

# Public Document Pack



**Committee:** Executive  
**Date:** Monday 4 April 2016  
**Time:** 6.30 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

## Membership

<b>Councillor Barry Wood (Chairman)</b>	<b>Councillor G A Reynolds (Vice-Chairman)</b>
<b>Councillor Ken Atack</b>	<b>Councillor Norman Bolster</b>
<b>Councillor John Donaldson</b>	<b>Councillor Michael Gibbard</b>
<b>Councillor Tony Ilott</b>	<b>Councillor Kieron Mallon</b>
<b>Councillor D M Pickford</b>	<b>Councillor Nicholas Turner</b>

## AGENDA

### 1. Apologies for Absence

### 2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

### 3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

### 4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 6)

To confirm as a correct record the Minutes of the meeting held on 4 April 2016.

6. **Chairman's Announcements**

To receive communications from the Chairman.

7. **Upper Heyford Masterplan** (Pages 7 - 20)

**6.35pm**

Joint report of Head of Development Management and Head of Strategic Planning and the Economy

**Purpose of report**

To consider the Upper Heyford Framework Plan.

**Recommendations**

The meeting is recommended:

- 1.1 To adopt the Upper Heyford Framework Plan as a guideline for the purposes of Development Management

8. **Construction Apprenticeship and Skills Interim Planning Policy Guidance**  
(Pages 21 - 34)

**6.45pm**

Report of Commercial Director (Bicester)

**Purpose of report**

The purpose of this report is to seek approval of the Interim Position Statement (attached as Appendix 1 to this report) relating to the securing of construction apprenticeships and skills through the land use planning system.

**Recommendations**

The meeting is recommended:

- 1.1 To approve Appendix 1 as guidance which will operate informally to secure construction apprenticeships and skills through the processing of planning applications by the Council, prior to informing a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.
- 1.2 To request that the Leader nominates a Cherwell District Council representative on to the Apprenticeship and Training Company Apprenticeship and Training Agency (ATA) Board.

**9. District Wide Cleansing Service (Pages 35 - 44)**

**6.55pm**

Report of Head of Environmental Services

**Purpose of report**

To update the Executive on the actions and strategies being followed to ensure the district has a good level of cleanliness

**Recommendations**

The meeting is recommended:

- 1.1 To note the good levels of customer satisfaction (69% in 2015) with the Council's Street Cleansing service.
- 1.2 To support the enforcement actions to combat fly tipping, littering and dog fouling.
- 1.3 To support the combination of education, enforcement and operational efficiency to keep the District clean.

**10. Hampton Gay and Poyle Parish Meeting Section 109 Order (Pages 45 - 50)**

**7.05pm**

Report of Head of Law and Governance

**Purpose of report**

To seek approval for the making of an order pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting in order to vest in it certain powers of a parish council.

**Recommendations**

The meeting is recommended:

- 1.1 To approve the making of an order in the form appended pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting.

**11. Devolution - Update (Pages 51 - 54)**

**7.10pm**

Report of Chief Executive

**Purpose of report**

To provide an update on devolution and to authorise further joint working in support of it.

## Recommendations

The meeting is recommended:

- 1.1 That Executive agree to work with the other District Councils and partners to further develop the initial unitary devolution proposals.
- 1.2 That Executive agree that independent consultants should be jointly appointed by the Districts to undertake detailed work on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal and a contribution of up to £50k be made to facilitate those studies. This will be funded from General Fund balances.

## 12. Exclusion of the Press and Public

The following report contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

No representations have been received from the public requesting that this item be considered in public.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

## 13. **New Woodgreen Leisure Centre Management Contract and Facility Improvements** (Pages 55 - 58) **7.20pm**

Exempt Report of Director of Operational Delivery

**(Meeting scheduled to close at 7.30pm)**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to

[democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 221589 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

### **Evacuation Procedure**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

### **Queries Regarding this Agenda**

Please contact Natasha Clark, Democratic and Elections  
[natasha.clark@cherwellandsouthnorthants.gov.uk](mailto:natasha.clark@cherwellandsouthnorthants.gov.uk), 01295 221589

**Sue Smith**  
**Chief Executive**

Published on Wednesday 23 March 2016

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# Agenda Item 5

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 March 2016 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Norman Bolster, Lead Member for Estates and the Economy

Councillor John Donaldson, Lead Member for Housing  
Councillor Michael Gibbard, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor D M Pickford, Lead Member for Housing  
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and ICT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group

Apologies for absence: Councillor Kieron Mallon, Lead Member for Banbury Futures

Officers: Ian Davies, Director of Operational Delivery  
Martin Henry, Director of Resources / Section 151 Officer  
Scott Barnes, Director of Strategy and Commissioning  
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 7  
Andy Preston, Head of Development Management, for agenda item 8  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Jon Westerman, Development Services Manager, for agenda item 8  
David Peckford, Senior Planning Officer, for agenda item 7  
Natasha Clark, Team Leader, Democratic and Elections

#### 127 **Declarations of Interest**

There were no declarations of interest.

#### 128 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

129 **Urgent Business**

There were no items of urgent business.

130 **Minutes**

The minutes of the meeting held on 1 February 2016 were agreed as a correct record and signed by the Chairman.

131 **Chairman's Announcements**

The Chairman made the following announcements:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.
2. The Chairman welcomed Scott Barnes to his first meeting of Executive. Scott had been appointed as the Director of Strategy and Commissioning for Cherwell District Council and South Northamptonshire Council following the recent management restructure.
3. The Chairman explained that this would be Martin Henry's, the Director of Resources, last meeting of Executive as he was leaving Cherwell District Council and South Northamptonshire Councils. On behalf of the Executive, the Chairman thanked the Director of Resources for the contribution he had made to the council and wished him all the best for the future.
4. The Chairman noted that Calvin Bell, Director of Development, would also be leaving Cherwell District Council and South Northamptonshire Councils at the end of March and conveyed Executive's gratitude for his contribution to the council and best wishes for the future.

132 **Kidlington Masterplan - Draft Supplementary Planning Document**

The Head of Strategic Planning and the Economy submitted a report which sought approval of a draft Kidlington Masterplan for formal consultation.

**Resolved**

- (1) That the draft Kidlington Framework Masterplan be approved for formal public consultation.
- (2) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the issues paper before formal consultation commences.

**Reasons**

A Draft Kidlington Masterplan has been prepared for the purpose of public consultation. The Masterplan expands and provides further details to the

objectives and policies contained in Local Plan Part 1 and benefits from extensive research carried out by the appointed consultants.

Preparation of the Masterplan has been supported by stakeholder engagement and detailed discussions with Kidlington Parish Council's strategy group. There is now a need for a formal period of public consultation to obtain wider views and to meet statutory requirements for the preparation of Supplementary Planning Documents. Members are recommended to approve the Draft Masterplan for that purpose.

### **Alternative options**

Option 1: To delay consultation: A consultation now will provide officers with the opportunity to progress the Masterplan to completion. There has been some delay due the need to consider Local Plan Part 1 in its adopted form. Kidlington Parish Council's strategy group is supportive of a public consultation being undertaken as soon as possible.

Option 2: To reconsider the content of the Masterplan: The Draft Masterplan has been produced having regard to an extensive evidence base and stakeholder engagement. It is considered by officers to be an appropriate consultation document. Following the consultation, there is the potential for further refinement in the light of representations received.

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### **Local Enforcement Plan**

The Head of Development Management submitted a report which sought consideration of the Local Enforcement Plan.

### **Resolved**

- (1) That the Local Enforcement Plan (annex to the Minutes as set out in the Minute Book) be adopted.

### **Reasons**

Paragraph 207 of the National Planning Policy Framework (NPPF) recommends that local planning authorities consider publishing a Local Enforcement Plan (LEP) to manage enforcement proactively, in a way that is appropriate to their area.

### **Alternative options**

Not to agree to adopt the LEP. This would inhibit the Planning Enforcement Team's ability to effectively manage breaches of planning control. It would also forego the opportunity to improve the public's understanding of the planning enforcement system.

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### **Queen Elizabeth II's 90th Birthday Celebration Grants**

The Director of Operational Delivery submitted a report which sought consideration of a grant scheme to encourage community celebrations of Her Majesty Queen Elizabeth II's 90<sup>th</sup> year.

#### **Resolved**

- (1) That the Queen Elizabeth II's 90<sup>th</sup> Birthday Celebration grants scheme be approved.

#### **Reasons**

The proposed grant scheme will honour Her Majesty Queen Elizabeth II. It will encourage community cohesion and neighbourliness in Cherwell's parishes and urban communities.

#### **Alternative options**

Option 1: Consideration has been given to extending eligibility to informal neighbourhood groups. This has not been recommended because the money would be paid over to individuals rather than established, accountable organisations.

Option 2: Consideration has been given to restricting grants to events taking place on the Queen's birthday (21 April), or her official birthday weekend (10-12 June). Given the work involved in organising an event and the short lead-in times to apply for this grant, it is considered fairer to extend eligibility to events throughout the summer.

Option 3: Not to establish a grants scheme to celebrate the Queen's 90<sup>th</sup> year.

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### **New Homes Bonus Draft Consultation Response**

The Director of Resources submitted a report which sought consideration of a draft response to the Government's consultation exercise on New Homes Bonus.

#### **Resolved**

- (1) That the Government's consultation document "New Homes Bonus: Sharpening the Incentive" be noted.
- (2) That the draft response to be submitted by this Council (annex to the Minutes as set out in the Minute Book) be endorsed.
- (3) That authority be delegated to the Director of Resources, in consultation with the Lead Member for Financial Management, to finalise the response for submission to the Government by 10 March 2016.

## Reasons

On 17 December 2015 the Government released a consultation paper on New Homes Bonus called "New Homes Bonus: Sharpening the Incentive". The report sets out a number of options that are being considered and seeks views on them.

It is recommended that the draft response to the consultation paper is considered and delegated authority granted to finalise the submission prior to the deadline which is 10 March 2016.

## Alternative options

Executive could decide not to consider the attached draft response but this is rejected as it is in the Council's interest to respond to such a document.

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## Performance Management Framework 2015/16 Quarter 3 Report

The Head of Transformation submitted a report which presented the Council's performance for the period 01 October – 31 December 2015 (quarter three), as measured through the performance management framework.

## Resolved

- (1) That the following achievements be noted: CBP1 2.4: Complete Bicester Town Centre regeneration including the Council's Commercial Building; CBP3 1.1a Deliver 150 units of affordable housing (Pledge); CBP 3 1.3a Provide housing/grant advice to encourage private sector landlords to improve their stock; CBP3 2.5: Contribute to the creation and/or safeguarding of 200 jobs; CBP3 7.3 Processing of Major Applications within 13 weeks; CBP3 7.4 Processing of Minor Applications within 8 weeks; and, CBP3 7.5 Processing of Other Planning Applications within 8 weeks.
- (2) That the following performance related matters be identified for review or consideration in future reports: CBP1 4.3 Establish new management arrangements for Stratfield Break Sports Group; CBP2 2.1b: Number of fly tips recorded; CBP4 6.1 Percentage of Council Tax collected; and, CBP4 6.2 Percentage of NNDR collected.
- (3) That it be noted that there was no feedback or referrals on performance issues from the Overview & Scrutiny Committee at its meeting on 23 February 2016 provided directly to the Leader.

## Reasons

This is a report of the Council's performance in the third quarter of 2015/16 measured through the performance management framework. The report covers key areas of performance against the Council's Business Plan, incorporating its public pledges, Corporate Equalities Plan and Partnerships.

### **Alternative options**

Option 1: To note the report

Option 2: To request additional information on items and/or add to the work Programme for review and/or refer to Overview and Scrutiny

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### **Quarter 3 2015-16 - Revenue and Capital Budget Monitoring Report**

The Director of Resources submitted a report which summarised the Council's Revenue and Capital position as at the end of the first nine months of the financial year 2015-16 and projections for the full 2015/16 period.

### **Resolved**

- (1) That the projected revenue and capital position at December 2015 be noted.

### **Reasons**

In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is reported monthly to the Joint Management Team and formally to the Budget Planning Committee on a quarterly basis.

The revenue and capital expenditure in Q3 has been subject to a detailed review by Officers and reported monthly to management as part of the corporate dashboard.

### **Alternative options**

Option 1: This report illustrates the Council's performance against the 2015-16 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

The meeting ended at 7.10 pm

Chairman:

Date:

## Cherwell District Council

### Executive

4 April 2016

#### Upper Heyford Masterplan

### Joint report of Head of Development Management and Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To consider the Upper Heyford Framework Plan.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To adopt the Upper Heyford Framework Plan as a guideline for the purposes of Development Management

#### 2.0 Introduction

- 2.1 The Cherwell Local Plan 2011-2031 (CLP) was adopted by the Council on 20<sup>th</sup> July 2015. It contains a strategic site specific policy for the development of the former RAF Upper Heyford base, Policy Villages 5, in which 1,600 dwellings are proposed and 1500 jobs. The policy boundary area extends the brownfield development area to include greenfield land in order to meet the full objectively assessed housing needs of the District. The CLP requires a comprehensive integrated approach to the development of Heyford in order to achieve a lasting arrangement where a new settlement will be provided but at the same time conserving the heritage interests of the site associated with its Cold War history. To achieve the comprehensive integrated approach that the Local Plan policy for the site requires work began on a Framework Plan following the adoption of the CLP in July 2015.
- 2.2 The purpose of the Framework Plan is to establish a clear Development Framework for the site, as non-Statutory Policy Guidance, which will be used in support of the CLP in the determination of future planning applications relating to the site.
- 2.3 Prior to the CLP's Examination in Public an agreement was reached between the Council and the main landowner at Heyford, the Dorchester Group (DG) over certain principles of developing the former base and a Statement of Common Ground (SOCG) signed. A copy of the policy is attached to this report as **Appendix 1**. However there is considerable background planning history that preceded the Local Plan designation.

- 2.4 The former base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War. The nature of the site is defined by the historic landscape character of the distinct zones within the base. The designation also acknowledges the special architectural interest, and as a conservation area, the character of which it is desirable to preserve or enhance and provides the context and framework to ensure the setting and appearance of sections of the Cold War landscape are preserved. The base is approximately 505 hectares in total.
- 2.5 In terms of the uses on site, the military use ceased in 1994. Over the last 20 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and numerous of them have gone to appeal. The most significant was application ref 08/00716/OUT. Following a major public inquiry that commenced in September 2008 the Council received the appeal decision in January 2010 that allowed “A new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08).”

### **3.0 Report Details**

- 3.1 In partnership with the main landowner at Heyford, the Dorchester Group (DG), officers engaged LDA Consultants to produce a new Development Framework Plan to deliver a comprehensive integrated approach in accordance with Policy Villages 5 of the CLP. They undertook significant preparatory work including site assessments and research followed by individual interviews with key partners. They met Dorchester’s Consultants, followed those with statutory undertakers and those representing the Council, plus relevant third parties which included owners of land allocated for development in the CLP, some developers and representatives of the local Parish Councils and Residents Association.
- 3.2 A draft Framework document has been prepared and submitted to DG and the Council. The Development Framework Plan is attached, **Appendix 2**. The Framework Plan demonstrates how the level of growth identified within the Policy Villages 5 could be delivered.
- 3.3 The Framework document aims to provide certainty for developer and the surrounding community as to what is physically proposed on which part of the site. The Framework document considered how best to integrate the new growth allocated in the adopted Cherwell Local Plan with existing planning consents. The document proposes locations for residential growth and associated facilities and new employment growth alongside established employment on site
- 3.3 Member’s attention is drawn to a number of key elements:
- It provides for a new access to the flying field for commercial traffic along Chilgrove Drive.
  - This facilitates the creation of a new parcel of land for commercial development.
  - The land for residential development on the Policy Village 5 inset map needs to be extended and an area is indicated where this can take place.

- An area can be set aside for a Heritage Park with its own access and the possibility of a new Heritage Visitor Centre.
- The main heritage assets, including the flying field can be preserved with limited harm.

3.4 It also recognises that further work is required in order to support future development proposals that come forward under Policy Villages 5 and this Framework Plan. A number of further studies are required including traffic and transport modelling, heritage impact assessment, heritage visitor study, ecology surveys and social infrastructure provision.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 A Development Framework has been prepared for Upper Heyford. It expands and provides further details to the objectives and policies contained in Local Plan Part 1 and benefits from extensive research and consultation carried out by the appointed consultants. Members are recommended to approve the draft Framework for the purposes of Development Management in the implementation of Policy Villages 5 and to progress the additional studies

## **5.0 Consultation**

5.1 With regard to the final document:

Councillor Michael Gibbard, Lead Member for Planning

5.2 By LDA, Planning Consultants as part of the master planning exercise:

Oxford Archaeology, Peter Brett Associates, Pegasus, Third Party Landowners, Neighbourhood Plan & Heyford Park Representatives, Cherwell District Council - Ecology, Oxfordshire CC – Transport, CDC Heritage - Claire Mitchell and Rose Todd, Historic England, Existing Tenants, Saietta, Thames Valley Police, Restore, Paragon Fleet Solutions, Integration Technologies

## **6.0 Alternative Options and Reasons for Rejection**

6.1 The Draft Framework Plan has been produced having regard to an extensive evidence base and stakeholder engagement. It is considered by officers to be an appropriate document to take forward the implementation of Policy Villages 5. There is the potential for further refinement in the light of further work yet to be undertaken in terms of transport modelling and heritage assessment.

## **7.0 Implications**

### **Financial and Resource Implications**

7.1 There are no financial implications arising directly from this report.

Comments checked by:

George Hill, Corporate Finance Manager 01295 751731

George.hill@cherwellandsouthnorthants.gov.uk

## Legal Implications

- 7.2 If adopted the framework plan will become a material planning consideration for the purpose of determining relevant planning applications.

Comments checked by:

Kevin Lane, Head of Law and Governance, 0300 0030107

kevin.lane@cherwellandsouthnorthants.gov.uk

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** Yes

**Community Impact Threshold Met:** Yes

### Wards Affected

Upper Heyford

Lower Heyford

Somerton

Ardley with Fewcott

Middleton Stoney

### Links to Corporate Plan and Policy Framework

District of Opportunity

Cleaner Greener

### Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

### Document Information

Appendix No	Title
Appendix 1	Cherwell Local Plan 2011-2013 Policy Villages 5
Appendix 2	Draft Development Framework Plan for Upper Heyford
Background Papers	
None	
Report Author	Andrew Lewis
Contact Information	01295 221813 <a href="mailto:Andrew.Lewis@cherwell-dc.gov.uk">Andrew.Lewis@cherwell-dc.gov.uk</a>

## Policy Villages 5: Former RAF Upper Heyford

**C.284** The former RAF Upper Heyford site is located 7 km north west of Bicester, in an isolated rural location, within the parishes of Upper Heyford, Somerton and Ardley. The airbase site measures approximately 500 hectares in total.



**C.285** The US Air Force vacated the airbase in 1994 and since 1996 this unique site has been allocated for residential led mixed uses as enabling development to secure environmental improvements and conservation of the heritage interest of the site associated with its former use as a Cold War military base.

**C.286** The airbase is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (the Canal itself has been designated as a Conservation Area). The Grade I listed Rousham Park is located in the valley to the south west of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has been designated as a

Conservation Area in view of the national importance of the site and the significant heritage interest.

**C.287** There are a number of Scheduled Ancient Monuments, listed buildings, and non designated heritage assets of national importance on site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is of ecological importance including a Local Wildlife Site (recently extended in area). The site has been divided into three main functional character areas: the main flying field and a technical site to the north of Camp Road and the residential area that is mainly to the south of Camp Road which itself consists of five distinctive character areas reflecting different functions and historic periods of construction. The flying field represents the core area of historic significance, and is of national significance due to its cold war associations.

**C.288** The site was previously subject to a policy from the Oxfordshire Structure Plan 2016 (Policy H2) which was saved by the South East Plan and retained upon the South East Plan's revocation. Policy Villages 5 below replaces Policy H2 in guiding the future redevelopment of the site and provides a positive policy framework within which opportunities to accommodate development are considered having regard to known constraints, principally heritage, ecology and transport impacts associated with additional development.

**C.289** Since the airbase closed in 1994 temporary planning permissions were granted for the reuse of a large number of the buildings on the site. At present there are just over 300 residential dwellings on the site, the majority of which are rented. Buildings used for employment purposes provide around 1000 jobs. The Cherwell

Innovation Centre is also located on the site, providing serviced offices and flexible office space, lab space, and meeting rooms. The Centre is home to a large number of science, technology and knowledge-based businesses. Paragon Fleet Solutions operate on a large part of the former airbase, undertaking office, technical and transport related activities centred around 'car processing'.

**C.290** A number of matters raised in a 2008 public inquiry, set out in the appeal decision from the Secretary of State in January 2010 remain relevant to the consideration of the scale, location and type of development that can take place at Upper Heyford including:

- the delivery of the required balance of historical/cultural objectives, environmental improvements, ecological benefits and public access
- whether the scale, type and location of employment and storage proposed for the flying field would harm the character of the Conservation Area and setting of Listed Buildings
- the extent of demolition/reuse of historic buildings on the site
- whether adequate opportunities for travel other than by private car would be delivered
- whether adequate infrastructure could be delivered; and
- whether a comprehensive and lasting approach to the whole site could be delivered.

**C.291** The site is allocated in this Local Plan as a means of securing the delivery of a lasting arrangement on this exceptional large scale brownfield site, whilst additional

greenfield land is now allocated in the context of meeting the full objectively assessed housing needs of the District by realising the opportunities presented by the development of this new settlement. The former airbase site currently has planning permission for a new settlement of some 1,075 homes (gross), and 'Policy Villages 5' provides for additional development through a combination of the intensification of the density of development proposed on the less sensitive previously developed parts of the site, and new, limited, greenfield development around the main airbase site in locations that will be complementary to the approved development. The additional development areas are shown on inset map 'Policy Villages 5'. The policy allows for residential development focused to the south of the flying field, avoiding the most historically significant and sensitive parts of the site, and on limited greenfield land to the south of Camp Road (and one greenfield area to the north of Camp Road, east of Larsen Road). Given the rural and isolated location of the settlement, and its significant heritage interest, securing adequate transport arrangements and funding the necessary mitigation of transport and heritage impacts will be of particular importance, whilst 'Policy Villages 5' also makes provisions relating to the importance of high quality design to reflect the distinctive character areas of the site.

**C.292** A comprehensive approach will be required and it will be necessary to demonstrate how the additional land identified can be satisfactorily integrated with the approved development. The additional land will not be permitted to be developed independently of the main development and infrastructure contributions will be expected for the wider scheme.

**C.293** Consultation with Historic England will be required in formulating specific development proposals for the site, whilst regard should also be had to the following documents in preparing any such scheme:

- Upper Heyford Landscape Sensitivity and Capacity Assessment (2014)
- Upper Heyford Assessment Interim Final Report (2014)
- Strategic Housing Land Availability Assessment Update (2014)
- The 2014 approved masterplan for the site
- RAF Upper Heyford Revised Comprehensive Planning Brief SPD (2007)
- RAF Upper Heyford Conservation Area Appraisal (2006)
- Former RAF Upper Heyford Landscape Character Assessment of the Airbase South of the Cold War Zone (2006)
- Former RAF Upper Heyford Conservation Plan (2005)
- Former RAF Upper Heyford Landscape and Visual Impact and Masterplan Report (2004)
- Restoration of Upper Heyford Airbase – A Landscape Impact Assessment (1997).

### **Policy Villages 5: Former RAF Upper Heyford**

**Development Area: 520 ha**

**Development Description:** This site will provide for a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted) and necessary supporting infrastructure, including primary and secondary education provision and appropriate community, recreational and employment opportunities, enabling environmental improvements and the heritage interest of the site as a military base with Cold War associations to be conserved, compatible with achieving a satisfactory living environment. A comprehensive integrated approach will be expected.

#### **Housing**

- **Number of homes** – approximately 1,600 (in addition to the 761 (net) already permitted)
- **Affordable housing** – at least 30%

#### **Employment**

- **Land Area** – approximately 120,000 sq. metres
- **Jobs created** – approximately 1,500

- **Use classes – B1, B2, B8**
- **Any additional employment opportunities further to existing consent to be accommodated primarily within existing buildings within the overall site where appropriate or on limited greenfield land to the south of Camp Road.**

#### **Infrastructure Needs**

**All development proposals will be expected to contribute as necessary towards the delivery of infrastructure provision through onsite provision or an appropriate off-site financial contribution to:**

- **Education – provision of a 2.22 ha site for a new 1-1.5 form entry primary school with potential for future expansion, if required, and contributions to primary and secondary school place provision**
- **Health – contributions required to health care provision**
- **Open Space – sports pitches, sports pavilion, play areas, indoor sport provision**
- **Community Facilities – nursery, community hall, local centre/hotel, a neighbourhood police facility**
- **Access and Movement – transport contributions and sustainable travel measures as detailed below, countryside access measures, fencing along the boundary of the new settlement and the flying field**
- **Utilities – contamination remediation, improvements to the water supply and sewerage network, as well as other utilities, may be required.**

#### **Key site specific design and place shaping principles:**

- **Proposals must demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole of the site identified as Policy Villages 5**
- **In order to avoid development on the most historically significant and sensitive parts of the site, new development is to be focused to the south of the flying field and on limited greenfield land to the south of Camp Road (and one greenfield area to the north of Camp Road, east of Larsen Road)**
- **The areas proposed for development adjacent to the flying field will need special consideration to respect the historic significance and character of the taxiway and entrance to the flying field, with development being kept back from the northern edge of the indicative development areas**
- **The release of greenfield land within the allocated site Policy Villages 5 will not be allowed to compromise the necessary environmental improvements and conservation of heritage interest of the wider site**
- **The settlement should be designed to encourage walking, cycling and use of public transport rather than travel by private car, with the provision**

of footpaths and cycleways that link to existing networks. Improved access to public transport will be required

- Development should accord with Policy ESD 15 and include layouts that maximise the potential for walkable neighbourhoods with a legible hierarchy of routes
- Retention and enhancement of existing Public Rights of Way, and the provision of links from the development to the wider Public Rights of Way network, including the reinstatement of the historic Portway route across the western end of the extended former main runway as a public right of way on its original alignment
- Layouts should enable a high degree of integration with development areas within the 'Policy Villages 5' allocation, with connectivity between new and existing communities
- Measures to minimise the impact of traffic generated by the development on the surrounding road network will be required through funding and/or physical works, including to any necessary capacity improvements around Junction 10 of the M40, and to the rural road network to the west of the site and around Middleton Stoney including traffic calming and management measures
- Development will provide for good accessibility to public transport services and a plan for public transport provision will accompany any planning application
- Design and layout should reflect the management and mitigation of noise impacts associated with the development
- A Travel Plan should accompany any development proposals
- The construction of the settlement on the former technical core and residential areas should retain buildings, structures, spaces and trees that contribute to the character and appearance of the site and integrate them into a high quality place that creates a satisfactory living environment
- Integration of the new community into the surrounding network of settlements by reopening historic routes and encouraging travel by means other than private car as far as possible
- The preservation of the stark functional character and appearance of the flying field beyond the settlement area, including the retention of buildings of national interest which contribute to the area's character (with limited, fully justified exceptions) and sufficient low key re-use of these to enable appropriate management of this area
- The achievement of environmental improvements within the site and of views to it including the removal of buildings and structures that do not make a positive contribution to the special character or which are justified on the grounds of adverse visual impact, including in proximity to the proposed settlement, together with limited appropriate landscape mitigation, and reopening of historic routes
- The conservation and enhancement of the ecological interest of the flying field through appropriate management and submission of an Ecological Mitigation and Management Plan, with biodiversity preserved and

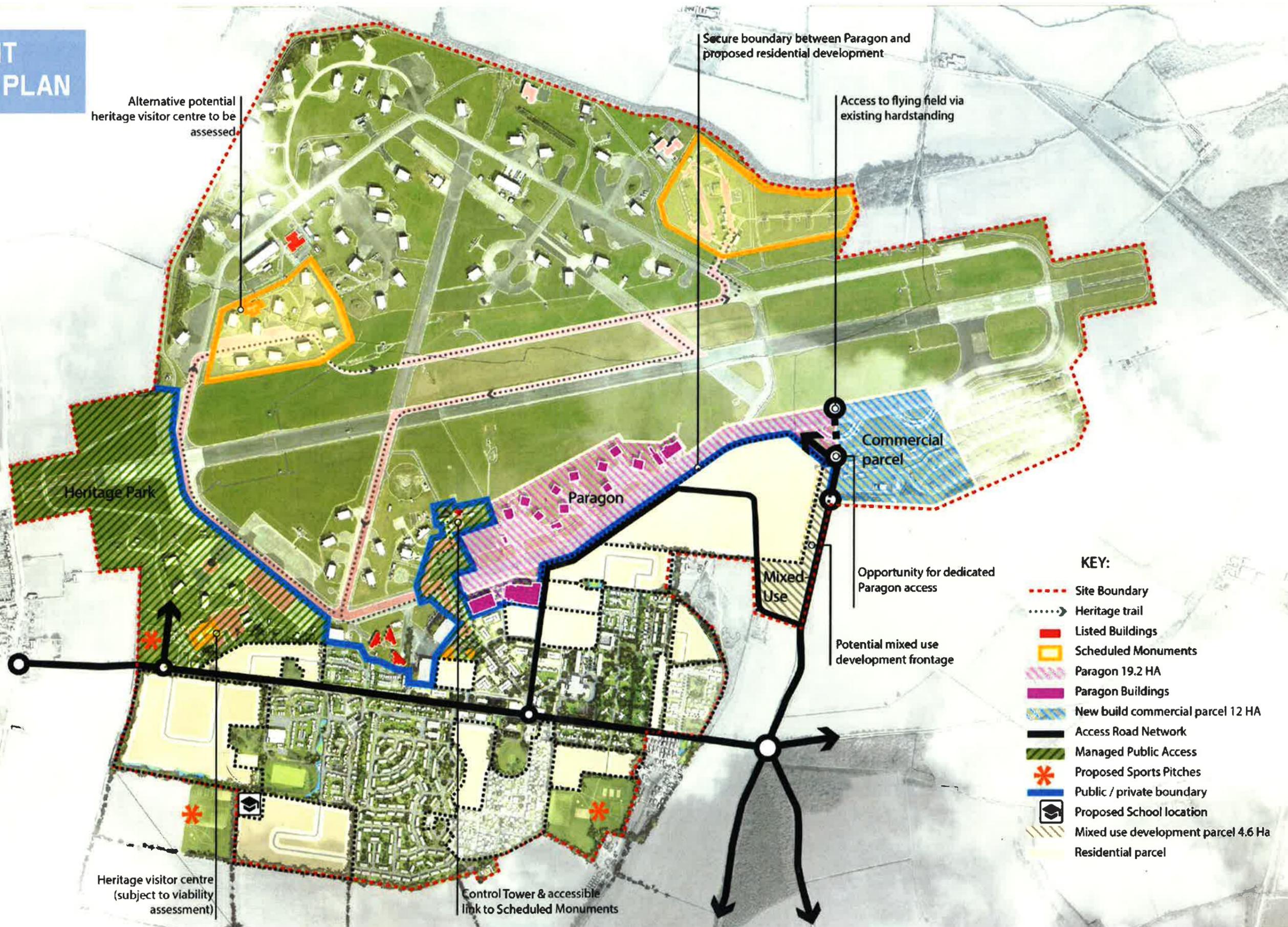
**enhanced across the site identified as 'Policy Villages 5', and wildlife corridors enhanced, restored or created, including the provision for habitat for great crested newts and ground nesting birds in particular. A net gain in biodiversity will be sought**

- **Development should protect and enhance the Local Wildlife Site (including the new extension to the south)**
- **Visitor access, controlled where necessary, to (and providing for interpretation of) the historic and ecological assets of the site**
- **Provision of a range of high quality employment opportunities, capable of being integrated into the fabric of the settlement, and providing that the use would not adversely affect residents or other businesses and would not have an unacceptable impact on the surrounding landscape, historic interest of the site, or on nearby villages**
- **New and retained employment buildings should make a positive contribution to the character and appearance of the area and should be located and laid out to integrate into the structure of the settlement**
- **A full arboricultural survey should be undertaken to inform the masterplan, incorporating as many trees as possible and reinforcing the planting structure where required**
- **New development should reflect high quality design that responds to the established character of the distinct character areas where this would preserve or enhance the appearance of the Former RAF Upper Heyford Conservation Area**
- **New development should also preserve or enhance the character and appearance of the Rousham, Lower Heyford and Upper Heyford Conservation Area, as well as the Oxford Canal Conservation Area, and their settings**
- **Development on greenfield land within 'Policy Villages 5' should provide for a well-designed, 'soft' approach to the urban edge, with appropriate boundary treatments**
- **Management of the flying field should preserve the Cold War character of this part of the site, and allow for public access. New built development on the flying field will be resisted to preserve the character of the area**
- **Landscape/Visual and Heritage Impact Assessments should be undertaken as part of development proposals and inform the design principles for the site**
- **Proposals should demonstrate an overall management approach for the whole site**
- **A neighbourhood centre or hub should be established at the heart of the settlement to comprise a community hall, place of worship, shops, public house, restaurant, and social and health care facilities. Proposals should also provide for a heritage centre given the historic interest and Cold War associations of the site**
- **The removal or remediation of contamination or potential sources of contamination will be required across the whole site**

- **The scale and massing of new buildings should respect their context. Building materials should reflect the locally distinctive colour palette and respond to the materials of the retained buildings within their character area, without this resulting in pastiche design solutions**
- **Public art should be provided**
- **Recycling and potential reuse of demolition materials where possible**
- **The provision of extra care housing and the opportunity for self build affordable housing in accordance with Policies BSC 3 and BSC 4**
- **Public open space should be provided to form a well connected network of green areas, suitable for formal and informal recreation**
- **Provision of Green Infrastructure links to the wider development area and open countryside**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Provision of sustainable drainage including SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the Council's Strategic Flood Risk Assessment development should be set back from watercourses**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **Development on the site will be required to investigate the potential to make connections to and utilise heat from the Ardley Energy Recovery facility to supply the heat demands of residential and commercial development on the site**
- **An archaeological field evaluation to assess the impact of the development on archaeological features**
- **In all instances development proposals will be subject to the other appropriate development plan policies.**



# DEVELOPMENT FRAMEWORK PLAN



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## Cherwell District Council

### Executive

4 April 2016

<p style="text-align: center;"><b>Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills</b></p>
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### Report of Commercial Director (Bicester)

This report is public

#### Purpose of report

The purpose of this report is to seek approval of the Interim Position Statement (attached as Appendix 1 to this report) relating to the securing of construction apprenticeships and skills through the land use planning system.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve Appendix 1 as guidance which will operate informally to secure construction apprenticeships and skills through the processing of planning applications by the Council, prior to informing a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.
- 1.2 To request that the Leader nominates a Cherwell District Council representative on to the Apprenticeship and Training Company Apprenticeship and Training Agency (ATA) Board.

#### 2.1 Introduction

- 2.1 Over the past 18 months, the Bicester Delivery Team has been working with partners to progress a scheme which would allow a sustained programme of apprenticeships to be delivered throughout the construction of the NW Bicester site. In doing this the Team has been mindful of the Eco Town planning principles and the leverage this gives the Council as a planning authority to encourage the development to be economically sustainable.
- 2.2 The two main components of the scheme are as follows:
  - i) Securing a target number of apprenticeships

Apprenticeships are being secured through S106 agreements attached to each outline planning application at NW Bicester. The initiative aims to deliver a target figure of 300 apprenticeships over the build out period (and potentially beyond), focusing on the construction and related trades initially, but broadening its scope to end users on site. This figure has been confirmed as realistic by the Construction Industry Training Board (CITB).

ii) Setting up and operating an Apprenticeship Training Agency (ATA)

A key element in the successful delivery of the programme has involved the setting up of a local Oxfordshire-based Apprenticeship Training Agency (ATA). In essence the Council's role has been to seek a way to secure apprenticeships through development and setting up the ATA is the best way to make this happen. It will be this organisation that will employ apprentices. The ATA will effectively carry all the risk. It will provide the necessary insurances and health and safety training as well as accessing suitable local candidates, liaise with local training providers to secure the appropriate college training and support, and with developers to agree the nature of the apprenticeship and on-site placement timescale.

- 2.3 It has always been the intention to develop a model and to implement it initially at NW Bicester and then to roll this out to other development sites in Bicester and the wider Cherwell District. Ultimately the intention is that the pilot could be used Oxfordshire wide.
- 2.4 The scheme was the subject of a successful bid for grant funding to OxLEP in December 2014. Cherwell District Council received £50,000 specifically to set up the ATA and to cover its first year of operation by a third party. A report went before the Executive in April 2015 which outlined the scheme. The Executive noted the report and approved CDC to be the accountable body as recipient of the grant.

### **3.0 Progress since the last Executive Report (April 2015)**

3.1 Setting up the ATA

The Bicester Delivery Team has now set up *The Apprenticeship & Training Company Ltd*. It is a company limited by guarantee, operating on a not-for-profit basis, which was incorporated in 2015. It has just been approved by the Skills Funding Agency (SFA) to deliver the service, via its 'Recognition' process. The SFA closely regulates and monitors who can deliver this service. An interim director is in place to manage the early work associated with company set up and operation.

- 3.2 The aim is for the Company to start operating in earnest by the end of Spring 2016 so it can be in a position to start managing apprenticeships for developers and their contractors shortly after. The current priority is to recruit members for the Board, after which the next action will be to seek a third party operator, as CDC previously decided that this should not be operated in-house. An advert will be going out for 7 Board members by the end of March 2016 with a view to recruitment during April 2016. It is anticipated that a representative from CDC will be able to be appointed to sit on the Board.

### 3.3 Securing apprenticeships through NW Bicester S106 agreements

A number of constructive discussions are currently underway as part of the preparation of S106 agreements to be attached to outline consents at NW Bicester. Specifically officers are seeking to secure in the region of 152 new construction apprenticeships through the NW Bicester applications that the Planning Committee have resolved to grant to date. The S106 agreements will be drafted so that developers are encouraged to use The Apprenticeship and Training Agency or other equivalent approach to be approved in writing by CDC, to manage the apprenticeships.

3.4 This emerging positive direction has encouraged officers to devise an approach, (based on the experiences to date at NW Bicester), which seeks to achieve similar outcomes for development across the District. This is contained at Appendix 1 of this report. It is considered that there is an immediate opportunity to capitalise on the scale of development currently being processed through the planning system by CDC. Valuable opportunities to secure new construction apprenticeships and skills could be lost if we wait until there is the opportunity to include the policy approach in Local Plan Part II and the Planning Contributions Supplementary Planning Document, which are still in the early stages of preparation.

3.5 Hence this is suggested to have the status of informal guidance to inform the discussions development control officers undertake with applicants of relevant planning applications to secure new apprenticeships. In this way, as well as helping to secure new apprenticeships through development, the Guidance will also be able to be usefully trialled ahead of its potential inclusion within Local Plan Part II and the Planning Contributions Supplementary Planning Document.

## 4.0 Approach of the Interim Position Statement

4.1 The Council will seek to apply this Guidance across the entire administrative area. It will seek the provision of a stated target number of new construction apprenticeships (or apprenticeship starts) as part of an Employment, Skills and Training Plan (ESTP) for each proposal for new development, to be secured via condition or S106 agreement, whichever is the most appropriate. The submission of ESTPs should not be unduly onerous for developers, hence an ESTP framework will be provided for information as an appendix to the guidance. This can be reproduced by developers and completed by filling in the relevant numbers.

4.2 This Guidance will apply to certain types of new development and subject to specified thresholds. However if proposed developments fall below these thresholds but developers would still like to provide new construction apprenticeships, then the Guidance states that the Council will encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations / conditions as a stated target to be achieved, if developers and / or their contractors are able and willing to exceed these, then the Council will encourage them to do so.

4.3 In essence, although the Guidance is keen to achieve an increase in new construction apprenticeship opportunities in the District through the planning system, it also considers that such arrangements need to be arrived at through discussion and agreement with developers, rather than imposed in a top-down

fashion. It will be counter-productive if the numbers of construction apprenticeships sought by CDC are unrealistic because they are actually unable to be achieved.

## **5.0 Conclusion and Reasons for Recommendations**

- 5.1 Increasing the number of new apprenticeships in England is a high profile Government objective. Cherwell District Council supports this aspiration. The amount of new development taking place in the District over the next 20 years or so, coupled with the evidenced shortage of construction skills provides both an incentive and opportunity to secure the provision of new construction related apprenticeships through the land use planning system.
- 5.2 The Cherwell District Council Local Plan Part 1 as well as CDC's Economic Strategy contain strategic aspirations relating to the need to support an increase in skills and training within the District. The Guidance at Appendix 1 provides detail on how this overarching strategic aim can be achieved through the land use planning process.
- 5.3 CDC is anticipating that developers will generally support the approach being promoted in this Guidance as an important and progressive initiative designed both increase the number of local skilled construction operatives available to support the building industry, as well as promoting the construction trades generally as a valuable future career path for young people. As such, the Executive is recommended to approve Appendix 1 to operate as informal guidance to secure construction apprenticeships and skills through the processing of planning applications by the Council, prior to informing a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.
- 5.4 The setting up and operating of The Apprenticeship and Training Company to manage apprenticeships on behalf of developers and their contractors is a key element of delivering the apprenticeships. This is because it will make the whole process easier for developers by acting as the apprentices' employer - rather than the developer needing to. Given that the OXLEP grant is supporting the first year or so of the Company's operation and CDC is the accountable body for this grant, as well as its strategic commitment to support skills and training, it would seem appropriate that there is a CDC representative to sit on the Board.

## **6.0 Consultation**

- 6.1 Informal discussions about the principle of this approach in relation to NW Bicester have been carried out with the lead developers of NW Bicester.
- 6.2 Discussions on the general principle of this have been had with Solicitor, Team Leader Planning, Shared Legal Team, Development Control Team Leader, Development Control and Major Projects, CDC), Senior Economic Growth Officer, CDC, Principal Planning Officer, Planning, Housing and Economy, CDC.
- 6.3 Consultation on the detail of the approach proposed in Appendix 1 has been carried out with Head of Strategic Planning and the Economy , Cherwell and South Northants, Solicitor, Team Leader Planning, Shared Legal Team, Development

Control Team Leader, Development Control and Major Projects, CDC, and Senior Economic Growth Officer, CDC.

## **7.0 Alternative Options and Reasons for Rejection**

7.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to progress the interim informal guidance but wait until a relevant policy can be included in Local Plan Part II and Planning Contributions Supplementary Planning Document. Rejected as this will present an opportunity lost and would potentially put the Council in breach of one of the key deliverables tied to the funding, which is to demonstrate measures undertaken to roll out this approach more widely than at NW Bicester.

Option 2: Not to seek a representative on the Board of the Apprenticeship and Training Company from Cherwell District Council. Rejected as this would potentially lead to some risk for the Council in terms of being the accountable body for the OxLEP grant. A key deliverable of the funding is that each relevant delivery partner in the project should have representation on the Board.

## **8.0 Implications**

### **Financial and Resource Implications**

8.1 The implementation of the Guidance can be resourced within existing budgets and staff resources.

Comments checked by:

Paul Sutton, Head of Finance and Procurement (0300 003 0106)  
paul.sutton@cherwellandsouthnorthants.gov.uk

### **Legal Implications**

8.2 The Guidance at Appendix 1 will operate as informal interim guidance for CDC Development Control officers and applicants prior to a similar approach being potentially incorporated into the CDC Local Plan Part II where it will follow the statutory processes for consultation and scrutiny.

Comments checked by:

Nigel Bell, Solicitor, Team Leader Planning, Shared Legal Team (01295 221687,  
nigel.bell@cherwellandsouthnorthants.gov.uk

## **9.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** Yes

**Community Impact Threshold Met: Yes**

**Wards Affected**

All

**Links to Corporate Plan and Policy Framework**

This report directly links to the following corporate priority and objective set out in the Cherwell District Council Business Plan 2016-2017:

Cherwell – Thriving Communities

**Lead Councillor**

Councillor Gibbard

**Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Draft Cherwell District Council Construction Apprenticeship and Skills Interim Planning Policy Guidance, April 2016
<b>Background Papers</b>	
Apprenticeships Policy, England 2015 House of Commons Library	
<b>Report Author</b>	Caroline Clapson, Bicester Delivery Team
<b>Contact Information</b>	01295 221514 Caroline.clapson@cherwell-dc.gov.uk

## Draft Cherwell District Council Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills, April 2016

### 1.0 Background

- 1.1 The Government has made a commitment to 3 million new apprenticeship starts in England between 2015 and 2020<sup>1</sup>. Apprenticeships are full time paid jobs which incorporate on and off the job training. A successful apprentice will receive a nationally recognised qualification on completion of their contract. Public sector bodies will be required to employ apprentices and set targets to increase apprenticeship numbers<sup>2</sup>. There are over 200 different types of apprenticeship currently available in England, through existing apprenticeship frameworks. Apprentices can receive qualifications ranging from those equivalent to 5 GCSE passes to those equivalent to a degree.
- 1.2 Cherwell District Council (CDC) has pledged during 2016-2017 to “continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training”<sup>3</sup>. In particular CDC is keen to increase the number of apprenticeships and related skills that come forward through the construction of new development areas in the District. This aspiration is in line with the latest report from the Construction Skills Network which forecasts that in the south east region alone, 1730 construction jobs are expected to be created every year over the next 5 years, but skill shortages are beginning to emerge<sup>4</sup>.
- 1.3 Oxfordshire in general and the Cherwell District in particular, are experiencing a large increase in construction to provide new homes and jobs for the area. However there is a shortage of skilled construction workers to support this growth. The table below shows the trends over the last four years. Construction apprenticeships are decreasing. They made up 6.6% of the total in 2011/12 and falling to 4.1% in 14/15. Furthermore labour market information gathered by the Oxfordshire Local Enterprise Partnership (OXLEP) has shown that within the local construction sector, it is the elementary construction occupations that are most in demand<sup>5</sup>.

Construction, Planning and the Built Environment	2011/12	2012/13	2013/14	2014/15, Q4 provisional
Count of construction apprenticeship starts	300	250	170	180
% of all apprenticeships	6.6%	5.6%	4.4%	4.1%

Source: Economy and Skills, Oxfordshire County Council.

- 1.4 The need to increase the number of apprenticeships locally is picked up by both the Oxfordshire Local Economic Partnership (OxLEP) and the South East Midlands Economic Partnership (SEMLEP). OxLEP’s Strategic Economic Plan is committed to delivering 1150

<sup>1</sup> Apprenticeships Policy, England 2015: House of Commons Library Briefing Paper 03052, 20 January 2016 page 3

<sup>2</sup> Op. cit. page 3

<sup>3</sup> Cherwell District Council Performance Pledges 2016-2017

<sup>4</sup> Construction Skills Network South East Report 2016-2020

<sup>5</sup> Oxfordshire Labour Market Information Summer 2014, Oxfordshire Skills Board Page 39

more apprenticeships to 2020 within Oxfordshire<sup>6</sup>. The SEMLEP Strategic Economic Plan is seeking just over 94,000 apprenticeship starts within the SEMLEP area between 2015 and 2020. Of these, it is anticipating that 7017 will be created within the Cherwell District<sup>7</sup>. It notes in particular that there is a shortage of skills and an aging workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors across the SEMLEP area<sup>8</sup>.

- 1.5 Cherwell District Council's Economic Development Strategy (CDCEDS) identifies the provision of apprenticeships as one way to help people into employment<sup>9</sup>. In essence, the growth envisaged in the Cherwell District Council Local Plan Part 1 (July 2015) will both benefit from a healthy supply of construction apprentices as well as providing an ideal environment to support the training of new entrants to the construction trades. In respect of North West Bicester, the CDCEDS seeks to implement the NW Bicester Economic Strategy as one of the means to provide, encourage and support skills needed to develop NW Bicester and cites local apprenticeships as an outcome of this initiative<sup>10</sup>.
- 1.6 This note will set out the national and local planning policy context before describing the approach to be taken in the negotiation of construction (and related trades) apprenticeships for planning applications for certain categories of new development by Cherwell District Council. It is intended that this note will operate as informal guidance which will eventually help inform a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.

## **2.0 National Planning Policy Context**

### **2.1 The National Planning Policy Framework March 2012 (NPPG)**

The Framework is predicated on ensuring that the planning system promotes sustainable development. The Framework notes that there are 3 dimensions to sustainable development and that the planning system should correspondingly perform an environmental role, a social role and an economic role<sup>11</sup>. In terms of the economic role, the NPPF notes that pursuing sustainable development involves "making it easier for jobs to be created in cities, towns and villages."<sup>12</sup> It further notes that "plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas."<sup>13</sup>

- 2.2 Under the heading "Building a strong, competitive economy" the NPPF states that "the Government is committed to securing economic growth in order to create jobs and prosperity..."<sup>14</sup> It continues by stating that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that

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<sup>6</sup> OxLEP Strategic Economic Plan March 2014, page 42

<sup>7</sup> SEMLEP Strategic Economic Plan 2015-2020, Table B SEMLEP Apprenticeship Data, Page 25

<sup>8</sup> Op cit. paragraph 2.5.19, page 26

<sup>9</sup> Economic Development Strategy for Cherwell, North Oxfordshire 2011-2016, Cherwell District Council, pages 32, 45

<sup>10</sup> Op Cit. page 47

<sup>11</sup> NPPF (March 2012) paragraph 7

<sup>12</sup> NPPF (March 2012) paragraph 9

<sup>13</sup> NPPF (March 2012) paragraph 10

<sup>14</sup> NPPF (March 2012) paragraph 18

planning should operate to encourage this. It concludes the paragraph by stating that significant weight should be placed on the need to support economic growth through the planning system.<sup>15</sup>

- 2.3 In terms of how apprenticeships can be delivered through the planning system, CDC proposes that this is achieved through planning obligations or through conditions attached to planning consents, whichever is the most appropriate depending on the individual circumstances of each application and site. In drafting conditions and agreements, CDC will take account of the NPPF and Planning Practice Guidance.

2.4 Eco Towns Supplement to Planning Policy Statement 1 July 2009 (SPPS1)

The SPPS1 specifically applies to the North West Bicester site. In a similar way to the NPPF, there are no explicit references to the provision of apprenticeships in the Supplement. However section ET10 Employment states that an economic strategy should be produced to accompany planning applications for eco towns that demonstrate how access to work will be achieved. One of the supporting documents accompanying the NW Bicester Masterplan submitted by A2 Dominion is the NW Bicester Economic Strategy (21 March 2014) which contains a commitment to apprenticeships. This will be explored in more detail in the section below which deals with the local planning policy context.

**3.0 Local Planning Policy Context**

3.1 The Cherwell Local Plan 2011-2031 Part 1 (adopted July 2015)

Securing the economic future of the District is the main priority of the Local Plan<sup>16</sup>. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities.<sup>17</sup> In particular, the Plan notes that relatively large numbers of people in Cherwell are without qualifications and basic skills, so the level of education and training needs to improve<sup>18</sup>. The Plan contains 5 strategic objectives for developing a sustainable local economy including SO5 which aims to “.....support an increase in skills and innovation....<sup>19</sup>”. The Plan notes that “there will also need to be promotion of local training providers, an improvement of the relationships between companies and schools, colleges and the universities....<sup>20</sup>. However there are no strategic policies that deal with the provision of apprenticeships / increasing skills in the workforce as these are detailed policy areas more appropriately covered in the Cherwell Local Plan Part 2.

- 3.2 However the supporting text to Policy Bicester 1: North West Bicester Eco-Town states that an economic strategy will be required and there should be local sourcing of labour, including providing apprenticeships during construction<sup>21</sup>. Policy Bicester 1 itself repeats the requirement for an economic strategy to be prepared to support planning applications for the site and amongst other matters, to demonstrate how access to work will be achieved.

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<sup>15</sup> NPPF (March 2012) paragraph 19

<sup>16</sup> CDC Local Plan 2011-2031 Part 1, July 2014, paragraph ix Executive Summary.

<sup>17</sup> Op cit. paragraph 1.66

<sup>18</sup> Op cit. paragraph A14

<sup>19</sup> Op cit. page 31

<sup>20</sup> Op cit. paragraph B14

<sup>21</sup> Op cit. paragraph C39

3.3 North West Bicester Supplementary Planning Document (anticipated to be adopted March 2016)

The North West Bicester Supplementary Planning Document amplifies Policy Bicester 1 of the Local Plan Part 1. Under Development Requirement 5- Employment, it states that employment proposals for NW Bicester will be required to “support apprenticeship and training initiatives”. In Section 6 Delivery, the SPD states that “employment opportunities and facilities to support job creation providing a mix of uses and access to job opportunities” should be taken into account to deliver the masterplan vision through the submission of planning applications. It further states that contributions towards local employment, training and skills will be required through legal agreements from developers<sup>22</sup>.

3.4 NW Bicester Masterplan: Economic Strategy (March 2014)

In line with Section ET10 of the PPS1 Supplement and Policy Bicester 1 of the Cherwell Local Plan this Economic Strategy has been prepared by SQW on behalf of the promoters of the NW Bicester site to support the NW Bicester Masterplan. Figure 3-2 sets out the contribution the NW Bicester site will make to local economic objectives. It states that “NW Bicester will support the expansion of education and training opportunities in Bicester by increasing demand and the sponsorship of apprenticeships, for example in eco construction”. It notes that NW Bicester will create a long term (20+ year) demand for local skills relating to eco construction.

3.5 Paragraph 5.6 of the Economic Strategy states that “training programmes, including apprenticeships, will be provided to ensure local residents and firms can acquire the necessary skills for NW Bicester, but that these skills will also be in increasing demand elsewhere as construction standards improve and retrofit programmes are rolled out”.

3.6 Finally, Table 6-1 Economic Development Action Plan consolidates all of the above statements by setting out that OCC and CDC will develop a Bicester wide apprenticeship strategy for all the development in Bicester of which NW Bicester is a part. It further states that apprenticeship schemes will be agreed with developers, the local colleges and other suitable local training providers.

**4.0 How this Guidance will be applied**

4.1 Approach

Cherwell Council will seek to apply this Guidance across its entire administrative area. It will seek the provision of a stated target number of new construction apprenticeships (or apprenticeship starts) as part of an Employment, Skills and Training Plan (ESTP) for each proposal for new development, to be secured via condition or S106 agreement as explained in paragraph 2.3 above. CDC is keen that the submission of ESTPs should not be unduly onerous for developers, hence an ESTP framework is provided for information at Appendix A to this Document. This can be reproduced by developers and completed by filling in the relevant numbers.

4.2 This Guidance will apply to the types of new development and subject to the thresholds set out in the table below. However if proposed developments fall below these thresholds but developers would still like to provide new construction apprenticeships, then the Council will

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<sup>22</sup> North West Bicester Supplementary Planning Document (adopted March 2016), page 54.

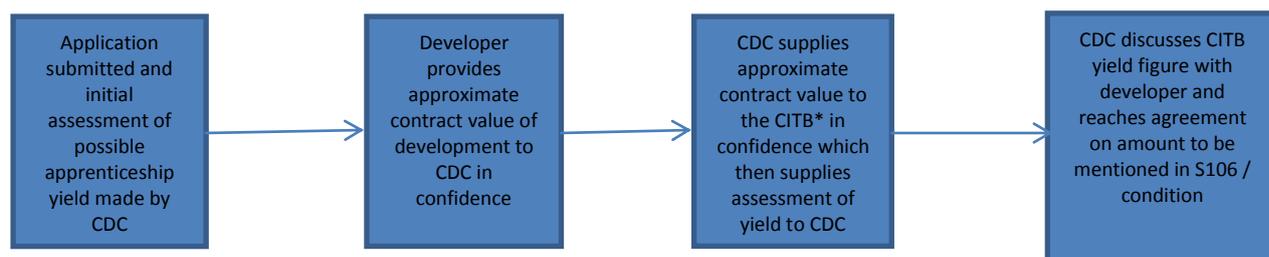
encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations / conditions as a stated target to be achieved, if developers and / or their contractors are able and willing to exceed these, then the Council will encourage them to do so.

Type of Proposed New Development	Threshold	Indicative number of apprenticeships to be achieved
Housing (Use Class C3)	50 units	2.5 apprenticeships per 50 units
Non-residential uses	1000 sq m of floorspace	3 apprenticeships per 1000 sq m of floorspace
Utilities and highways infrastructure applications	None	Subject to discussion with developers on a case by case basis

4.3 In essence, while Cherwell District Council is keen to achieve an increase in new construction apprenticeship opportunities in the District through the planning system, it also considers that such arrangements need to be arrived at through discussion and agreement with developers, rather than imposed in a top-down fashion. It will be counter-productive if the numbers of construction apprenticeships required by CDC are unrealistic because they are actually unable to be achieved.

4.4 Process

The purpose of the information in the above table is to provide guidance for developers and will be the starting point in discussions with developers about the amount of apprenticeships each application could yield. This is because the Council understands that each site’s circumstances will vary and that apprenticeship yield largely relates to development cost / contract value. CDC envisages the approach to agreeing the apprenticeship yield from each relevant application could follow the process such as the one set out in the diagram below:



\* CITB = Construction Industry Training Board

4.5 This process has already been piloted successfully with 3 planning applications which form part of the NW Bicester development.

**5.0 Approach to S106 Agreements and Conditions**

5.1 S106 Agreement Clauses

S106 agreements will encourage applicants (or their successors in title) to submit an Employment Skills and Training Plan in line with the specimen framework attached to the

agreement (and included as Appendix A of this document) before implementation of the development. S106 agreements will seek this to be approved by CDC in writing prior to implementation and for the applicants (or successors in title) to be guided by the contents.

- 5.2 S106 agreements will also require that the ESTP sets out the arrangements by which the applicants will provide the stated target number of agreed construction (and related trades) apprenticeships and will support the applicant to use The Apprenticeship and Training Company Ltd or other equivalent approach. Apprenticeship Training Agencies (ATAs) are organisations that directly employ apprentices and operate as the apprentice's day-to-day workplace manager. They coordinate the apprentice's training and pay the associated training costs. The host employer (i.e. where the apprentice will have his/her on-site placement) pays a fee which covers the cost of their salary (which will be at least the National Minimum Wage Rate), plus a management fee to cover the ATA's costs (which includes HR and payroll provision and the management of the off-site training provision). Therefore ATAs support businesses who want to take on apprentices by dealing with the administration associated with hiring or employing an apprentice. Appendix B of this Guidance provides further information about The Apprenticeship and Training Company Ltd (to be finalised).
- 5.3 S106 agreements will require that all of the apprenticeship opportunities secured through these means are initially advertised within the administrative area of the District Council and if there are no such suitable persons, to people residing in Oxfordshire and then the surrounding locality (e.g. Milton Keynes, Aylesbury, Northamptonshire).

5.4 Conditions

If it is decided that the securing of apprenticeships would be better dealt with through a condition, then the content of that condition would be similar to that set out to be dealt with under S106 agreements, with the possible use of an informative to explain the role of the Apprenticeship and Training Company Ltd.

**6.0 Conclusion**

- 6.1 Increasing the number of new apprenticeships in England is a high profile Government objective. Cherwell District Council supports this aspiration. The amount of new development taking place in the District over the next 20 years or so, coupled with the evidenced shortage of construction skills provides both an incentive and opportunity to secure the provision of new construction related apprenticeships through the land use planning system. Although the national planning policy guidance does not refer to apprenticeships specifically, it makes it clear that it is the business of the planning system to promote and support economic growth through the provision of jobs and that significant weight should be attached to the need for the planning system to support sustainable economic growth.
- 6.2 The Cherwell District Council Local Plan Part 1 as well as CDC's Economic Strategy contain strategic aspirations relating to the need to support an increase in skills and training within the District. These are expressed in more detail in Local Plan Policy Bicester 1 and the NW Bicester Eco Town SPD which both specifically refer to the need for an economic strategy to support NW Bicester and that it should contain provisions to support apprenticeship and training initiatives - which it does so. This guidance anticipates the further detailed policy

approach to be contained in Local Plan Part II which will relate to new development sites across the District.

- 6.3 CDC is anticipating that developers will generally support the approach being promoted in this Guidance as an important and progressive initiative designed both increase the number of local skilled construction operatives available to support the building industry, as well as promoting the construction trades generally as a valuable future career path for young people.

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## Cherwell District Council

### Executive

4 April 2016

#### District Wide Cleansing Service

### Report of Head of Environmental Services

This report is public

#### Purpose of report

To update the Executive on the actions and strategies being followed to ensure the district has a good level of cleanliness

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#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the good levels of customer satisfaction (69% in 2015) with the Council's Street Cleansing service
- 1.2 To support the enforcement actions to combat fly tipping, littering and dog fouling.
- 1.3 To support the combination of education, enforcement and operational efficiency to keep the District clean.

#### 2.0 Introduction

- 2.1 The cleanliness of the District is important to residents and is a significant factor affecting overall satisfaction with the Council and its services. Residents' satisfaction is measured each year through the annual customer satisfaction survey. In the last satisfaction survey in summer 2015, the satisfaction level with the Street Cleansing service was 69% which was a rise from 67% in 2014.
- 2.2 To keep the District clean, Environmental Services concentrate on achieving a balance between educating residents regarding waste and littering, enforcement action against those who discard waste and the operational efficiency of the Street Cleansing team.
- 2.3 Education of residents is achieved through raising awareness through Cherwell Link, through Neighbourhood Blitz events, through press releases and the use of the cartoon character Major Sparkle.
- 2.4 Enforcement action is carried out on a broad range of environmental issues including abandoned vehicles, dog fouling, duty of care, fly tipping and littering.

- 2.5 Operational efficiency of the Street Cleansing team is achieved through employing good quality highly motivated staff members, through strong proactive and reactive leadership and from using effective equipment.
- 2.6 The services offered by the Street Cleansing team include litter bin emptying, litter picking, graffiti removal, chewing gum removal, removal of fly tips following analysis of content to attempt to identify the transgressor plus contracted work in green open spaces for Banbury & Bicester Town Councils and Kidlington Parish Council.
- 2.7 The recent work taken on for Banbury Town Council has led to a reduction in complaints in green open spaces of 90% in Banbury.
- 2.8 The net budget for Street Cleansing & Public Conveniences in 2016/17 is £1.135 million. This involves 29 staff and 20 vehicles.
- 2.9 This service was the subject of debate and questions at the Council meeting on 22 February 2016 when the Leader of the Council called for a comprehensive report on the service and its issues to be submitted to the Executive for further consideration. This report serves that purpose.

### **3.0 Report Details**

- 3.1 Street Cleansing is a high profile service delivering a clean District across all adopted highways in the Cherwell area. The Street Cleansing strategy is based on striking a balance between education, enforcement and service efficiency.
- 3.2 The strategy to keep somewhere clean should not be solely based on having an effective Street Cleansing team. Stopping litter, dog fouling and fly tipping through educating residents and taking enforcement action against those who insist on damaging the cleanliness of the District is often more cost effective than a large reactive Street Cleansing service.

#### **Education**

- 3.3 Most residents are responsible with waste, using litter bins when away from home and disposing of household waste through the Council's comprehensive set of waste collection services. However, a few people casually discard litter or dispose of household waste in gateways, alleyways and on other land causing environmental damage and passing unnecessary cost onto this Council and sometimes private landowners.
- 3.4 For residents, even worse than littering and fly tipping is dog fouling. Alleyways, footpaths and open spaces can be spoilt by a few thoughtless dog owners who fail to pick up after their dogs.
- 3.5 By raising awareness through a range of channels including the Cherwell Link, the website and other communication routes such as signage, reductions in dog fouling can be achieved. Regular patrols are carried out and recorded. In recent years more patrols have been carried out with staff wearing hi visibility clothing. This has the advantage that the public can see action being taken to limit dog fouling but does mean that catching dog fouling becomes even less likely.

- 3.6 Other examples of campaigns to raise the awareness of residents to keeping the District clean include the Neighbourhood Blitz events and Spring clean events. Each year six Neighbourhood Blitz events are planned in the urban areas. During most blitz events leaflets are delivered to up to 2,000 properties which raise residents' awareness and encourage responsible behaviour regarding waste. In the villages, the annual spring clean event encourages residents to take pride in their village.
- 3.7 In 2016, the annual spring clean event was brought forward and changed to fit in with a national campaign, Clean for the Queen. There were more than 40 community groups which took part in the Clean for the Queen campaign during March 2016.
- 3.8 A cartoon character Major Sparkle is also used for educational purposes. Major Sparkle is aimed at primary school age children. A resource pack is available to school teachers when they can use Major Sparkle.

### **Enforcement**

- 3.9 The Environmental Services enforcement team carry out a broad range of enforcement activities covering abandoned vehicles, dog fouling, duty of care, fly tipping and littering. By having a dedicated team for environmental crime, all fly tipping incidents are investigated, case files built up where there is some evidence of the transgressor, interviews held under caution and where sufficient evidence exists and the public interest test is met, then prosecutions may result.
- 3.10 Regular litter patrols are carried out in the three urban centres with 40-60 fixed penalty notices (FPN) issued each year. In recent years many of the FPNs have been issued for people discarding cigarette ends.
- 3.11 The issuing of FPNs for dog fouling is the most difficult area. Despite many patrols the number issued is only up to five per year. This is usually because dog owners will pick up mess if they know other people are about. In the winter months, the shorter days means that it is extremely difficult to catch dogs fouling. To try and maximise the chances of success, in the summer months dog patrols are carried out early in the morning and into the evening.
- 3.12 Fly tipping is not a major problem in the District but can be a frustration. Most fly tips are household waste items and small in size. Often they appear to have been tipped through a resident being too lazy to use alternative disposal routes. The most expensive fly tips usually involve either tyres or asbestos. Fortunately, such fly tips are infrequent. All fly tips are investigated and some have sufficient evidence to start a full investigation and the building up of a case file. For a case file to go forward for prosecution the public interest test must be met and there must be a very high degree of confidence that the prosecution will result in a conviction.
- 3.13 The enforcement team have had a number of successes against fly tipping with successful prosecutions, fixed penalty notices being issued and formal cautions carried out. The number of enforcement successes are set out in the table below;

	2012/13	2013/14	2014/15	2015/16(to early March)
Fly tips	390	469	477	498
Prosecutions	7	5	13	11
Formal cautions	7	11	13	16
Litter Fixed Penalty Notices	54	46	40	19
Dog Fouling Fixed Penalty Notices	6	3	5	0

- 3.14 The enforcement team has three enforcement officers and one assistant enforcement officer to cover both this Council and South Northamptonshire. The number of successes can vary year on year, depending on the quality of the evidence found. At some fly tips no evidence exists as to where the waste has come from, at others the evidence is unclear but at a few fly tips good quality evidence can be found. When this occurs, an enforcement and prosecution process will be pursued assuming the public interest test is met. In this respect, it is more appropriate for performance management purposes to consider % prosecution success than actual fly tip numbers and therefore, it is intended that this be the performance focus from 2016/17.

### **Street Cleansing Service Efficiency**

- 3.15 The Street Cleansing team carry out a wide range of activities. These activities include emptying bins, general litter picking, mechanical sweeping, keeping the three urban centres clean, keeping residential areas clean, cleaning villages, litter picking highway verges, emptying wheeled bins in busy laybys such as those on the A34 and keeping clean the parks and green open spaces for Banbury & Bicester Town Councils & Kidlington Parish Councils.
- 3.16 In keeping an area clean, there are some important principals to follow. The Street Cleansing team need to concentrate resources on areas which need cleaning. This principle affects the frequency and type of cleaning undertaken e.g. town centres cleaning is frequency based (daily) whilst many other areas are scheduled for cleaning based on experience when standards fall below an acceptable level.
- 3.17 The Code of Practice for litter sets out the cleanliness standards with A standard being the highest standard. When the standard of an area drops below B standard the aim is to return the area to an A. By inspecting the area on a regular basis Street Cleansing supervisors can identify areas which are falling below standard and then target the Street Cleansing team to return these areas to an A standard.
- 3.18 With a large geography, mobility is a key requirement of Street Cleansing. A man pushing a wheelbarrow will only move at around 2 mph and will pass a lot of streets which do not need cleaning. Manpower is expensive and likely to become more expensive in the future. Vehicle costs are less than 25% of the cost of a staff member and each vehicle greatly improves the productivity of staff by cleaning a much larger geographic areas than staff pushing wheelbarrows.
- 3.19 The quality of staff employed on Street Cleansing has greatly increased over recent years. This has allowed a movement from frequency based cleaning to cleaning areas when they need cleaning using local knowledge. Hence in many areas, a staff member has the responsibility to keep their designated area clean rather than

being given prescriptive frequencies. This has meant that the number of supervisory staff is minimised and that much of the supervisor's role is around ensuring standards are maintained.

### **Chewing Gum Removal**

- 3.20 Chewing gum removal is carried out by a specialist external contractor. To remove gum, steam is applied to each piece to ease its removal. This is a slow and hence costly process. Once the gum is removed from an area the contractor then uses a mechanical scrubber to give the area a final polish. Since the removal process relies on steam, gum removal from paving stones or block paving works well but removal of gum from tarmac surfaces is not possible as the tarmac is affected. The contractor usually is engaged for a full week at a time. Bicester Sheep Street and Banbury High Street are done at least annually with other key areas being cleaned every two-three years depending on the build-up of gum. In most years, up to £15k is spent on gum removal.

### **Graffiti removal**

- 3.21 Sometimes graffiti is removed by the Street Cleansing team, occasionally it is removed by an external contractor depending on the nature and location of the graffiti. The Street Cleansing team have some basic equipment which works on metal or brick surfaces. For more difficult surfaces such as stone, an external specialist contractor maybe used. Usually the responsibility for the removal of graffiti rests with the owner of the building or structure that has the graffiti. However, the Street Cleansing team do remove graffiti from signs and some utility boxes since it normally can be removed with a simple graffiti wipe. Where the graffiti is on a house or a wall of a domestic and usually private property, the Street Cleansing team will remove the graffiti with the permission of the owner. The Street Cleansing team will also get involved if the graffiti is offensive. However where the graffiti is on commercial buildings, housing association properties and/or is at height on a private property, then the responsibility for removal lies with the owner. The graffiti policy approved by the Executive from September 2007 is in Appendix1.
- 3.22 The Street Cleansing team often photograph any graffiti and pass this onto the Anti Social Behaviour team and they liaise with the Police. Fortunately the amount of graffiti in the district is low. A recent spate in Bicester was largely on commercial properties located on industrial estates and the responsibility for removal lay with the buildings' owners.

### **Keeping the A34 clean**

- 3.23 Keeping the A34 clean is a challenge. Litter picking on the verges is difficult, in many of the laybys a lot of waste is generated by trucks parking overnight. Most nights the laybys on the A34, especially at the M40 end are nose to tail with trucks parked overnight.
- 3.24 The wheeled bins in the laybys are emptied once a week. In addition the laybys are litter picked when the bins are emptied. However, if they overflow the litter is blown down onto the verges or onto the central reservation. Several years ago rats were a problem in some of these laybys due to food waste being discarded by truck drivers in to the nearby vegetation. However, since the laybys changed over from litterbins to a wheeled bin system, this problem has largely been removed. The larger wheeled bin system offers other advantages in addition to those mentioned above

such as more waste being captured by the bins, staff not having to come into contact with waste which is often very unpleasant and a change of emptying to once a week.

- 3.25 Despite wheeled bins provided in all the laybys, litter does build up on the verges. To safely litter pick on the north bound verge and for some of the south bound verge, a mobile lane closure is required. However due to the volume of traffic there is only a narrow window where Highways England will allow a lane closure. The times when Highways England will agree to a lane closure are at night (difficult for litter picking) or early in the morning at weekends. Consequently the work is always done early Sunday morning during the period March – November, since the work must cease when traffic levels rise to a certain level. Usually on a Sunday, traffic levels are too high at around 09.00/09.30.

### **Highway Verges**

- 3.26 The large geography of Cherwell means there are many miles of highway. Keeping the verges clear can be a challenge. During the summer and spring, the grass can be very high and it can be difficult to litter pick the verges because the litter cannot be seen. However, in late autumn and winter the vegetation dies back often revealing litter and therefore Street Cleansing resources are put into cleaning verges from December when the verges can more easily be cleaned.
- 3.27 On the major A roads through the District, the verges are litter picked once per month, the B roads are litter picked around 4 times/year and the minor roads are litter picked as & when required but at least annually.

### **Urban Centres**

- 3.28 The three urban centres are a priority for the Street Cleansing team. Both Banbury & Bicester have seven day/week shopping and a buoyant night time economy. Consequently these two urban centres use a significant proportion of the team. During the lighter evenings, the hours of cover are increased so that the town centres are cleaned from 6.00am and continuing up to 7.00pm.
- 3.29 Kidlington has seven day cover also but with a very limited night time economy, the hours covered are considerably shorter than Banbury & Bicester.

### **Mechanical sweeping**

- 3.30 The mechanical sweeping fleet consists of two large sweepers and two small sweepers. The two small sweepers are used in the urban centres and on the cycle tracks which head towards Oxford. The sweepers are expensive to purchase and to operate especially as they have an operational life of only around four years.
- 3.31 The large mechanical sweepers are used on main and residential roads. Although expensive to purchase, they have an operational life of at least eight years and the operational cost is similar to the small sweepers due to their extended life and there being a good market for large second hand sweepers.
- 3.32 The aim of the mechanical sweepers is to keep the roadside kerbs free from detritus. However, with flash storms this can be difficult to achieve. During the winter months the sweepers are not always used since they would be sweeping up rock salt which the Highways Authority has spread. Also, during the autumn months

they can be extremely busy removing the build- up of leaves. A high percentage of the sweepings are now recycled being transported to a Grundons recycling plant where a significant percentage of the sweepings are recycled. In 2015/16, over 400 tonnes of street sweepings will have been recycled.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 To keep the District clean a range of activities are required. Removing litter & fly tips quickly is important but if residents can be educated to be responsible with their waste the amount of fly tipping and litter can be reduced. For those who wish to ruin the environment through selfish actions, an enforcement team investigates all fly tipping and helps to reduce littering by the issuing of fixed penalty notices.
- 4.2 Customer satisfaction is good with 69% achieved in 2015 a rise from 67% in 2014.

## **5.0 Consultation**

None

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified

Option 1 : To support the activities to keep the district clean

Option 2: To reject the activities used to keep the district clean

Option 3: To ask officers to consider alternative improvements

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The Street Cleansing service has a significant annual budget in excess of £1 million/year. This report proposes no change to the budget

Comments to be checked by:

Brian Wallace Principal Accountant, 01295 221737,  
[brian.wallace@cherwellandsouthnorthants.gov.uk](mailto:brian.wallace@cherwellandsouthnorthants.gov.uk)

### **Legal Implications**

- 7.2 There are no legal implications with this report. The risks associated with delivering the street cleansing service are mitigated by a rigorous health and safety training regime.

Comments checked by:

Kevin Lane, Head of Law and Governance

[kevin.lane@cherwellandsouthnorthants.gov.uk](mailto:kevin.lane@cherwellandsouthnorthants.gov.uk) – 0300 0030107

## Risk

- 7.3 There is a reputational risk if the Council decides not to continue with the street cleansing programme as is, the satisfaction results may decline as a result. The risks will be managed through the services operational risk register and escalated as and when necessary to the corporate risk register.

Comments checked by:

Louise Tustian, Senior Performance Officer, 01295 221786,

louise.tustian2@cherwellandsouthnorthants.gov.uk

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** No

**Community Impact Threshold Met:** No

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

Cherwell: Safe, Clean and Green

### Lead Councillor

Councillor Debbie Pickford, Lead Member for Clean and Green

### Document Information

Appendix No	Title
1	Graffiti Policy
Background Papers	
None	
Report Author	Ed Potter Head of Environmental Services
Contact Information	0300 003 0105 ed.potter@cherwellandsouthnorthants.gov.uk

## GRAFFITI POLICY

Graffiti we will undertake to remove within 15 working days

1. Graffiti on Cherwell buildings
2. Graffiti that is racist or offensive in nature within 3 working days
3. Graffiti from external residential surfaces where the graffiti is visible from the street or other public space, is no higher than 2m from the ground and is accessible for a contractor
4. One off Graffiti on Parish and Town Councils property
5. One off graffiti from small businesses if the graffiti is visible from the street and is no higher than 2m from the ground
6. From Housing association property and from larger commercial premises for a charge to cover contractor costs.
7. From buildings where the graffiti is visible from the street or other public space, is no higher than 2m from the ground and is accessible for a contractor at no cost, in areas covered by a Neighbourhood blitz event

Graffiti we will not remove

1. Graffiti that is etched or inscribed into surfaces
2. Graffiti that is on wooden fences
3. Graffiti which is occurring from multiple repeat attacks
4. Graffiti where the owner or occupier will not give an indemnity where we judge there is a risk of damage to the surface by removing the graffiti
5. Graffiti that is more than 2m above ground level or is inaccessible

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## Cherwell District Council

### Executive

4 April 2016

<p style="text-align: center;"><b>Hampton Gay and Poyle Parish Meeting – Section 109 Order</b></p>
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### Report of Head of Law and Governance

This report is public.

#### Purpose of report

To seek approval for the making of an order pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting in order to vest in it certain powers of a parish council.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the making of an order in the form appended pursuant to section 109 of the Local Government Act 1972 in respect of Hampton Gay and Poyle Parish Meeting.

#### 2.0 Introduction

- 2.1 Section 109 of the Local Government Act 1972 (“the 1972 Act”) provides for the Council to vest certain powers of a parish council on a parish meeting in its area.
- 2.2 The Hampton Gay and Poyle Parish Meeting has requested the Council to vest a parish council power in it, namely the power provided by section 137 of the 1972 Act.

#### 3.0 Report Details

- 3.1 The Chairman of the Hampton Gay and Poyle Parish Meeting has notified the Head of Law and Governance that, by resolution at a meeting held on 28 January 2016, the parishioners present approved a request being made to this Council for it to make a section 109 order so that the meeting could have vested in it the powers of a parish council under section 137 of the 1972 Act,
- 3.2 Section 137 of the 1972 Act empowers a parish council to incur expenditure up to a certain amount per elector which in their opinion is in the interests of and will bring direct benefit to their area or any part of it or all or some of their inhabitants.

- 3.3 By making the order contained at Appendix 1 this power will be vested in the requesting parish meeting.
- 3.4 It is understood that the parish meeting intends to use precept monies to subsidise a local bus service.

## **4 Conclusion and Reasons for Recommendations**

- 4.1 A valid request has been made to the Council by the parish meeting and it is recommended that the request is granted.

## **5 Consultation**

- 5.1 The ward member has been notified of the request from the parish meeting.

## **6 Alternative Options and Reasons for Rejection**

- 6.1 Executive could reject the request but there are no justifiable reasons for doing so.

## **7 Implications**

### **Financial Implications**

- 7.1 There are no financial implications arising from this report.

Comments checked by Martin Henry, Director of Resources, 0300 0030102;  
[martin.henry@cherwellandsouthnorthants.gov.uk](mailto:martin.henry@cherwellandsouthnorthants.gov.uk)

### **Legal Implications**

- 7.2 Section 109 of the 1972 Act permits the Council to make an order vesting certain powers of a parish council in a requesting parish meeting. Two copies of the order have to be sent to the Secretary of State.

Comments checked by Kevin Lane, Head of Law & Governance, 01295 221661,  
[Kevin.Lane@cherwellandsouthnorthants.gov.uk](mailto:Kevin.Lane@cherwellandsouthnorthants.gov.uk)

## **8 Decision Information**

### **Key Decision**

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

**Wards Affected**

Kirtlington

**Links to Corporate Plan and Policy Framework**

Sound budgets and customer focused council.

**Lead Councillor**

Councillor Barry Wood – Leader of the Council

**Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Proposed section 109 order
<b>Background Papers</b>	
None	
<b>Report Author</b>	Kevin Lane – Head of Law and Governance
<b>Contact Information</b>	03000 030107 kevin.lane@cherwellandsouthnorthants.gov.uk

**CHERWELL DISTRICT COUNCIL**

**LOCAL GOVERNMENT ACT 1972**

**THE HAMPTON GAY AND POYLE PARISH MEETING (FUNCTIONS)  
ORDER 2016**

**Cherwell District Council**, in exercise of the power in section 109 of the Local Government Act 1972 and of all other enabling powers, hereby makes the following order –

1. With effect from the date of this order, Cherwell District Council confers on the parish meeting of the parish of Hampton Gay and Poyle in the county of Oxfordshire the functions of a parish council under section 137 of the Local Government Act 1972.
2. This order may be cited as the Hampton Gay and Poyle Parish Meeting (Functions) Order 2016

**GIVEN UNDER THE COMMON SEAL OF THE COUNCIL**

and dated April 2016

**Authorised Officer**

## **EXPLANATORY NOTE**

**(this note is not part of the order)**

1. Section 109 of the Local Government Act 1972 provides that on the application of the parish meeting of a parish not having a separate parish council, the district council may, subject to the provisions of the grouping order if the parish is grouped with any other parish, by order confer on the parish meeting any functions of a parish council.
2. Section 137 of the Local Government Act 1972 provides a power to incur expenditure for certain purposes not otherwise authorised.

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## Cherwell District Council

### Executive

4 April 2016

<b>Devolution – Update</b>
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### Report of Chief Executive

This report is public

#### Purpose of report

To provide an update on devolution and to authorise further joint working in support of it.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 That Executive agree to work with the other District Councils and partners to further develop the initial unitary devolution proposals.
- 1.2 That Executive agree that independent consultants should be jointly appointed by the Districts to undertake detailed work on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal and a contribution of up to £50k be made to facilitate those studies. This will be funded from General Fund balances.

#### 2.0 Report Details

- 2.1 Following the July budget in 2015 the Government invited expressions of interest from local authorities for devolution proposals. The councils in Oxfordshire worked together with the Local Enterprise Partnership and the Clinical Commissioning Group during the autumn of 2015 on proposals for an ambitious devolution deal with Government, with the aims of securing greater powers and funding locally to realise our economic growth potential, and to reform the way that public services are designed and delivered locally.
- 2.2 In summary, the proposals included:
  - Bring together NHS services with local government social care to save money on the £1bn budget and provide better services for patients and tackle the challenge of our ageing population.
  - Creating a new infrastructure investment fund to back a locally agreed investment programme to deliver the roads and infrastructure we need.

- Tackling housing shortages and affordability – through aligning strategic infrastructure and housing investment and an integrated approach to strategic planning.
- Taking on responsibility for skills funding and apprenticeships better targeting of funding for skills so it supports development of the skills base needed by local employers; and better coordination of business support programmes to support innovative and entrepreneurial companies.

2.3 The proposals included the creation of a Combined Authority through which the councils would work in partnership with the Clinical Commissioning Group and the Oxfordshire Local Enterprise Partnership and South East Midland Local Enterprise Partnership where necessary to collectively coordinate strategic services in which economies of large scale can be secured (e.g. transport planning) across a wider geographical area. The proposals rejected the option of a directly elected Mayor as not appropriate for an area as diverse and rural as Oxfordshire and South Northamptonshire.

2.4 Following discussion of the initial proposals in December 2015, more detailed proposals were submitted in February. Following an initial positive response, Government has made clear that the proposals would only make progress if they are accompanied by either a directly elected Mayor, or a move to Unitary Councils.

### **Unitary devolution proposals**

2.5 At their budget meeting on 16th February, Oxfordshire County Council put forward proposals for a consultation on Government and made it clear that their preference was for a single Unitary County to cover the whole County. The Oxfordshire District Councils and those for Cotswold and South Northants do not believe that a single county-wide unitary authority is the right solution for Oxfordshire and have put forward alternative proposals for a number of Unitary authorities. It is believed this would offer a better solution for the people of this District for two key reasons:

- It would allow decision-making and service delivery to better reflect the different challenges and priorities of the communities that we represent in different parts of the county; and
- It would build on a strong track record of sound financial planning and service transformation that are at the heart of good governance and effective service delivery.

2.6 The proposal is to abolish the existing local councils, including the County and to create new Unitary Authorities that would be responsible for running all of the local services within their local area. The preferred option is for four new Unitary Authorities that would come together where necessary to collectively coordinate strategic services in which economies of large scale can be secured (e.g. transport planning). In view of the successful partnerships and close working relationships that already exist in the north and west of the county, the Oxfordshire District Leaders have agreed to explore a Unitary Option that includes both Cotswold District Council and South Northamptonshire Council.

2.7 The new Unitary Councils would form a Combined Authority Joint Committee for strategic joint work and commissioning, and would work in partnership with the National Health Service, Police and the Local Enterprise Partnership in Oxfordshire and neighbouring county areas to coordinate services that need to be managed across a wider geographical area.

- 2.8 The proposals have been drawn up in support of the substantive elements of the original devolution proposals and are intended to provide a better approach to the implementation of those proposals.

### **3.0 Conclusion and Reasons for Recommendations**

- 3.1 There is clearly a lot of detail to be worked through over the coming months. The next step will be to jointly commission independent experts with our partners to produce detailed, costed plans for the preferred option and test them against other options to ensure the best and most cost-effective solutions. It is proposed that our Council contribute up to £50,000 to jointly commission this detailed work.
- 3.2 Detailed proposals will be considered by each of the Councils prior to full public consultation in the summer. We would need to be certain of the benefits for the residents of the district.

### **4.0 Consultation**

Consultation has at this preparatory stage been limited to the district councils.

### **5.0 Alternative Options and Reasons for Rejection**

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to support the study – This is not supported as it is important that the councils are able to make an informed decision based on a sound evidence base..

### **6.0 Implications**

#### **Financial and Resource Implications**

- 6.1 The cost of the work required will be funded jointly by partner authorities. It is estimated that the cost will be up to £50k to support the initial study on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal.
- 6.2 The contribution from this council will be funded from General Fund balances.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, 0300 003 0106  
paul.sutton@cherwellandsouthnorthants.gov.uk

#### **Legal Implications**

- 6.3 Whilst the restructuring of local government in the area has fundamental legal implications, there are none arising directly from this report.

Comments checked by:

Kevin Lane, Head of Law and Governance, 0300 0030107,  
kevin.lane@cherwellandsouthnorthants.gov.uk

## Risk Implication

- 6.4 There is a significant risk that without commissioning the suggested work to develop the proposals and test their viability and cost against comparators, potential changes to the structure of local government will not deliver the most cost-effective solutions or the best outcomes for residents.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, 0300 003 0106  
paul.sutton@cherwellandsouthnorthants.gov.uk

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

All

### Lead Councillor

Councillor Barry Wood

### Document Information

Appendix No	Title
None	None
<b>Background Papers</b>	
None	
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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