety and environmental protection.

This Council ~~instructs~~ asks the Leader of the Council to write to the Leader and Deputy Leader of Oxfordshire County Council to urge them to reverse their decision as a matter of urgency."

Motion Proposer: Councillor Ian Middleton

Motion Seconder: Councillor Hannah Banfield

Topic: Housing Affordability Mix

Motion

“Providing truly affordable housing is one of the highest priorities for this council. However, our policies currently mandate that only 30-35% of new housing should be designated affordable.

In contrast we have recently accepted Oxford City council’s affordability ratio of 50% for new housing built in Cherwell to meet their needs. It would seem equitable that we should give the same consideration to Cherwell families and residents who are also in desperate need of affordable housing in the district.

As the Cherwell 2040 Local Plan has now been further delayed and will be subject to revision, we have a timely opportunity to correct this imbalance and include an increase in our own affordability requirement for future housing developments within Cherwell. This will show our commitment to our own residents is as great as it is to those from the city.

This Council requests that the Executive consider including an affordable element of at least 50% within future housing developments and that this be included as a requirement in the emerging Local Plan 2040 along with a clear definition of what affordable housing encompasses.

We also request that the Leader writes to the Secretary of State for Levelling Up, Housing and Communities to request that his department urgently commissions a review of both affordability criteria and guarantees of profit margins which allow developers to adjust affordability ratios based on Gross Development Values and Viability Assessments.”

Motion Proposer: ~~Councillor Nick Cotter~~ Councillor Chris Pruden

Motion Seconder: ~~Councillor Chris Pruden~~ Councillor Gemma Coton

Topic: London Road Crossing, Bicester

Motion

“The government recommitted in the 2022 Autumn Statement to the delivery of East West Rail (EWR). In 2021, EWR consulted on a series of proposals to address the fact that increased train frequency would, in due course, require the level crossing at London Road, Bicester, to be closed. The Chief Executive of EWR told a meeting of local elected representatives on 13 January that EWR would publish its proposals for the whole line by June.

This Council:

- Strongly supports East West Rail as it will increase opportunities for lower carbon travel and support sustainable growth and opportunity;
- Notes that the closure of the London Road would sever the road connection between the south-east of Bicester and the town centre;
- Believes that it must be a priority, working with Oxfordshire County Council and East West Rail, to find a sustainable, funded solution that continues to provide a suitable rail crossing for cars, cycles and pedestrians at or near London Road;
- Recognises that the next four months are critical to ensuring that this solution is adequately funded by EWR and national government, given that the new line is of national importance while the negative impact of closing London Road would fall on the local community in Bicester;
- Resolves to ask the Leader to write to the Chief Executive of East West Rail, stating this Council's support for a new railway crossing at or near London Road that is suitable for cars, cycles and pedestrians."

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