

Public Document Pack



Committee: Executive

Date: Monday 7 November 2016

Time: 6.30 pm

Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)

Councillor Ken Atack

Councillor John Donaldson

Councillor Kieron Mallon

Councillor Lynn Pratt

Councillor G A Reynolds (Vice-Chairman)

Councillor Colin Clarke

Councillor Tony Ilott

Councillor D M Pickford

Councillor Nicholas Turner

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 - 10)

To confirm as a correct record the Minutes of the meeting held on 3 October 2016.

6. **Chairman's Announcements**

To receive communications from the Chairman.

7. **Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper** (Pages 11 - 28) **6.35pm**

** Please note that due to the size of the documents: Appendices 1 and 3 will be published as a supplement to the main agenda and hard copies distributed to Executive members only. Appendices 4 and 5 will be published as supplements to the main agenda and can be accessed online and a hard copy will be available in the Members' Room **

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek approval of an Options Paper for the Partial Review of Local Plan Part 1 for formal public consultation.

Recommendations

The meeting is recommended:

- 1.1 To note the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need.
- 1.2 To approve the Options Paper (Appendix 1) for formal public consultation.
- 1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Options Paper before formal consultation commences.
- 1.4 To authorise the Head of Strategic Planning and the Economy to produce a summary booklet to support public consultation.

8. **Community Infrastructure Levy (CIL) Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD)** (Pages 29 - 184) **6.45pm**

** Please note that due to the size of the document, appendix 8 will be published as a supplement to the main agenda. It can be accessed online and a hard copy will be available in the Members' Room **

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek Member endorsement to consult the public for six weeks on the Community Infrastructure Levy (CIL): Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD).

This is the second of two formal consultations on a potential CIL charge for Cherwell to be followed by an examination in public.

The Developer Contributions SPD forms part of the Council's Local Development Framework and its content will be subject to one formal consultation.

Recommendations

The meeting is recommended:

- 1.1 To approve the CIL Draft Charging Schedule (Appendix 1), which also includes a Draft CIL Regulation 123 list and Draft Instalments Policy, for a six week public consultation.
- 1.2 To approve the Draft Developer Contributions SPD (Appendices 2 and 3) for a six week public consultation.
- 1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the CIL Draft Charging Schedule (Appendix 1) and Draft Developer Contributions SPD (Appendices 2 and 3) before formal consultation commences.

9. A Business Improvement District (BID) for Banbury (Pages 185 - 192) 6.55pm

** Due to the format of the document, the appendix to this report is being published as a supplement to the main agenda pack **

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek approval to proceed with the preparation of a Business Improvement District (BID) for Banbury.

Recommendations

The meeting is recommended:

- 1.4 To note the Banbury BID feasibility report.
- 1.5 To agree to commit resources to move to phase two, preparing the Banbury BID Business Plan and preparation for the Ballot.

10. Banbury Town Centre Public Spaces Protection Order (PSPO) 7.05pm
(Pages 193 - 228)

Report of Public Protection Manager

Purpose of report

To propose the making of a Public Space Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

Recommendations

The meeting is recommended

- 1.1 To approve the making of a Public Space Protection Order in Banbury Town Centre (Appendix 1).
- 1.2 To delegate authority to the Public Protection Manager to take all necessary steps to enforce the Public Space Protection Order in Banbury including the necessary authorisation of individual officers to issue fixed penalty notices.

11. Joint Anti-Social Behaviour Policy (Pages 229 - 248) 7.15pm

Report of Public Protection Manager

Purpose of report

To consider a draft Joint Anti-social Behaviour Policy, for Cherwell District Council and South Northamptonshire Council subject to public and stakeholder consultation.

Recommendations

The meeting is recommended:

- 1.1 To approve the draft Joint Anti-social Behaviour Policy (Appendix 1).
- 1.2 To delegate authority to the Public Protection Manager to consider responses and, if necessary, amend the policy in consultation with the Lead Member for Public Protection.
- 1.3 To delegate authority to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.

12. Tenancy Strategy 2017 (Pages 249 - 272) 7.25pm

Report of Head of Regeneration and Housing

Purpose of report

To provide Executive with an overview of the changes to Tenancy Strategy for approval to consult.

Recommendations

The meeting is recommended:

- 1.1 To approve wider consultation of the draft revised Tenancy Strategy (attached at Appendix 1).
- 1.2 To agree to another report being presented to Executive following consultation on the draft Tenancy Strategy.

13. Local Development Company (Pages 273 - 278)

7.35pm

Report of Commercial Director and Head of Regeneration and Housing

Purpose of report

To seek approval in principle for the establishment of a local development company with South Northamptonshire Council to:

- Act as an investment vehicle for the councils;
- Provide housing which meets housing need not met by the current market.

Recommendations

The meeting is recommended:

- 1.1 To agree in principle to the establishment of a local development company with South Northamptonshire Council;
- 1.2 To give approval to officers to complete further work to prepare a full business case for the local development company to be considered by SNC Cabinet and by CDC Executive in due course.

14. Results of the Customer Satisfaction Survey 2016 (Pages 279 - 374) 7.45pm

Report of Director – Strategy and Commissioning

Purpose of report

This report provides a summary of the key messages from the Annual Customer Satisfaction Survey which was undertaken in July 2016. Full details from the survey are contained in Appendix 1 which is the full report delivered by the company who ran the survey independently on behalf of Cherwell District Council (CDC), Marketing Means. This report will also outline some recommended actions to develop the Annual Customer Satisfaction Survey as an integral part of CDC's consultation with residents.

Recommendations

The meeting is recommended to:

- 1.1 Note the contents of the report and appendices.
- 1.2 Use appropriate results in the setting of Business Plan and Service Plan objectives and targets.
- 1.3 Agree that the 2016 results are used as a baseline for future target setting and benchmarking (given the change in methodology for identifying and receiving information from respondents).
- 1.4 Agree the action plan for reviewing and developing the survey content for 2017/18.

15. Bicester Healthy New Town Status (Pages 375 - 394) 7.50pm

Report of Director of Operational Delivery

Purpose of report

To inform the Council of progress in implementing the Bicester Healthy New Town Programme and to ask it to endorse its proposed delivery plan.

Recommendations

The meeting is recommended:

- 1.1 To note progress in implementation of Bicester's Healthy New Town Programme.
- 1.2 To endorse the programme's proposed delivery plan.

16. Business Rates Pooling Update (Pages 395 - 398) 7.55pm

Report of Chief Finance Officer

Purpose of report

To seek approval in principle for the Council to continue to participate in a business rates pool.

Recommendations

The meeting is recommended to:

- 1.1 Endorse and approve 'in principle' the Council remaining in a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits outlined in the report.

- 1.2 Grant delegated authority to the Chief Finance Officer (S151 Officer), in consultation with the Lead Member for Financial Management, to conclude necessary due diligence each year and confirm the Council's final intention on whether or not to participate in a Oxfordshire business rates pool (however constituted) in future years. This is subject to the Government not changing the current arrangements for pooling. If the arrangements were to change then a report will be brought back to Members for consideration.

(Meeting scheduled to close at 8.00pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

natasha.clark@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, 01295 221589

Sue Smith
Chief Executive

Published on Friday 28 October 2016

Agenda Item 5

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 October 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 Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

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

Apologies for absence: Councillor Tony Ilott, Lead Member for Public Protection
Councillor Kieron Mallon, Lead Member for Banbury Futures
Councillor D M Pickford, Lead Member for Clean and Green

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Ian Davies, Director of Operational Delivery
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 7
Ed Potter, Head of Environmental Services, for agenda item 9
Andy Preston, Head of Development Management, for agenda item 8
Chris Stratford, Head of Regeneration and Housing, for agenda item 17
James Doble, Assistant Director Transformational Governance, for agenda item 10
Natasha Clark, Interim Democratic and Elections Manager

57 **Declarations of Interest**

There were no declarations of interest.

58 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

59 **Urgent Business**

There were no items of urgent business.

60 **Minutes**

The minutes of the meeting held on 5 September 2016 were agreed as a correct record and signed by the Chairman.

61 **Chairman's Announcements**

There were no Chairman's announcements.

62 **Report on Refresh of Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan**

The Head of Strategic Planning and the Economy submitted a report to consider the 2016 refresh of the OxLEP Strategic Economic Plan.

Resolved

(1) That the refreshed Strategic Economic Plan be endorsed in principle.

Reasons

The SEP is an important strategy affecting the District. It will influence decisions made on infrastructure funding and local authorities are required to give it due consideration in preparing their Local Plans.

The refresh of the SEP is timely and has provided an opportunity to more closely align the SEP with the economic needs of Cherwell as set out in the adopted Cherwell Local Plan. A key issue is to secure the continuing level of economic activity we are seeing in Cherwell with major new investors at allocated employment sites alongside the planned housing growth at Banbury, Bicester and Upper Heyford.

The refreshed SEP has an important role to play in supporting the delivery of the economic objectives identified in the Cherwell Local Plan, to help fund the necessary infrastructure identified in the Cherwell Infrastructure Delivery Plan and maintain support the partnership provision of business support measures that already exists between OxLEP and the Cherwell District Council.

Alternative options

Option 1: Reject the OxLEP SEP

This is not proposed given the level of engagement to secure a refreshed SEP that is aligned with the Cherwell Local Plan.

Option 2: Seek further amendments

This is not recommended as all substantive issues have been addressed through the process of refreshing the SEP such that it is now aligned with the Cherwell Local Plan.

Option 3: Endorse the OxLEP SEP in principle.

This is recommended given the close alignment with the Cherwell Local Plan that has been secured. It is also clear that the SEP stands to support the ambition of the Cherwell Local Plan to growth the economy of the Cherwell District.

63

Heritage Partnership Agreement (HPA) - RAF Bicester

The Head of Development Management submitted a report to seek the agreement of Executive to adopt the Heritage Partnership Agreement.

Resolved

(1) That the Heritage Partnership Agreement be adopted.

Reasons

Heritage Partnership Agreements to streamline the often time consuming and sometime expensive process of obtaining Listed Building Consent, especially when the listed buildings are part of a group of similar structures where it might reasonably be anticipated that similar works of repair, for example, would be required.

The aim of this HPA is to facilitate the work of restoring the original RAF buildings and it has been prepared in order to provide a blanket vision for the technical site and flying field. It will be used as the guide to all future building and structure repairs.

Alternative options

Option 1: Not to agree to adopt the HPA.

Lack of heritage guidance undermines the reputation of the Council as the Planning Authority for Cherwell District seeking high design and conservation standards. Without the HPA in place there is a risk of future unsympathetic alteration to the heritage asset.

64

Fly tipping and Environmental Enforcement

The Head of Environmental Services submitted a report to update the Executive on fly tipping and make the Executive aware of the planned actions to reduce the number of fly tip instances.

In considering the report, Members discussed the possibility of using surveillance at fly tipping hot spot locations and agreed to ask officers to investigate this option.

Resolved

- (1) That the rise in fly tipping recorded in 2015/16 following several years of small fluctuations be noted.
- (2) That the successes of the Environmental Enforcement Team in bringing action against fly tippers.
- (3) That the proposed actions, including the introduction of fixed penalty notices, for small fly tips be supported.
- (4) That officers be requested to investigate the option of surveillance of fly tipping hot spot locations and advise Members of the powers available to the council.

Reasons

Fly tipping is not a major problem in the Cherwell area but it is irritating and unnecessary. Residents and businesses have a duty of care to dispose of their waste in a responsible manner.

Fly tipping rose in 2015/16 and actions are being put in place to reduce fly tipping. By raising awareness of the need to be responsible with waste and by introducing fixed penalty notices for fly tipping, the number of fly tips will be brought back under control.

Where locations are regularly subjected to fly tipping then an action plan can be developed to deal with this, which could include surveillance. However this is subject to various legal restrictions and Executive has therefore requested additional information on this.

Alternative options

Option 1: To support the proposed changes

Option 2: To reject the proposed changes

Option 3: To ask officers to consider alternative improvements

65

Establishment of Joint Local Authority Owned Companies

The Assistant Director - Transformational Governance submitted a report to begin the process of establishing joint local authority owned companies to deliver the savings identified in business cases for joint working and/or business transformation.

Resolved

- (1) That the legal, financial and human resources work that is taking place with regard to the establishment of the companies be noted.
- (2) That the decision of the Joint Commissioning Committee to appoint a Joint Shareholder committee as a sub-committee of the Joint Commissioning Committee consisting of four councillors (2 CDC and 2 SNC) with the terms of reference as set out in the annex to the Minutes (as set out in the Minute Book) be noted.
- (3) That the Joint Commissioning Committee be given delegated powers to take all executive decisions with regard to any established and future shared service and all executive decisions relating to any joint local authority owned company established pursuant to a shared service business case, subject to a similar decision being taken by the SNC Cabinet.
- (4) That delegated authority be given to the Joint Commissioning Committee to approve the nomination of elected Members and officers to be appointed as Directors by joint local authority owned companies, subject to a similar decision being taken by the SNC Cabinet.
- (5) That officers be requested to establish and register joint local authority owned companies limited by shares comprising a principal Company to be wholly owned by the Councils in equal shares and a subsidiary trading company to be majority owned by the principal company with a minority interest owned by the Councils to enable the Revenues and Benefits Business Case and other future commercial opportunities to be achieved, subject to a similar decision being taken by the SNC Cabinet.
- (6) That delegated authority be given to the Chief Finance Officer in consultation with members of the Joint Shareholder Committee to take all measures necessary to enable the establishment of jointly owned companies, where business cases have been agreed, subject to a similar decision being taken by the SNC Cabinet.
- (7) That it be noted that the Joint Commissioning Committee have requested officers to prepare a detailed implementation plan including a draft business case, financial model, articles of association, shareholder agreement and communications plan for the creation of the companies to be considered by the Joint Commissioning Committee.

Reasons

The recommendations set out in this report are recommended by the Joint Commissioning Committee, in line with the agreed recommendations of the Revenues and Benefits Business case and are necessary to ensure that the business case can be delivered and the associated savings achieved.

Alternative options

Option 1: To agree the recommendations as set out in the report

Option 2: To amend the recommendations as set out in the report, this may require reconsideration by the Joint Commissioning Committee.

Option 3: To reject the recommendations as set out in the report. The councils' will reduce the potential to deliver the revenues and benefits business case savings unless a suitable employment vehicle is established.

66

Council Tax Reduction Scheme 2017-2018

The Chief Finance Officer submitted a report to provide Members with an update on the current Council Tax Reduction Scheme (CTRS) and the changes to discounts, including the impact on collection rates, and to provide Members with options to consider for a Council Tax Reduction Scheme for 2017-2018 and to seek approval to consult on the approved option.

Resolved

- (1) That the report and any financial implications for the Council be noted.
- (2) That the recommendation made by Budget Planning Committee to consult on Option 1 – no change to the current Council Tax Reduction Scheme or Council Tax discounts for 2017-2018 and to change only the detail of the scheme to update the Pensioner Regulations as prescribed by DCLG and to uprate the Working Age Regulations amounts in line with Housing Benefit be approved.

Reasons

From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme.

Members are now required to agree for consultation purposes a Council Tax Reduction Scheme for the 2017-2018 financial year.

Alternative options

Option 1: To not recommend any of the options for a scheme for -2017-2018. This would have financial implications for the Council and those residents affected by Welfare Reform.

67

Efficiency Plan - 2017/18 to 2021/22

The Chief Finance Officer submitted a report to provide Executive with details of the Council's Efficiency Plan 2017/18 to 2021/22 for approval.

In introducing the report the Lead Member for Finance advised Executive that the Chairman of the Overview and Scrutiny had agreed to waive call in of this

item due to the need to submit the plan to the Government by 14 October 2016.

Resolved

- (1) That the Efficiency Plan 2017/18 to 2021/22 (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That the decision be confirmed as urgent given the timescale reported for submission of the plan and it be noted that the Chairman of the Overview and Scrutiny Committee had agreed to waive call in.

Reasons

The Government grant settlement in December 2016 was for four years, rather than the usual one. With this certainty over a significant variable element of funding, came a requirement to produce an efficiency plan. The efficiency plan must be provided by 14 October 2016 in order to accept the offer of the four year settlement.

Alternative options

Option 1: To not approve the report but this would mean that the Council is unable to accept the four year grant settlement.

68

Budget Guidelines 2017/18

The Chief Finance Officer submitted a report to set out the Budget Process for 2017/18, approve the 2017/18 Budget Strategy and agree the budget guidelines for issue to service managers. The report also presented the most recent Medium Term Revenue Plan (MTRP).

Resolved

- (1) That the updated Medium Term Revenue Plan (MTRP) for the Council's revenue budget for 2017/18 to 2021/22 be noted.
- (2) That the overall 2017/18 budget strategy and service and financial planning process be endorsed.
- (3) That, following due consideration, the proposed budget guidelines and timetable for 2017/18 (annexes to the Minutes as set out in the Minute Book) be agreed.

Reasons

The Council needs to set guidelines and a timetable for the preparation of draft estimates for 2017/18. These guidelines should support the objectives contained in the Business Plan, Service Plans and the Medium Term Financial Strategy.

Alternative options

Option 1: To disagree with the recommendations. This is rejected as it will unnecessarily delay the formulation of the detailed budget for 2016/17.

69 **Amendment to Membership of Shareholder Committee**

Executive was requested to appoint a third member to the Shareholder Committee following the resignation of the Lead Member for Housing from the Committee.

Resolved

(1) That Councillor Turner be appointed to the Shareholder Committee.

Reasons

Following the resignation of one member of the Shareholder Committee it is necessary to make a new appointment as the Committee was established as a three member sub-committee of Executive

Alternative options

Not to appoint a member to the Shareholder Committee, however this would mean that the Committee could not carry out its functions as it should comprise three members

70 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items 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.

71 **Budget Guidelines 2017/18 - Exempt Appendix**

Resolved

(1) That the exempt appendix be noted.

72 **Contract Award - Temporary Accommodation**

The Chief Finance Officer and Head of Regeneration & Housing Services submitted an exempt report to seek approval for the contract award to

commission 10 units of self-contained accommodation to provide emergency accommodation to meet the Council's statutory duties to the Homeless for a contract period of up to 5 years.

Resolved

- (1) That the award of a contract to Punch Taverns to provide 10 units of self-contained accommodation to provide emergency accommodation to meet the Council's statutory duties to the Homeless commencing in 2016 and available to continue to operate until 2021 be approved.

Reasons

A full OJEU Compliant procurement exercise has been undertaken

This new contract enables the Council to maintain its performance in providing temporary accommodation at the best price available. The increased number of rooms will provide the council with additional flexibility to meet its needs.

Alternative options

Not to accept to proceed with this tender. This would result in Cherwell losing any agreement for first priority to secure 6 units currently secured at the Musketeer Motel. This will also mean when officers need additional emergency accommodation to meet the Council's statutory duties, it may not meet the government requirements for temporary placements and it would be procured at additional costs per night to the council.

The meeting ended at 7.20 pm

Chairman:

Date:

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Cherwell District Council

Executive

7 November 2016

Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of an Options Paper for the Partial Review of Local Plan Part 1 for formal public consultation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need.
- 1.2 To approve the Options Paper (Appendix 1) for formal public consultation.
- 1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Options Paper before formal consultation commences.
- 1.4 To authorise the Head of Strategic Planning and the Economy to produce a summary booklet to support public consultation.

2.0 Introduction

- 2.1 The Cherwell Local Plan Part 1 (July 2015) was adopted on 20 July 2015 which plans for growth to fully meet Cherwell's development needs to 2031.
- 2.2 In the Local Plan (para. B.95), the Council committed to work which seeks to address the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. In accordance with the Council's Local Development Scheme (LDS), a Partial Review of the Local Plan is being prepared for that purpose. The Local Plan commits the Council to completing that Review by 20 July 2017 – two years from the date of plan adoption.

- 2.3 A proposed 'Options' consultation paper is presented at Appendix 1 for approval. It follows an Issues Paper that was presented to Members on 4 January 2016 and on which public consultation took place from 29 January to 11 March 2016. This report to the Executive is supported by five appendices. Due to their size, two appendices (nos. 4 & 5) have been placed in the Members' Room and are available on-line.
- 2.4 The requirement for the Partial Review of the Local Plan was considered during the Local Plan Examination in 2014. Having considered the need for housing identified in the Oxfordshire Strategic Housing Market Assessment 2014 (the 'SHMA'), the Government appointed Planning Inspector who examined the 'soundness' of the Cherwell Local Plan Part 1, noted (in paragraph 62 of his report):
- "...It is essential for clarity and soundness that the Council's firm commitment to help meet the needs of Oxford city as part of the countywide housing market area, jointly with other relevant authorities including through the Oxfordshire Growth Board, as well as in respect of the Oxford and Oxfordshire City Deal (2014), is formally recorded in the plan..."*
- 2.5 His Non-Technical Summary states:
- "Add a formal commitment from the Council, together with other relevant Councils, to undertake a joint review of the boundaries of the Oxford Green Belt, once the specific level of help required by the city of Oxford to meet its needs that cannot reasonably be met within its present confines, is fully and accurately defined"*
- 2.6 All of Oxfordshire's rural district Councils, together with the County Council, have accepted that Oxford cannot fully meet its own housing needs principally because the city is a compact, urban area surrounded by designated 'Green Belt'. The six Councils work together cooperatively, on an on-going basis, through what is known as the Oxfordshire Growth Board. The 'Oxfordshire Growth Board' is a Joint Committee under the Local Government Acts 1972 and 2000 and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.7 A report, considered by the Oxfordshire Growth Board in November 2014, noted that there was *"general agreement that there is limited capacity within the city to accommodate this number of dwellings and therefore there will be a significant potential shortfall which will need to be provided in neighbouring districts"*. The Oxfordshire Councils collectively committed to consider the extent of Oxford's unmet need and how that need might be sustainably distributed to the neighbouring districts so that this can be tested through their respective Local Plans.
- 2.8 The commitment in the Cherwell Local Plan states (paragraph B.95), *"...If this joint work reveals that Cherwell and other Districts need to meet additional need for Oxford, this will trigger a partial review of the Local Plan, to be completed within two years of adoption, and taking the form of the preparation of a separate Development Plan Document for that part of the unmet need to be accommodated in the Cherwell District..."*
- 2.9 Since November 2014, a joint programme of work has been undertaken by the Oxfordshire Growth Board. This work programme was recently completed for the purpose of apportioning Oxford's unmet housing need. On 26 September 2016, having considered the outputs from that programme, the Oxfordshire Growth Board

decided on an apportionment of approximately 15,000 homes to the district and city councils. Cherwell District has been asked to consider the accommodation of 4,400 homes in addition to its existing Local Plan commitments (some 22,840 homes) by 2031.

- 2.10 The potential accommodation of these 4,400 homes is now being tested through the Council's statutory Local Plan process. Consultation on an Issues Paper earlier this year has provided a foundation for the identification and initial consideration of development options. The purpose of the proposed Options Paper presented at Appendix 1 is to obtain feedback from local communities, the development industry and other stakeholders on these options and on the work that has been undertaken so far. The Options Paper will be used as the basis of public and stakeholder engagement. A summary booklet will be prepared.
- 2.11 The proposed Options Paper is a 'Regulation 18' consultation document (under the the 2012 'Local Planning' regulations). As such it does not set out proposed sites or policies. The production of evidence is continuing, which together with the feedback the Council receives, could lead to the revision of options and/or the development of new options. All evidence, and the outcome of consultation and engagement, will be used to develop a Proposed Partial Review document (Regulation 19) which will include detailed proposals and on which representations will be invited in May and June 2017, following Member approval.

3.0 Report Details

Oxfordshire Growth Board

- 3.1 In November 2014, the Oxfordshire Growth Board agreed a programme of work for addressing the unmet need arising from the Oxfordshire Strategic Housing Market Assessment (SHMA) which would help the Local Planning Authorities meet the Duty to Co-operate whilst protecting the 'sovereignty' of individual Councils over their Local Plans.
- 3.2 The work programme, summarised below, culminated in a decision of the Growth Board on 26 September 2016 to apportion Oxford's unmet housing need to the individual district Councils as follows:

Table 1: Oxfordshire Growth Board Apportionment of Oxford's Unmet Housing Needs	
District	Apportionment - No.of Homes (Net)
Cherwell	4400
Oxford	550
South Oxfordshire	4950
Vale of White Horse	2200
West Oxfordshire	2750
Total	14850

- 3.3 South Oxfordshire District Council did not agree at the Growth Board to the apportionment but engaged fully and cooperatively throughout the process including

in the preparation of the work programme, final report and recommendations to the Board.

3.4 The work programme was supervised by a 'Post-SHMA' Project Team of council officers which reported to the Oxfordshire Growth Board via an 'Executive Officer Group' and which was supported by the Growth Board's Programme Manager. The projects informing the apportionment are set out below.

Oxford Green Belt Study

3.5 Consultants were commissioned by the Oxfordshire Growth Board to assess how parcels and areas of land within the Oxford Green Belt perform against the five purposes of Green Belts, as set out in NPPF:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.6 In commissioning the study, it was made clear that should individual Councils consider that there were 'exceptional circumstances' for making alterations to the existing Green Belt boundaries (the test within the National Planning Policy Framework), these changes, including any allocations of land for development, would be taken forward through the respective Local Plan-making process.

Oxford Spatial Options Assessment

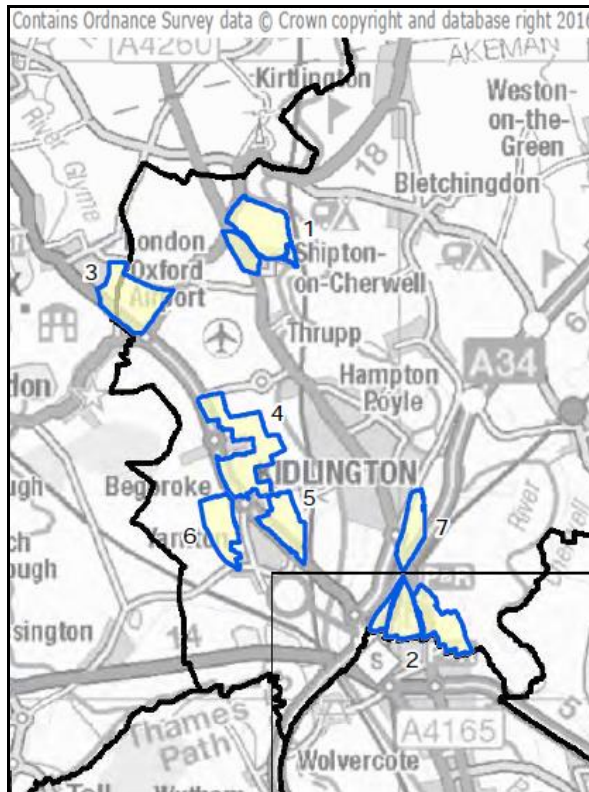
3.7 Consultants were commissioned by the Oxfordshire Growth Board to carry out a Spatial Options Assessment for meeting Oxford's unmet housing need up to 2031. The overall aim was to provide a criteria-based sustainability analysis of the spatial options which could be used as guidance and evidence in determining how the unmet need could best be distributed across the county. Thirty-six options identified by the six Oxfordshire Councils were assessed.

3.8 The sustainability of each option was assessed but the final report does not make specific recommendations about which options should or should not be taken forward as allocated sites. The spatial options were also assessed for their deliverability and viability. Although similar in principle and purpose to a statutory Sustainability Appraisal (SA), the assessment does not constitute a formal appraisal as would be prepared for a Local Plan.

3.9 The spatial options within Cherwell that were considered by the Oxfordshire Growth Board are listed below and their locations shown in an extract from a map within the study:

1.	Shipton-on-Cherwell Quarry	87 hectares
2.	Land North of Oxford	89 hectares
3.	Land at Woodstock	71 hectares
4.	Land at Begbroke	92 hectares
5.	East of Yarnton	43 hectares
6.	West of Yarnton	43 hectares
7.	South East of Kidlington	34 hectares

Figure 1: Extract from Oxford Spatial Options Assessment



High Level Transport Assessment of Spatial Options

- 3.10 A high level assessment of the transport implications of potential development at the 36 assessed spatial options was commissioned. Each spatial option was assessed against a set of transport related measures related to the availability and use of public transport; accessibility to Oxford; traffic conditions and road safety; and proximity to areas where transport investment is expected and where transport investment is needed for other strategic development. This work was also used to help inform the viability component of the Oxford Spatial Options Assessment.

Education Assessment of Spatial Options

- 3.11 The County Council produced a report setting out the findings from a high level assessment of the implications for the provision of primary and secondary school places of the development of the 36 potential spatial options. The report considered existing and projected school capacity, including new schools already planned to support growth allocated in existing and emerging local plans. It examined the location of the spatial options in relation to existing and already planned new capacity, issues impacting on the planning and delivery of new school provision and the assumptions used in assessing the education implications of the spatial options. It records an assessment of the education implications of the spatial options both individually and cumulatively.

Final Apportionment

- 3.12 The apportionment of 4400 homes to Cherwell was based on a conclusion that strategic development could potentially be accommodated in the following three areas:
- Area 2 - immediately to the north of Oxford (to the South of the A34) – 2,200 homes
 - Area 4 - in the vicinity of Begbroke (to the west of Kidlington and north of Yarnton) – 1,650 homes
 - Area 7 - to the south-east of Kidlington (north of the A34) - 550 homes

- 3.13 The report to the Oxfordshire Growth Board notes that the spatial options that underpin the apportionment should only be viewed as an input to the apportionment process rather than an output; that subsequent Local Plan work may bring other sites forward; and, that it is for each of the District Councils through their Local Plans to allocate sites sufficient to meet their share of Oxford's unmet need. It also notes that the housing figures for each spatial option only represent estimates of what might be achievable and that the capacity of sites may change through local assessment.

Draft Memorandum of Co-operation

- 3.14 The apportionment, agreed to by five of the six Oxfordshire councils (and set out in Table 1 above) is being confirmed in a Memorandum of Co-operation which is in the process of being signed by the Leaders of the five authorities. The draft Memorandum, which was presented to the Growth Board on 26 September 2016 and amended to reflect the decision of the Board, is attached to this report at Appendix 2. It includes the following text:

"This apportionment is based upon a common assumed start date of 2021 for the commencement of development after the adoption of the respective Local Plan review or Local Plan update/refresh. This assumption does not preclude earlier delivery, but does recognise the complexity of the issues being considered and has sought to factor in reasonable lead times to enable options to come forward and to be fully considered through the Local Plan process."

The Programme does not identify, propose, recommend or seek to identify, propose or recommend any site or sites for additional housing within any district. Each LPA [Local Planning Authority] will remain responsible for the allocation of housing sites within its own district and through its own Local Plan process."

"The five authorities that form signatories to this Memorandum agree that the figures...represent the agreed apportionment, by district of the agreed level of unmet housing need for Oxford, in order to meet the overall objectively assessed need for additional housing within the Oxfordshire Housing Market Area to 2031."

Partial Review of Local Plan Part 1 – Options Paper

- 3.15 The Spatial Options considered by the Growth Board are among many other options now being considered as part of the statutory process of partially reviewing the adopted Cherwell Local Plan Part 1 (2011-2031). The proposed Options consultation paper presented to Members for approval at Appendix 1 is not a plan but sets out the current options being considered through the Partial Review process.

Proposed Consultation Matters

- 3.16 The Options Paper describes and seeks comments on five key matters:

- 1) *The level of housing we are being asked to accommodate - 4,400 homes*
Whilst the Council now has an identified level of housing that it is being asked to deliver, it is necessary to test whether this scale of additional development would be sustainable and deliverable through the Local Plan process.

- 2) *Draft vision and objectives*
Having previously consulted on issues, initial thinking on a draft vision and objectives is presented for helping to meet Oxford's unmet housing needs. The draft vision and objectives may evolve as further evidence is produced and in response to consultation on the Options Paper.

- 3) *'Areas of Search'*
As part of the on-going assessment of options, 'Areas of Search' have been identified across the whole district to help structure the process for determining the most sustainable broad locations for accommodating housing for Oxford. Areas of Search across the whole district have been examined because the draft vision and objectives are not fixed and must continue to be tested. Furthermore, although the housing need arises from Oxford, there exists an Oxfordshire wide housing market area which must be considered. The Options Paper reports on the initial assessment of the Areas of Search which includes consideration of the relationship to Oxford as well as the potential social, economic and environmental effects of additional development on Cherwell.

- 4) *Potential Strategic Development Sites*
The areas of land that are presently being considered as possible strategic development sites for accommodating housing for Oxford are presented in the Options Paper having regard to our minimum size criterion (two hectares) in order to identify sites that potentially could accommodate at least 100 homes (the strategic site threshold applied in the adopted Local Plan Part 1). The Options Paper includes initial assessment of the potential strategic development sites that lie within the Areas of Search that are presently shown to be most sustainable

The Options Paper seeks comments on all of the sites identified for each Area of Search. They are listed in tables in Section 6 of the Options Paper and location plans are included within the paper at Appendix 1. The sites that are subject of detailed assessment and the assessments themselves may change in response to consultation and further evidence.

- 5) *Emerging evidence base*
The Options Paper describes the evidence produced so far and the further evidence to follow. It seeks comments on the process officers are engaged with.

3.17 Options and questions are set out throughout the document. There may be other options that need to be considered as work continues and the options identified so far may need revision or refinement.

Feedback on the earlier consultation on issues

3.18 In January 2016, the Council published a consultation paper which highlighted issues requiring consideration in undertaking the Partial Review. Comments and discussion of the issues were invited and a 'call for sites' was made.

3.19 The representations and site submissions received in response to the previous Issues Paper and the wider 'call for sites' have been considered and are now available on-line (www.cherwell.gov.uk/planningpolicy). A Statement of Consultation, which summarises the issues raised and the outcome of workshops held with our Town

and Parish Councils, is presented to Members at Appendix 3. The Statement will be published in support of the Options consultation. An extensive schedule of the comments received in relation to each question is available as Appendix 4 and will also be published in support of the Options consultation.

3.20 All comments and submissions have been considered in preparing the Options Paper presented at Appendix 1.

Evidence

3.21 The evidence and key documents we have taken into account in preparing the Options Paper is listed within Appendix 6. Preparation of the Options Paper has been supported by an Initial Sustainability Appraisal (Appendix 5 to this report). The evidence list excludes other strategies and data that we are required to consider in preparing the Partial Review and in undertaking a Sustainability Appraisal.

3.22 Further evidence that we currently expect to complete or produce is also listed in Appendix 6. Some of the studies listed are already being prepared or are in the process of being commissioned. Other evidence may be required as we consider issues, options and undertake further consultation.

3.23 Officers are still preparing evidence and testing options at this 'Regulation 18' stage of this 'Partial Review' having regard to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The consultation responses to, and engagement on, the Options Paper will be an important part of that process.

Next Steps

3.24 Upon approval of the Options consultation paper, officers will undertake formal consultation for a period of at least six weeks (some additional time will be accommodated due to the Christmas period). They will continue to engage with stakeholders and, as the evidence base is completed, they will prepare a detailed plan containing a proposed vision, objectives, strategy and policies informed by a completed Sustainability Appraisal. That Proposed Submission document will be presented to Members for approval. Following approval, formal representations will be invited. Those responses will be presented to Members with a Submission Partial Review Document for approval. Upon approval, the Partial Review of the Local Plan will be submitted for examination by a Government appointed Inspector.

Timetable

3.25 In summary, the current, revised timetable for completion of the review is shown in Table 5. An updated Local Development Scheme will be presented to Members for approval in 2017.

Table 5: Timetable	
Stage	Dates
Consultation on Issues Paper (Regulation 18)	January - March 2016
Consultation on Options Paper (Regulation 18)	November 2016 - January 2017
Consultation on Proposed Submission Document	May - June 2017

(Regulation 19)	
Submission (Regulation 22)	July 2017
Examination (Regulation 24) (estimated)	July 2017 - March 2018
Adoption (Regulation 26) (estimated)	April 2018

4.0 Conclusion and Reasons for Recommendations

- 4.1 An Options consultation paper for the Partial Review of the adopted Cherwell Local Plan Part 1 (2011-2031) is presented for approval at Appendix 1. The Options Paper presents alternatives on how Cherwell District might accommodate its 'share' of the unmet housing need arising from Oxford, as apportioned by the Oxfordshire Growth Board. The Options Paper concerns: 1) the level of housing the district is being asked to accommodate; 2) a draft vision and draft objectives; 3) 'areas of search'; 4) potential strategic development sites; and, 5) the emerging evidence base. The Executive's approval of the Options Paper is sought to proceed to public consultation.

5.0 Consultation

- 5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 To delay the Options Paper to enable further evidence to be considered

A consultation now will provide officers the opportunity to consider whether the options / alternatives identified are reasonable, to acquire further information in testing options/alternatives, and to meet the deadline for Submission for examination (20 July 2017). A delay would make it very difficult to meet the two year review programme that the Council has committed to within paragraph B.95 of the adopted Cherwell Local Plan 2011-2031 (Part 1).

- 6.2 To reconsider the content of the Options Paper

The Options Paper has been produced having regard to national policy and guidance, the county-wide work for the Oxfordshire Growth Board, public consultation on issues, site submissions, engagement with prescribed bodies, emerging evidence and Local Plan Part 1. It is considered by officers to be an appropriate consultation document.

7.0 Implications

Financial and Resource Implications

There are no direct financial implications arising from this report. The cost of preparing the Partial Review is met from existing resources.

Comments checked by:
Paul Sutton, Chief Finance Officer, Tel. 01295 221634
Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

The preparation of the Partial Review is an obligation that arises from the adopted Cherwell Local Plan (2011-2031). The Options Paper has been prepared in accordance with the requirements detailed in the regulations for preparing Local Plans.

Comments checked by:
Nigel Bell, Team Leader – Planning & Litigation, tel. 01295 221687,
Nigel.Bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision -

Financial Threshold Met - No

Community Impact Threshold Met - Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Options Paper for the Partial Review of the Cherwell Local Plan
Appendix 2	Cherwell District Council, Oxford City Council, Vale of White Horse District Council and West Oxfordshire District Council – Draft Memorandum of Cooperation
Appendix 3	Statement of Consultation (October 2016)
Appendix 4	Schedule of Representation Responses to Partial Review Issues Consultation (January-March 2016) (published on-line)
Appendix 5	Initial Sustainability Appraisal (October 2016) (published on-line)
Appendix 6	Tables of supporting and expected evidence
Background Papers	
Available on-line at http://www.cherwell.gov.uk/index.cfm?articleid=11346 and www.cherwell.gov.uk/planningpolicy	
Report Authors	Adrian Colwell, Head of Strategic Planning and the Economy David Peckford, Planning Policy Team Leader
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**DRAFT Memorandum of Co-operation between the local authorities in the Oxfordshire
Housing Market Area**

Meeting the Objectively Assessed Need for Housing in Oxfordshire

1.0 Introduction

- 1.1 The National Planning Policy Framework (NPPF) requires Local Planning Authorities (LPA) to have a clear understanding of housing needs in their area. To achieve this, they should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period. This is a key part of the evidence base to address the NPPF requirement of ensuring that Local Plans meet the full, objectively assessed needs for market and affordable housing in the housing market area.
- 1.2 The Localism Act 2011 places a Duty to Co-operate on Local Planning Authorities (LPA). This requires them to engage constructively, actively and on an on-going basis in the preparation of development plan documents where this involves strategic matters. National policy in the NPPF adds to this statutory duty that it expects local planning authorities to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts.
- 1.3 The Oxfordshire SHMA 2014 demonstrates identifies an objectively assessed range of housing need for Oxford of between 24-32,000 homes for the period 2011-2031. The Oxford SHLAA demonstrates that Oxford will not be able to meet all of its housing need within its own boundaries and all Oxfordshire LPAs , together with Oxfordshire County Council agree that assisting Oxford to meet its unmet housing need is a key element of the Duty to Co-operate.
- 1.4 The purpose of this Memorandum of Co-operation is to formally record and make public the agreement of 5 Oxfordshire Local Authorities' , under the Duty to Co-operate to the position as set out in this Memorandum, subject to LPA ratification by their full Councils as part of their individual Local Plan preparation.

2.0 The Oxfordshire Housing Market Area

- 2.1 The Oxfordshire Housing Market Area comprises all five Oxfordshire districts; Cherwell , Oxford City, South Oxfordshire, Vale of White Horse and West Oxfordshire.

3.0 Demonstrating the Duty to Co-operate

- 3.1 The five districts within the housing market area, together with Oxfordshire County Council, have collaborated to meet the requirements of the NPPF set out in section 1.2 by addressing the requirement under the Duty to Co-operate to accommodate the unmet housing need for Oxford.
- 3.2 The outputs from this collaboration are the Post SHMA Strategic Work Programme (the Programme). The Programme is a collection of projects designed to enable the six councils of Oxfordshire to arrive at an agreed apportionment of an agreed level of unmet need for Oxford.

3.3 The working assumption for the agreed level of unmet need for the purpose of the Programme is 15,000 homes. This figure is subject to testing through the Oxford Local Plan review

3.4 The apportionment agreed by the five councils who are signatories to this memorandum is as follows

	Proportion of unmet need apportioned
Cherwell DC	4400
Oxford City Council	550
South Oxfordshire DC	4950
Vale of White Horse DC	2200
West Oxfordshire DC	2750
Total	14850

3.5 This apportionment is based upon a common assumed start date of 2021 for the commencement of development after the adoption of the respective Local Plan review or Local Plan update/refresh. This assumption does not preclude earlier delivery, but does recognise the complexity of the issues being considered and has sought to factor in reasonable lead times to enable options to come forward and to be fully considered through the Local Plan process.

3.6 The Programme does not identify, propose, recommend or seek to identify, propose or recommend any site or sites for additional housing within any district. Each LPA will remain responsible for the allocation of housing sites within its own district and through its own Local Plan process.

4.0 Timetable for implementation

4.1 The anticipated timetable for adoption of the agreed apportionment through each individual LPA Local Plan process is as follows.

Cherwell District Council

The council intends to submit its revised Local Plan, including its share of the apportionment in June/ July 2017.

Oxford City Council

Work commenced on Oxford's Local Plan review in January 2016. The Council aims to submit the Plan for examination in December 2018 with adoption anticipated during 2019.

South Oxfordshire District Council

The council proposes submission of its draft Local plan including its response to the apportionment in spring 2017 with adoption in early 2018.

Vale of White Horse District Council

The Vale Local Plan 2031: Part 1 is currently at Examination with adoption anticipated early in 2017. Work has commenced on the Local Plan 2031: Part 2 that will address the proportion of Oxford's unmet to be addressed in Vale. It is anticipated that this plan will be submitted in February 2018.

West Oxfordshire District Council

The council intends to respond to the Inspector's preliminary findings with a package of suggested changes to the submission Local Plan in October 2016. The Council proposes that the suggested changes will address its apportionment of Oxford's unmet need and anticipates that the Plan will be adopted in September 2017.

5.0 Conclusion

5.1 The five authorities that form signatories to this Memorandum agree that the figures in the table 3.4 above represent the agreed apportionment, by district of the agreed level of unmet housing need for Oxford, in order to meet the overall objectively assessed need for additional housing within the Oxfordshire Housing Market Area to 2031.

Signed on behalf of

Cherwell DC.....

Oxford City Council.....

Oxfordshire County Council.....

Vale of White Horse DC.....

West Oxfordshire DC.....

Appendix 6

Evidence and Key Documents Informing the Options Paper	
PR01	Oxfordshire Growth Board – Statement of Cooperation
PR02	Oxfordshire Growth Board Terms of Reference
PR03	Oxfordshire Economic Forecasting Final Report 2014
PR04a-c	Strategic Housing Market Assessment 2014
PR05	Oxfordshire Growth Board – Report and Minutes 20-Nov-2014
PR06	Oxfordshire LEP Strategic Economic Plan 2014
PR07	South East Midlands LEP Strategic Economic Plan 2014
PR08	Oxford Housing Land Availability Assessment December 2014
PR09	Unlocking Oxford’s Development Potential – Cundalls - 2014
PR10	Oxford Housing Strategy 2015-2018
PR11	Oxfordshire Growth Board – Updated Advice Note on Oxford’s Development Capacity
PR12	Oxfordshire Growth Board – Report & Minutes 19-Nov-2015
PR013a-b	Oxfordshire Growth Board – Oxford Green Belt Study
PR14	Oxfordshire Growth Board – Oxford Spatial Options Assessment
PR15a-i	Oxfordshire Growth Board - High Level Transport Assessment of Spatial Options
PR16a-f	Oxfordshire Growth Board – Education Assessment of Spatial Options
PR17	Oxfordshire LEP – Strategic Economic Plan Refresh August 2016
PR18	Connecting Oxfordshire – LTP vol 8 part i – Oxford Transport Strategy July 2016
PR19	Report and Minutes, CDC Executive, 4 January 2016
PR20	Partial Review of Cherwell Local Plan Part 1 - Issues Paper (January 2016)
PR21	Representations to Partial Review Issues Paper (January-March 2016)
PR22	Initial Transport Assessment (October 2016)
PR23	Initial Sustainability Appraisal (October 2016)
PR24	Statement of Consultation (October 2016)
PR25a-c	Sustainability Appraisal Scoping Report (January 2016)
PR26	Partial Review Issues Paper – Representations Schedule

Further Evidence Currently Expected (as at 20 October 2016)
Landscape Sensitivity and Capacity Assessment
Habitats Regulations Assessment - Stage 1 Screening
Transport Assessment
Housing and Employment Land Availability Assessment
Green Belt Study
Sustainability Appraisal
Strategic Flood Risk Assessment (SFRA) Level 1
Flooding Sequential Test
Water Cycle Study
Plan Viability Report
Cumulative Ecological Impact Study
Strategic Development Sites - Place Shaping Principles & Capacity Analysis

Cherwell District Council

Executive

7 November 2016

Community Infrastructure Levy (CIL) Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD)

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek Member endorsement to consult the public for six weeks on the Community Infrastructure Levy (CIL): Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD).

This is the second of two formal consultations on a potential CIL charge for Cherwell to be followed by an examination in public.

The Developer Contributions SPD forms part of the Council's Local Development Framework and its content will be subject to one formal consultation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approved the CIL Draft Charging Schedule (Appendix 1) which also includes a Draft CIL Regulation 123 list and Draft Instalments Policy, for a six week public consultation.
- 1.2 To approve the Draft Developer Contributions SPD (Appendices 2 and 3) for a six week public consultation.
- 1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the CIL Draft Charging Schedule (Appendix 1) and Draft Developer Contributions SPD (Appendices 2 and 3) before formal consultation commences.

2.0 Introduction

- 2.1 On 4 January 2016 the Executive considered a report on the Community Infrastructure Levy (CIL) and on the preparation of a new Developer Contributions SPD. The report outlined the first stage of preparing a potential CIL and approach to planning contributions which involved:
- i) gaining an understanding of the infrastructure funding 'gap' in Cherwell to evidence a case for potentially introducing a CIL;
 - ii) preparing a draft viability report to understand the level of CIL that might be introduced having regard to development costs;
 - iii) preparing a Position Statement on CIL and Planning Obligations (Developer Contributions); and
 - iv) the preparation of a Preliminary Draft Charging Schedule for consultation .
- 2.2 We are now seeking approval for a second stage of CIL consultation and a Draft Developer Contributions SPD. The preparation for this second stage of consultation involved:
- i) considering comments received during the February-March 2016 consultation and CIL viability stakeholder workshop (Appendix 6);
 - ii) responding to central government consultation on CIL and S106s;
 - iii) preparing an updated viability report in response to comments received and latest changes affecting the development industry (due to the document's size Appendix 8 is available in the Members Room and online);
 - iii) preparing a Draft Developer Contributions SPD (Appendices 2 and 3); and
 - iv) the preparation of a Draft Charging Schedule (Appendix 1).
- 2.3 Introduction of CIL is not mandatory and Members are not asked at this stage to make a decision on whether CIL should be introduced in Cherwell.
- 2.4 Evidencing, setting CIL charges and taking them through the statutory processes to adoption is undertaken by the Planning Policy Team. CIL implementation is a corporate matter and preparing for its administration requires the involvement of different departments (i.e to understand the process through the planning application system). It is likely this process will be led by CDC's Development Management with Planning Policy and other Council departments taking part in a working group.
- 2.5 Responses to the consultation helped firm up an initial approach on CIL alongside the recently scaled back system of planning contributions (i.e. no more than five planning contribution for an infrastructure project). The outcome of the next CIL consultation alongside the Developers Contributions SPD will provide further guidance on the application of both instruments.
- 2.6 Members are also asked to endorse a CIL Draft Regulation 123 list for consultation which indicates how CIL money would be used to fund infrastructure (Appendix 1). This is part of building up evidence indicating how CIL would operate alongside planning contributions such as S106 agreements.
- 2.7 As noted in the February 2016 Executive Report (see background papers), a CIL Charging Schedule is not a policy document but a local charge on development.

The draft charging schedule in Appendix 1 is based on evidence relating to infrastructure needs in Cherwell and the ability of development to support a CIL charge from a viability perspective.

- 2.8 The Developer Contributions SPD in Appendices 2 and 3 is part of the Council's Local Development Framework. The implementation of CIL and the Developer Contributions SPD will help deliver Local Plan objectives of ensuring the local economy, communities and development in CDC are sustainable and support, in particular the aims of Local Plan Policy INF1: Infrastructure, and its associated Infrastructure Delivery Plan (IDP).
- 2.9 The Developer Contributions SPD will replace the 2011 Planning Obligations Draft SPD currently used as an interim guidance for Development Management purposes. The emerging SPD describes the relationship between S106 agreements and CIL and gives specific guidance for different types of infrastructure requirements.
- 2.10 Once adopted, CIL and the Developers Contributions SPD will operate alongside each other forming the package of contributions or obligations expected to come forward from development proposals to mitigate the impact of development and help fund infrastructure needed to support growth. They are not intended to provide all the funding to deliver infrastructure. The Council will continue to work with relevant agencies and partners to ensure infrastructure schemes are in the investment programmes of agencies such as Highways England and the Environment Agency, and secure funding sources such as Local Growth Funds.

3.0 Report Details

Community Infrastructure Levy

- 3.1. This report relates to the 2nd stage of statutory consultation on CIL and the first formal consultation on the Draft Developer Contributions SPD. It provides:
 - Firstly, the results of public consultation, and what has changed; and
 - Secondly, outlines the content of the CIL Draft Charging Schedule and Draft Developer Contributions SPD.
- 3.2. CIL is a very complex mechanism to levy infrastructure funds. To facilitate the understanding of the proposed documents, Appendix 9 of this report contains a brief summary of the key elements of CIL considered by the Executive on 4 January 2016.

First stage of consultation (CIL Preliminary Draft) February – March 2016

- 3.3. Formal consultation on the Preliminary Draft Charging Schedule took place for 6 weeks commencing on 12 February 2016 and resulted on responses from 38 individuals and organisations. A similar rate to adjoining authorities for the same consultation stage.

- 3.4. The consultation included a Position Statement on CIL and Planning Obligations (Planning Contributions) seeking views on the most suitable funding mechanisms to deliver infrastructure and further evidence from the public, infrastructure providers and site promoters on which infrastructure needs are most likely to be provided for 'on-site' and which strategic sites are likely to come forward ahead of CIL adoption. This consultation informed the preparation of the Draft Developer Contributions SPD.
- 3.5. In addition to the formal call for responses, planning policy officers:
- held a viability stakeholder workshop on 17 March 2016 to enable an in depth discussion of assumptions and information within the Viability Report supporting the Preliminary Draft Charging Schedule;
 - raised awareness of the CIL consultation at two Parish workshops on 23 and 24 of February 2016. Although the focus of the workshops were Local Plan Part 1 Partial Review and Local Plan Part 2 consultations, officers advised on the preparation/review of the Infrastructure Delivery Plan, the relationship between CIL and S106 agreements and how they are used to fund infrastructure;
 - set up and held a working group with officers in the Legal and Development Management departments to inform the approach to CIL and Planning Contributions SPD;
 - engaged with, and provided early draft documents for comment to key stakeholders such as Council officers working in Leisure, Recreation, Air Quality, Waste Management, Biodiversity and Oxfordshire County Council officers.
- 3.6. The CIL Draft Charging Schedule and Developer Contributions SPD are supported by Consultation Statements (Appendices 4 and 6) which include a summary of all comments received during the Preliminary Draft Charging Schedule formal consultation.
- 3.7. The main issues raised during the Preliminary Draft consultation include:
- Appropriate balance
- Suggested amendments to economic viability assumptions on matters including: external site works and S106s, land values, affordable housing values, building costs and contingencies.
 - CIL implications on viability and conservation of the historic environment.
 - Concern with level of charges in relation to charges of neighbouring authorities
 - Proposed rate for Area 3 (southernmost part of the District) is too high when compared to proposed charges elsewhere in the District and adjoining Local Authorities.
 - Supporting a zero charge for residential allocations of 500 dwellings or more in areas 1 and 2 but seeking its application to all sites over 500 dwellings whether or not currently identified as an allocation. Residential sites below 500 units to benefit from the same discount.
 - Suggest charges for employment uses and Houses in multiple occupation

- Welcome a zero retail charge in town centres.
- Have different rates or exclusions for any part of Cherwell is not sensible; infrastructure is required across the District.
- Suggest reducing rates to minimise impact on affordable housing provision
- Request that the evidence base is reviewed and a lower CIL rate set across the District.
- Amended CIL Charging Schedule should include town centres' Area of Search for Expansion
- Consider undertaking further sensitivity testing.
- Needs adequate buffers above the proposed CIL rates.

Instalments policy

- Majority of comments support provision of an instalments policy.

CIL relief

- Similar number of responses 'supporting' and 'not supporting' provision of discretionary CIL relief.
- Those responses supporting CIL relief relate mainly to relief on economic viability grounds.

CIL rates/nominal charge (i.e. a standard minimum charge applying to most development)

- Similar number of responses 'supporting' and 'not supporting' a nominal charge.
- Some support for charging development types in addition to those proposed in the Charging Schedule.

Changes resulting from consultation

3.8. The consultation resulted in a number of adjustments and changes which are now reflected in an Updated CIL Viability Report (Appendix 8) and a Draft CIL Charging Schedule (Appendix 1). These include:

- Adjusting the viability model and re-run of the site appraisals.
- Additional sensitivity testing on build costs, house prices, Section 106 costs and developer's profit for residential development and variations in the yield for commercial development.
- Changes to proposed out of town retail charge from £190 to £170
- Changes to proposed residential charge for Area 3 (southern part of the District) from £310 to £270.
- Clarification in the charging schedule to indicate Town Centres are defined in Cherwell's Local Plan Proposals Map.
- Drafting of an Instalments Policy.

Draft CIL Charging Schedule

3.9. In setting CIL charges, the Council needs to demonstrate that there is an infrastructure funding gap and that development is able to sustain that charge while remaining viable. The Charging Schedule cannot be based on policy aspirations (e.g. supporting certain industries or locations for development).

3.10. The key test at the examination will be to demonstrate that:

The Council has reached an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect on the economic viability of development in Cherwell.

3.11. In line with the two elements above guiding the setting of the charges, the proposed CIL Draft Charging Schedule has been informed by viability and infrastructure evidence.

3.12. Changes made to the viability model following consultation led to variations on the results of individual site appraisals, mainly to the residential schemes, but also to commercial sites due to changes in Stamp Duty since the preparation of the previous report. This resulted in some recommended modest changes to rates since the initial Viability Study was undertaken.

Viability evidence

3.13. The assumptions and findings of the updated viability report are summarised below:

- Over 70 development schemes (residential and commercial) have been tested for viability.
- The sites appraised are representative of the type, scale, location and mix of development envisaged to come forward in the short to medium term in Cherwell.
- Viability buffers have been applied to recommended CIL rates to allow for a buffer or discount to the maximum possible rates. This will help address changes in economic circumstances over time.
- Further sensitivity testing was undertaken following consultation looking at the effect of different assumptions on key costs such as build costs and sections 106s agreements (See Para' 3.7 above).

3.14. The viability report findings are summarised below:

- Variations between different development uses/types and, specifically for residential, significant geographical differences justify a differentiated CIL charge by area and development types.
- Only residential and out of town retail charges are currently recommended in viability terms for the purpose of setting a CIL rate. This is not to say that other development types are not viable in the District. CIL financial modelling is prepared with significant level of conservatism and contingency to allow for changes in the market over time and the recommended charges are discounted substantially against average outcomes.
- The recommended CIL has been set at appropriate rates. When taken as a percentage of development costs for residential schemes would, in very many cases, accounted for only 2-3%, and the majority at around 5% or below. This compares favourably to a contingency of 5% which is included in each viability site modelling.

- The majority of sites tested have a very substantial buffer in place at the baseline position and the rates are set at levels which would not undermine economic viability of schemes generally.
- Sensitivity testing for S106 costs (at £20 and £30 per sq m) for sites of less than 500 units shows that higher costs could still be absorbed alongside the proposed CIL charge without unduly impacting on scheme viability. Thus, substantial flexibility has been built into the recommendations on proposed CIL rates.
- If the Council were to implement a CIL instalment payment policy which didn't require full payment of all CIL charges at commencement of development, such policy would make schemes more viable. Sensitivity testing undertaken for indicative purposes shows that annual CIL instalments would increase considerably the viability of a development. As a rule of thumb the greater the number of payments and the larger the payment towards the end of the period the greater the viability benefit.

3.15. Viability conclusions for **residential development**:

- **Area 1** (OX16 - Banbury) - a CIL rate of £100 per sq m continues to be appropriate for all schemes of less than 500 units. For sites of 500 or more units (large residential sites), a CIL rate of £70 per square metre is sustainable.
- **Area 2** (Bicester and rural areas – principally postal districts OX15, OX17, OX25, OX26) is characterised by large rural areas and villages together with Bicester. This area could readily support a CIL charge of £230 per square metre for all schemes of less than 500 units. For sites of 500 or more units, a CIL charge of £70 per square metre is sustainable.
- **Area 3** (Kidlington and south Cherwell – principally OX5) could absorb a CIL charge of £270 per square metre for all residential development.

3.16. The CIL Charging Schedule in Appendix 1 shows the map of the 3 residential charging areas.

3.17. Viability conclusions for **retail** uses:

- **Out of centre retail development**: based on testing of retail parks, warehousing, showrooms and superstores / supermarkets. The viability testing points toward the ability to support a CIL, with the revised rate proposed at £170 per sq m.
- **In centre retail development**: There is insufficient evidence to suggest that this type of use could readily – and consistently - support a CIL charge and therefore a zero rate is proposed.

3.18. Viability conclusions for **other development types/uses**:

- Tested a number of uses including: offices, industrial and warehousing units, retirement homes, extra care / nursing homes, hotel uses, dance studios.
- Schemes do not produce viable outcomes for the purpose of CIL and therefore no charge is recommended for this use.
- Financial modelling provides only one aspect of development delivery and the report findings should be taken within the context of viability modelling which would justify development to pay a CIL charge. There are a number of

development types and uses such as community facilities, employment uses and residential accommodation for the elderly which will continue to come forward in Cherwell as viable development propositions.

Infrastructure evidence

- 3.19. The Report to the Executive on CIL in February 216 explained the level of infrastructure funding needed after considering all known sources of funding and any likely contribution from a future CIL (the infrastructure funding gap). Nothing has changed substantially since consultation in February-March 2016 to amend that evidence (see background papers).
- 3.20. Infrastructure Funding Gap:
- Based on the Council's Infrastructure Delivery Plan (IDP) Update 2015 data endorsed at Executive in January 2016 and the potential funding raised through future CIL and other known funding sources, there is an aggregate funding gap that justifies introducing the Levy.
 - Preparation of Local Plan Part 2 on development management policies and non-strategic sites, and Local Plan Part 1 Partial Review concerning Oxford's unmet housing need will result in more detailed information on infrastructure provision in Kidlington and the rural areas. This may also happen through the progression of Neighbourhood Plans and their associated evidence.
- 3.21. The Council's IDP will be updated alongside the preparation of the next Annual Monitoring Report at the end of the year (2016). At the time of writing this report, the evidence on infrastructure remains that in the IDP Update 2015. The Infrastructure Funding Gap (see background paper) remains relevant evidence at this stage.

Proposed CIL Draft charges for consultation

- 3.22. Following the review of consultation responses and findings from updates to the evidence above, it is considered that the proposed CIL charges below strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect on the economic viability of development in Cherwell.
- 3.23. Nine strategic housing sites allocated in the adopted Local Plan Part 1 would fall within the more than 500 dwellings category. Many of these sites have either outline planning permission, a resolution to approve or are currently in the planning application system and likely to have gained outline planning permission, ahead of CIL adoption (information available in the Annual Monitoring Report, December 2015).
- 3.24. In setting an appropriate CIL rate for larger strategic sites (500+), the Council has considered responses received to consultation, viability evidence, the need to enable strategic sites to come forward to ensure a continuous supply of housing through the lifespan of the Local Plan, and the desirability of setting CIL charges which are not too complex to implement and administer. It is proposed that larger strategic sites (more than 500 residential units) in Areas 1 and 2 are subject to a nil CIL rate.

3.25. The proposed CIL rates are shown in Table 1 and the geographical areas for the three residential rates are shown in Appendix 1 which also shows the Local Plan Part 1 strategic allocations subject to nil CIL charges. These sites are expected to contribute towards infrastructure through S106 agreements.

Table 1: Proposed CIL Draft Charges

Development Type	Use Class Order	Area 1	Area 2	Area 3
Residential	C3	£100	£230	£270
Strategic allocation for more than 500 residential units in Local Plan Part 1*	C3	£0		£270
District wide				
Out of centre retail**	Out of centre A1-A5	£170		
Retail in town centres***		£0		
Any other development type		£0		
<p>* Policy Banbury 1: Banbury Canalside Policy Banbury 2: Hardwick Farm, Southam Road (East and West) Policy Banbury 4: Bankside Phase 2 Policy Banbury 17: South of Salt Way - East (mostly in Area 1) Policy Bicester 1: North West Bicester Eco-Town Policy Bicester 2: Graven Hill Policy Bicester 3: South West Bicester Phase 2 Policy 12: South East Bicester Policy Villages 5: Former RAF Upper Heyford</p> <p>**Includes sui generis retail uses: petrol filling stations, car showrooms, retail warehouse clubs</p> <p>***Town centre and out of centre as per Cherwell's Local Plan Proposals Map</p> <p>For the purpose of this Preliminary Draft Charging Schedule: Residential means - C3 development excluding C3 assisted/sheltered accommodation</p>				

3.26. Fifteen per cent of CIL receipts are passed directly to Parish or Town Councils from each 'paying' development within their areas. This increases to 25% if a neighbourhood plan has been adopted. This is known as the neighbourhood portion of the levy and its expenditure is not restricted to infrastructure supporting new development.

3.27. As an example to illustrate the charges, for a 10-house development under CIL, the Council receives about £100,000 in the Banbury area (Area 1), £270,000 in the Kidlington/Water Eaton Area (Area 3) and £230,000 in the rest of the District (Area 2) with a mandatory (15%) £15,000, £40,500 or £34,500 respectively on a 'one-off' basis to the relevant Parish or Town Council. The amount to Parish and Town Councils increases to 25% if a Neighbourhood Plan is in place.

Draft Developer Contributions SPD

- 3.28. Planning obligations, secured under Section 106 of the Town and Country Planning Act 1990 (as amended), are known as Section 106 agreements. They can either be a multi-party deed of agreement, or a unilateral undertaking made under planning legislation in association with a planning permission for new development. They are normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls. Planning obligations are legally binding and enforceable if planning permission is granted. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.
- 3.29. The legal tests for the use of Section 106 agreements are set out in regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). Regulation 122(2) states that the use of planning obligations should only be sought where they meet all of the following tests:
- a) They are necessary to make a development acceptable in planning terms;
 - b) They are directly related to a development;
 - c) They are fairly and reasonably related in scale and kind to the development.
- 3.30. The obligation is a formal document, a deed which becomes a land charge. If the Section 106 agreement is not complied with, it is enforceable against the person that entered in to the obligation and any subsequent owner.
- 3.31. Developer contribution requirements are presently guided by a Draft Supplementary Planning document (July 2011) approved by the Executive in May 2011 as informal guidance for development management purposes. New legislation and national policy and guidance have been introduced since it was prepared. The Council has also adopted its Cherwell Local Plan Part 1 (2011-2031). The draft SPD therefore carries limited weight in decision making but remains the Council's most recent guidance.
- 3.32. A new draft Developer Contributions SPD has now been prepared for public consultation subject to approval by Members. When completed it is intended that the document be adopted by the Council as a formal Supplementary Planning Document (SPD) which would then have statutory status as planning guidance.
- 3.33. The Developer Contributions SPD does not create new policy. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development.
- 3.34. The introduction to the SPD provides an overview of the document and describes the relationship between S106 agreements and CIL. The next section sets out the policy framework at both national and local level. There is then detailed general guidance on the procedures to be used by the Council in assessing the need and type of S106 agreement required for developments. The topics covered include pre-application discussions, viability, monitoring and enforcement.
- 3.35. Section 4 of the SPD gives specific guidance for different types of infrastructure. The types of infrastructure covered include affordable housing, education,

transport and access, open space, play facilities, indoor and outdoor sport and recreation, community facilities, nature conservation and biodiversity, apprenticeship and skills.

- 3.36. Detailed technical advice, including the Council's standards for indoor and outdoor recreation provision, and capital contributions and commuted sums for maintenance are set out in the appendices to the document.
- 3.37. The draft SPD is supported by a Statement of Consultation (Appendix 4) which explains the stakeholder engagement that has taken place in preparing the document. A Screening Statement (Appendix 5) has also been prepared concluding that a Strategic Environmental Assessment (SEA) is not required. Statutory consultees have had the opportunity to review the Screening Statement and have agreed that an SEA is not required.
- 3.38. The Position Statement on CIL and Planning Obligations which helped inform the preparation of the proposed Draft Planning Contributions SPD has now being updated to provide the latest information on S106s secured as part of the planning application process in Cherwell in the past 3 years (Appendix 7).

Regulation 123 list

- 3.39. The money raised through CIL can only be spent by the local authority on infrastructure that supports the delivery of development. The local authority sets out the items of infrastructure on which CIL monies can be spent. This is known as a 'Regulation 123 List'. The local authority is free to vary the Regulation 123 List subsequently, as needs change.
- 3.40. There is no effective restriction on how the authority uses any particular sum it receives provided it is for infrastructure. This is because there is no specific requirement for a CIL charge collected to be spent on the development from which it arises. CIL is essentially a development tax, used to help pay for infrastructure required to facilitate development. It is for the local authority to establish its own means of prioritising how CIL monies are spent.
- 3.41. With the effective scaling-back of S.106 Agreements, CIL is intended to become the primary mechanism through which new development contributes towards the provision of required infrastructure. Site specific infrastructure that is directly related to a development, and affordable housing, are the main items that will continue to be delivered through the Section 106 regime. With the introduction of CIL, a S.106 planning obligation cannot be sought for any item of infrastructure included on the Regulation 123 List.
- 3.42. Members are asked to approve the Draft Regulation 123 list in Appendix 1 for consultation.
- 3.43. The list has been drafted using information in the Council's Infrastructure Delivery Plan Update 2015, and information provided by the Council's services and County Council officers to inform CIL and Developer Contributions SPD to this stage.

- 3.44. CIL money and the Draft Regulation 123 list are intended to fund projects which address the cumulative effect of development and/or projects with a wider benefit to communities and neighbourhoods. Infrastructure projects which arise directly as a result of a specific development scheme will continue to be funded through planning contributions other than CIL.
- 3.45. It will help deliver district wide infrastructure alongside other sources of funding and support local communities through the neighbourhood proportion of CIL (see paragraphs 3.26 and 3.27).
- 3.46. Many of the strategic allocations in adopted Local Plan Part 1 already have planning permission or a resolution to approve and will not be subject to CIL. Infrastructure contributions from these sites are expected to be delivered through their S106 Agreements.
- 3.47. CIL is intended to support infrastructure to deliver planned growth and the Local Plan's IDP has been used as the basis to draft this list.
- 3.48. The Regulation 123 list will be kept under review as Local Plan Part 2 and Local Plan Part 1 Partial Review progress. Considering the amount of growth planned and the emerging plans, at this stage the Regulation 123 list approach allows for an element of flexibility in its wording while still making clear what is expected to be secured through CIL and what through S106 Agreements.
- 3.49. It is considered that the approach ensures a developer is not charged twice for the same infrastructure scheme.

Community Infrastructure Levy Instalments policy

- 3.50. Consultation responses and the CIL Viability Report Update, September 2016 note the benefit of introducing an Instalments Policy. Officers propose a Draft Instalments Policy for consultation (Appendix 1) intended to help viability of development proposals with an approach which does not prejudice the ability of the Council to fund infrastructure as and when it is needed.
- 3.51. It should be noted that all the viability evidence is based on full payment of CIL in 60 days of commencement. Implementation of an instalments policy will improve the ability of proposals to accommodate CIL charges and provide a greater financial buffer against the proposed rates (Paragraph 3.14 above).

Neighbouring CIL rates

- 3.52. By way of illustration as to how CIL is being implemented near to Cherwell, Table 3 below presents a summary of the stage of CIL and the CIL charges in neighbouring authorities:

Table 2. Summary of neighbouring CIL progress and charges as at October 2016

Local authority	Development types/uses liable to pay CIL		
	Residential	Retail	Any other development
South Northamptonshire Adopted and being implemented	Zone1 and Strategic urban extensions: £50 Zone 2: £150 Zone 3: £200	£100	£0
Stratford Submitted to Secretary of State in January 2016	Urban extensions: £75 -£85 Small sites (less than 10 units): £75 Rest of District:£150 Extra-care housing as per above rates	Within identified centres: £0 Within new settlements:£10 Out of centre: £120	£0
Oxford City Adopted and being implemented	£100	£100	£20 standard charge
South Oxfordshire Adopted and being implemented	Zone1: £85- £150 Strategic allocations (3 sites): £0 Care homes (C2) and Extra care (C3): £0	Supermarkets, superstores and retail warehouses £70	£0
Vale of the White Horse	Zone1: £120- £260 Zone 2: £85 -£200 Zone 3 (2 strategic allocations): £0 Rural exception site £0 C2 Housing for the frail or disable: £0	Supermarkets and retail warehousing exceeding 280m2: £100	£0
West Oxfordshire Pending Examination	£100 - £200 Extracare housing: £0-£100 Sheltered housing: £0	Greenfield sites District wide: £170 Previously developed outside town centre: £50 Previously developed in designated town centres: £30	£0

3.53. Although the above is useful to illustrate what other authorities are proposing, CIL charges should respond to the particular circumstances and planned development in the local authority area and be based on viability evidence and need for infrastructure in that area.

Future Policy Making and CIL

3.54. CIL would apply to all new qualifying development that receives planning permission in the future (following implementation of CIL). Much of the growth included in adopted Local Plan Part 1 already has planning permission and

infrastructure has been secured or is in the process of being secured through the use of s.106 agreements. However, officers will keep the emerging approach to CIL under review as work progresses on Local Plan Part 2 and the Partial Review of Part 1 to help meet the unmet housing needs of Oxford City. If necessary, there would be changes to the subsequent Draft Charging Schedule.

- 3.55. Central government undertook a review of CIL in 2015/2016 focusing on the effectiveness of CIL to help deliver infrastructure. We are still awaiting the report with the outcomes of the review and its recommendations. Future stages of CIL and Developer Contributions SPD preparation in Cherwell will consider any recommendations from this review.

CIL in the context of wider infrastructure funding

- 3.56. CIL receipts based on current viability information will not be sufficient to deliver all items on the Infrastructure Delivery Plan. The Council will need to corporately prioritise the allocation of funds and identify with infrastructure providers the infrastructure likely to be funded or partially funded by CIL as it progresses through next stages of CIL preparation and as new infrastructure needs are identified through emerging plans, including Neighbourhood Plans.
- 3.57. Research from the Planning Advisory Service (PAS) indicates that CIL is unlikely to contribute more than 5 to 10 per cent of funding for infrastructure requirements although this will depend on the particular circumstances of each local authority in terms of their infrastructure priorities and planned growth. The research indicates that a number of authorities already collecting CIL have used it as 'match-funding' to attract larger sums of money for infrastructure.
- 3.58. The Council and infrastructure providers in Cherwell will need to continue securing other sources of infrastructure funding including:

- Section 106 planning obligations on-site mitigation and under certain circumstances some limited pooling;
- Infrastructure provider's investment programmes including: Highways England, Network Rail, Sports England, Environment Agency, Thames Water;
- Central government funds such as Local Growth Fund and the 'Large sites infrastructure programme' from the Department for Communities and Local Government and funds to support infrastructure as part of the recently awarded Bicester Garden Town;
- New Homes Bonus;
- Business Rate retention;

CIL collection and administration

- 3.59. In 2011 the Department for Communities and Local Government (CLG) estimated that the average cost for a local authority to set up CIL in year 1 would be £107,700 with on-going annual costs to follow of £75,500. The Council would be able to use revenue from the levy to recover the costs of administration and setting up of CIL (up to 5% of total revenue).

- 3.60. The collection and administration of CIL in accordance with the regulations is currently under consideration, and will be reported at a future date but Members are asked to endorse the preparation for implementation at this stage to help future implementation. As noted in paragraph 2.4 above, CIL implementation is a corporate matter and preparing for its administration requires the involvement of different departments. The decision on how to spend any CIL receipts on infrastructure is a matter for this Council; the governance arrangements around this are being considered by officers and will be reported to Members for consideration.
- 3.61. Part of this work will include engaging with those partners in charge of delivering infrastructure including specific Council departments such as leisure and recreation, Oxfordshire County Council, Parish and Town Councils.

Reviewing CIL

- 3.62. There are no prescribed timeframes to review CIL charges once they are in place. Government advice in the Planning Practice Guidance is for authorities to monitor market conditions and infrastructure needs, and to consider linking a review of CIL charges to any ‘substantive review of the evidence base for the relevant Plan’. In Cherwell’s case adopted Local Plan Part 1 and emerging Part 2 and Part 1 Partial Review.
- 3.63. The Council can stop charging the levy at any time subject to making a resolution to do so.

Next Steps

- 3.64. The anticipated next steps and timescales are as follows:

Table3. Next steps

<i>CIL Charging Schedule</i>	
Second round of consultation on a Draft Charging Schedule (6 Weeks)	November 2016 /January 2016
Examination Hearings	May 2017
Approval	September 2017
<i>Developer Contributions SPD</i>	
Formal consultation (6 Weeks)	November 2016/January 2017
Executive for adoption/endorsement	February/March 2017

- 3.65. Following consideration of comments received through these consultations, the Council will prepare a Submission Charging Schedule in 2017 for public examination and intends to adopt a CIL Charging Schedule in Autumn/Winter 2017.
- 3.66. As noted earlier the SPD provides a context to how S106s and CIL will operate alongside each other forming the package of contributions. Any changes to CIL approach either local or a national level will have an implication on the content

and scope of the SPD and may affect the recommendation officers take to the Executive early next year on a final SPD.

- 3.67. The collection, administration and monitoring of CIL in accordance with the regulations and how it will affect Parish and Town Councils is currently being considered, and will be reported as CIL progresses through next steps.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A Draft Charging Schedule and a Draft Developer Contributions SPD (Appendices 1, 2 and 3) are presented for approval to proceed to formal consultation.
- 4.2 Once adopted and subject to consultation, CIL and the Developers Contributions SPD will operate alongside each other forming the package of contributions or obligations expected to come forward from development proposals to mitigate the impact of development and help fund infrastructure needed to support growth. They are not intended to provide all the funding needed but could help maximise resource income which would otherwise not be available.

5.0 Consultation

- 5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning.

6.0 Alternative Options and Reasons for Rejection

Not consulting on the proposed documents

- 6.1 Officers consider that without proceeding with this consultation the Council will not be able to assess the potential benefits of implementing CIL. Consultation will help ensure a robust and transparent process.
- 6.2 The current Draft Planning Obligations SPD (July 2011) is now out of date, it carries little weight in decision making and its continued use will potentially make it more difficult for the Council to secure S106 developer contributions in the future.

Amending the proposed documents

- 6.2 The two documents proposed for consultation were prepared having regard to national policy guidance, informal engagement with key stakeholders and updated development evidence. It is considered by officers that they present an appropriate balance between ensuring that 'as a whole' the economic viability of development proposals is not detrimentally affected and the desire to fund infrastructure.
- 6.3 Proceeding to consultation will provide a further opportunity for stakeholders and members of the public to address matters formally and inform the preparation of both documents.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications at this stage of CIL and Developer Contributions SPD preparation. The cost of preparing both documents is met from existing resources.

Comments checked by:

Paul Sutton, Chief Finance Officer, Tel. 01295 221634

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Legal Implications

- 7.2 None at this stage other than ensuring that the process for preparing CIL and Developer Contributions SPD follows statutory requirements.

Comments checked by:

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8.0 Decision Information

Key Decision:

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Cherwell Preliminary Draft Charging Schedule (including CIL Charging Areas, Draft Instalments Policy, Draft Regulation 123 list)
Appendix 2	Draft Developer Contributions SPD
Appendix 3	Appendices to Draft Developer Contributions SPD
Appendix 4	Regulation 12 Consultation Statement
Appendix 5	Draft Developer Contributions SPD – SEA Screening Statement
Appendix 6	CIL Consultation Statement
Appendix 7	Position Statement on CIL and Planning Obligations (Update)
Appendix 8	CIL Viability Study Update, September 2016 Available on-line at http://www.cherwell.gov.uk/index.cfm?articleid=11346 and www.cherwell.gov.uk/planningpolicy
Appendix 9	Summary of Key CIL elements
Background Papers	
None	
Published Supporting Documents	
<p>1. Report to Executive 1 January 2016: Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule http://modgov.cherwell.gov.uk/ielIssueDetails.aspx?IId=15001&PlanId=0&Opt=3</p> <p>2. Report to Executive 7 April 2015: Community Infrastructure Levy (CIL) and Developer Contributions SPD http://modgov.cherwell.gov.uk/documents/s29032/CDC%20Exec%20Report%20-%20CIL%20and%20106%2024%20Mar%202015%20FINAL.pdf</p> <p>3. AMR December 2015 http://www.cherwell.gov.uk/media/pdf/6/i/Final_2015_AMR_for_website.pdf Infrastructure Delivery Plan Update December 2015 http://www.cherwell.gov.uk/media/pdf/9/1/IDP_December_2015_Update_.pdf</p> <p>4. Preliminary Draft Charging Schedule Consultation including: Proposed Charges at the time Infrastructure Funding Gap Position Statement on CIL and Planning Obligations CIL Viability Study http://www.cherwell.gov.uk/index.cfm?articleid=9648</p>	
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DRAFT FOR EXECUTIVE (07.11.16)

Community Infrastructure Levy (CIL)

Draft Charging Schedule

Cherwell District Council

PROPOSED CIL CHARGES

November 2016

1. Introduction

- 1.1. The Community Infrastructure Levy (CIL) is a charge that local authorities can choose to apply to new development in their area. The funds raised can then be used to support the delivery of infrastructure that the Council and the community consider necessary to support development.
- 1.2. Cherwell District Council is a charging authority under CIL legislation and is undertaking consultation on this Draft Charging Schedule with a view to adopting CIL. This is the second consultation stage in the preparation of CIL prior to submitting the CIL Draft Charging Schedule for independent examination.

2. Background to CIL and setting CIL charges

Background

- 2.1. CIL was introduced by the 2008 Planning Act with the process for setting and implementing CIL charges set out in the CIL Regulations 2010 as amended in 2011, 2012, 2013, 2014 and 2015. Amended CIL Regulations introducing changes to the use of Planning Obligations came into force on 6 April 2015. These changes restrict the pooling of planning obligations to a maximum of 5 contributions towards a same item of infrastructure. This reform restricts infrastructure funding whether the Council has adopted a CIL Charging Schedule or not.
- 2.2. The government intends that CIL will:
 - supplement other sources of funding to deliver infrastructure supporting growth;
 - allow the Council, Parishes, Town Councils or neighbourhood areas more flexibility on how to fund infrastructure and the setting of priorities within their area;
 - provide certainty to developers about how much CIL will have to pay;
 - enable the Council to allocate a share of the levy raised to communities to deliver local infrastructure projects.
- 2.3. CIL is a discretionary tariff that the Council can choose to adopt to support the provision of infrastructure. Once adopted CIL is fixed, non negotiable and enforceable.
- 2.4. CIL is charged on new development, it is a charge per square metre on the gross internal floor space of development. It applies to all development comprising 100 square metres or above. It also applies to all new residential dwellings even if the floor space created falls below 100 square metres.
- 2.5. CIL Regulations exempt the following types of development:
 - Social/Affordable housing;
 - Development by charitable institutions;
 - Changes of use that do not increase floorspace;
 - Buildings into which people do not normally go or go only intermittently for the purpose of maintaining or inspecting machinery;
 - Buildings with temporary planning permissions;
 - Self-build housing.

- 2.6. CIL Regulations as amended in 2014 allow for housing provided at no more than 80% of market rent to be eligible for social housing relief. Councils have the discretion to grant relief for exceptional circumstances in respect of CIL liable development.

Setting CIL charges

- 2.7. The Council adopted the Cherwell Local Plan Part 1 (2011 – 2031) in July 2015 and is currently preparing Local Plan Part 2 on development management policies and non-strategic sites, and Local Plan Part 1 Partial Review concerning Oxford's unmet housing need. This Draft Charging Schedule supports adopted Local Plan Part 1 Policy INF1 and the delivery of infrastructure addressing Cherwell's Local Plan growth.
- 2.8. Cherwell District Council must set a CIL rate or rates in a Charging Schedule, and follow 2 stages of consultation and an Examination in Public prior to adoption and implementation of CIL. The 2014 amendments to CIL Regulations Part 3, Regulation 14 mean that when setting CIL rates, the Council must strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect (taken as a whole) of the levy on the economic viability of development in the area where CIL charges apply. When considering infrastructure costs, the Council needs to estimate the cost of infrastructure to support development and take into account other sources of funding.

CIL Regulations 2010 (as amended), Part 3, Regulation 14:

'14.—(1) In setting rates (including differential rates) in a charging schedule, a charging authority must strike an appropriate balance between—

(a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and

(b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

(2) In setting rates in a charging schedule, a charging authority may also have regard to actual and expected administrative expenses in connection with CIL to the extent that those expenses can be funded from CIL in accordance with regulation 61...'

- 2.9. Regulation 13 of the CIL Regulations 2010 (as amended) makes provision for the setting of differential rates for different geographical areas, different development types/uses, and development size or a combination of them. Any differential rate should be justified by economic viability evidence.
- 2.10. The Council has used evidence in the CIL Economic Viability Study (January 2016) and its September 2016 Update to inform appropriate CIL rates. These and the geographical area in which they apply are shown in Section 3.
- 2.11. The Infrastructure Funding Gap supporting the first stage of CIL consultation in February 2016 estimated the infrastructure cost of development envisaged in the Local Plan, looked at potential sources of funding and identified a funding gap towards which CIL funds could contribute. It explained the level of infrastructure funding needed after considering all known sources of funding and any likely contribution from a future CIL (the infrastructure funding gap). Nothing has changed substantially since then to amend that evidence. The Infrastructure Funding Gap, February 2016 remains relevant evidence for this Draft CIL stage.

- 2.12. Infrastructure and economic viability evidence supporting the Draft Charging Schedule illustrates that an appropriate balance between funding infrastructure and economic viability has been sought.

Planning obligations and CIL

- 2.13. CIL Regulation 123 (as amended) limits the number of planning obligations a local authority can pool towards a same item of infrastructure to a maximum of 5 and sets requirements to ensure that developments are not charged for the same item of infrastructure through S106 Agreements and CIL.
- 2.14. Once CIL is adopted, the Council will seek CIL payments in accordance with its CIL Charging Schedule. Affordable housing will continue to be provided through planning obligations and although CIL, alongside other sources of funding, will be the main mechanism for delivering off-site infrastructure, developers will be expected to mitigate against impacts that arise directly as a result of development.
- 2.15. The Council has prepared a Draft list of infrastructure items that it intends to fund through CIL, known as the 'Draft Regulation 123 list'. This is derived from the Council Infrastructure Delivery Plan (IDP). An update of the IDP was published in January 2016. The Draft Regulation 123 List will be reviewed ahead of submission for examination with comments from this consultation and the yearly update of the Council's Infrastructure Delivery Plan IDP later in the year.
- 2.16. The purpose of the 'Regulation 123 list' is to make clear what infrastructure schemes or types of infrastructure the Council intends to fund through CIL and which through S106s Agreements. The inclusion of projects in the list does not commit the Council to fund or partly fund the projects/Infrastructure types.
- 2.17. Appendix 2 contains the 'Draft Regulation 123 list' for consultation.
- 2.18. The Council is consulting on a Draft Developer Contributions SPD at the same time as this CIL Draft Charging Schedule. The SPD provides further guidance on the application of both instruments.

3. Proposed CIL charges

- 3.1. The Council commissioned Montagu Evans to undertake a Viability Study to assess the viability of development in the District to inform the first stage of CIL preparation. This study has now been updated to address responses to the 1st stage of CIL consultation (February 2016) and other changes in circumstance since its first publication. The Study Update shows that the ability of development to support a CIL charge varies by type of development. The ability of residential development to support the levy varies geographically and that of retail development varies also depending on whether it is 'centre' or 'out of centre' retail.
- 3.2. The study update recommended a differential rate to be applied to residential development across 3 areas ranging from £100 to £270 per m². The evidence shows that residential development in rural and southern areas can accommodate a higher CIL charge than in and around Banbury.

- 3.3. The study update assessed larger strategic sites (500+ residential units) and recommended a CIL rate of £70 per m² for such sites in Areas 1 (OX16 - Banbury) and 2 (Bicester and rural areas – principally postal districts OX15, OX17, OX25, OX26). The viability results indicate that Area 3 (Kidlington and south Cherwell – principally OX5) could absorb a CIL charge of £270 m² for all residential development.
- 3.4. Nine strategic housing sites allocated in the adopted Local Plan Part 1 would fall within the 500 or more dwellings category. Many of these sites have either outline planning permission or a resolution to approve and likely to have gained outline planning permission, ahead of CIL adoption.
- 3.5. In setting an appropriate CIL rate for larger strategic sites (500+), the Council has considered the first stage of CIL consultation, viability evidence, the need to enable strategic sites to come forward to ensure a continuous supply of housing through the lifespan of the Local Plan and the desirability of setting a set of charges which are not too complex to implement or administer. The Council is proposing a nil CIL rate for sites larger than 500 residential units in Areas 1 and 2.
- 3.6. The study also recommended that out of centre retail and sui generis retail uses: petrol filling stations, car showrooms, and retail warehouse clubs could support a £170 m² CIL charge.
- 3.7. Viability evidence shows that all other development tested including employment is unlikely to sustain a CIL charge.
- 3.8. The proposed CIL rates are shown in Table 1 and the geographical areas for the 3 residential rates are shown in Appendix 1 which also shows the Local Plan Part 1 strategic allocations subject to nil CIL charges. These sites are expected to contribute towards infrastructure through S106 agreements.

Table 1: Proposed Draft Charging Schedule

Development Type	Use Class Order	Area 1	Area 2	Area 3
Residential	C3	£100	£230	£270
Strategic allocation for 500 or more residential units in Local Plan Part 1*	C3	£0		£270
District wide				
Out of centre retail**	Out of centre A1-A5	£170		
Retail in town centres***		£0		
Any other development type		£0		
<p>* Policy Banbury 1: Banbury Canalside Policy Banbury 2: Hardwick Farm, Southam Road (East and West) Policy Banbury 4: Bankside Phase 2 Policy Banbury 17: South of Salt Way - East Policy Bicester 1: North West Bicester Eco-Town Policy Bicester 2: Graven Hill Policy Bicester 3: South West Bicester Phase 2 Policy 12: South East Bicester Policy Villages 5: Former RAF Upper Heyford</p> <p>**Includes sui generis retail uses: petrol filling stations, car showrooms, retail warehouse clubs</p> <p>***Town centre and out of centre as per Cherwell's Local Plan Proposals Map</p> <p>For the purpose of this Draft Charging Schedule: Residential means - C3 development excluding C3 assisted/sheltered accommodation</p>				

- 3.8 In addition to work on the emerging Local Plan Part 2, the Council is working on Local Plan (Part 1) Partial Review concerning Oxford's unmet housing need. The Council will consider the approach to CIL with regard to Local Plan Part 1 Review as it progresses to next stages of preparation and will review the need to amend the subsequent Draft Charging Schedule if necessary.

4. Supporting information on calculating, collecting and spending CIL

- 4.1. Once CIL is adopted, Cherwell District Council will be the charging and collecting authority for the purpose of implementing CIL in Cherwell.
- 4.2. CIL Regulations require the District Council to pass on 15% of any CIL revenues collected directly to those Parish and Town Councils where development has taken place. This amount increases to 25% where there is a Neighbourhood Development Plan in place.
- 4.3. Currently there are 9 designated neighbourhood areas in Cherwell at different stages of Neighbourhood Development Plan preparation. Hook Norton is the only Parish with a Neighbourhood Development Plan in place (a 'made' DPD) .
- 4.4. If a Neighbourhood Development Plan is not in place, the amount of CIL receipts to be passed onto Parish and Town Councils is capped to up to £100 per existing Council tax dwelling.
- 4.5. The District Council will spend CIL receipts on infrastructure that has been identified as being necessary to support future growth. The Council intends to use a proportion of its CIL revenue (up to 5% of total receipts) to cover the costs of setting up CIL and administering its implementation.
- 4.6. Cherwell District Council and any community in receipt of CIL revenues must report annually on how much money they have received through CIL and what it has been spent on.
- 4.7. The District Council intends to report on its CIL receipts through the Council's Annual Monitoring Report. As work on CIL progresses, the Council will liaise with Parish and Town Councils to ensure a system is in place to report on CIL receipts.

Development liable to pay CIL, exemptions and reliefs

- 4.8. CIL liable development is that which results in:
- 100m² or more new built floor space measured in Gross Internal Area (GIA);
 - the creation of one or more dwellings independently of floor space created;
 - the conversion of buildings no longer in lawful use.
- 4.9. CIL Regulations allow for CIL relief in certain circumstances. This relief is mandatory, subject to an application for CIL relief for: social housing, including affordable rent (CIL Regulation 49), development by charities for charitable purposes (CIL Regulation 43), and self-build housing (CIL Regulation 54A).

- 4.10. CIL Regulations also allow for discretionary CIL relief to be sought for investment activities for charitable purposes (CIL Regulation 44), and exceptional circumstances relief on economic viability grounds (CIL regulation 55).
- 4.11. Cherwell District Council does not intend to offer discretionary relief from CIL.

Calculating the CIL chargeable amount

- 4.12. The total amount payable is calculated on the basis of the gross internal area (GIA) of any net additional liable development. That is, CIL is chargeable only on the amount of new floor space created.
- 4.13. The Charging Authority (CDC) can choose whether to accept payment in money, as a land payment, infrastructure payment or a combination of the three (CIL Regulation 74).
- 4.14. In calculating CIL charges the Council will apply the national All-In Tender Price Index for construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This is to ensure the levy is responsive to market conditions.
- 4.15. Appendix 3 sets out how the CIL chargeable amount is calculated.

When is CIL Paid and who is responsible for the payment?

- 4.16. A CIL charge is imposed on development liable to pay CIL at the time planning permission is granted (CIL Regulation 8). Payment is required upon commencement which for the purpose of CIL is defined by Section 56 (4) of the Town and Country Planning Act 1990.
- 4.17. The CIL chargeable amount is a local land charge and liability runs with the land. The responsibility for paying the levy rests with the landowner although anyone can come forward and assume liability for the charge.

CIL payment in instalments

- 4.18. CIL regulations allow for the payment of CIL in instalments (CIL Regulation 69B). The time of the first instalment is calculated from the date development is commenced. For the purpose of this Draft Charging Schedule the Council has assumed CIL payments in full within 60 days of commencement of development.
- 4.19. The Council acknowledges the potential positive effect of instalment policies and proposes the following Instalments policy overleaf.

Table 2: Proposed Instalments Policy

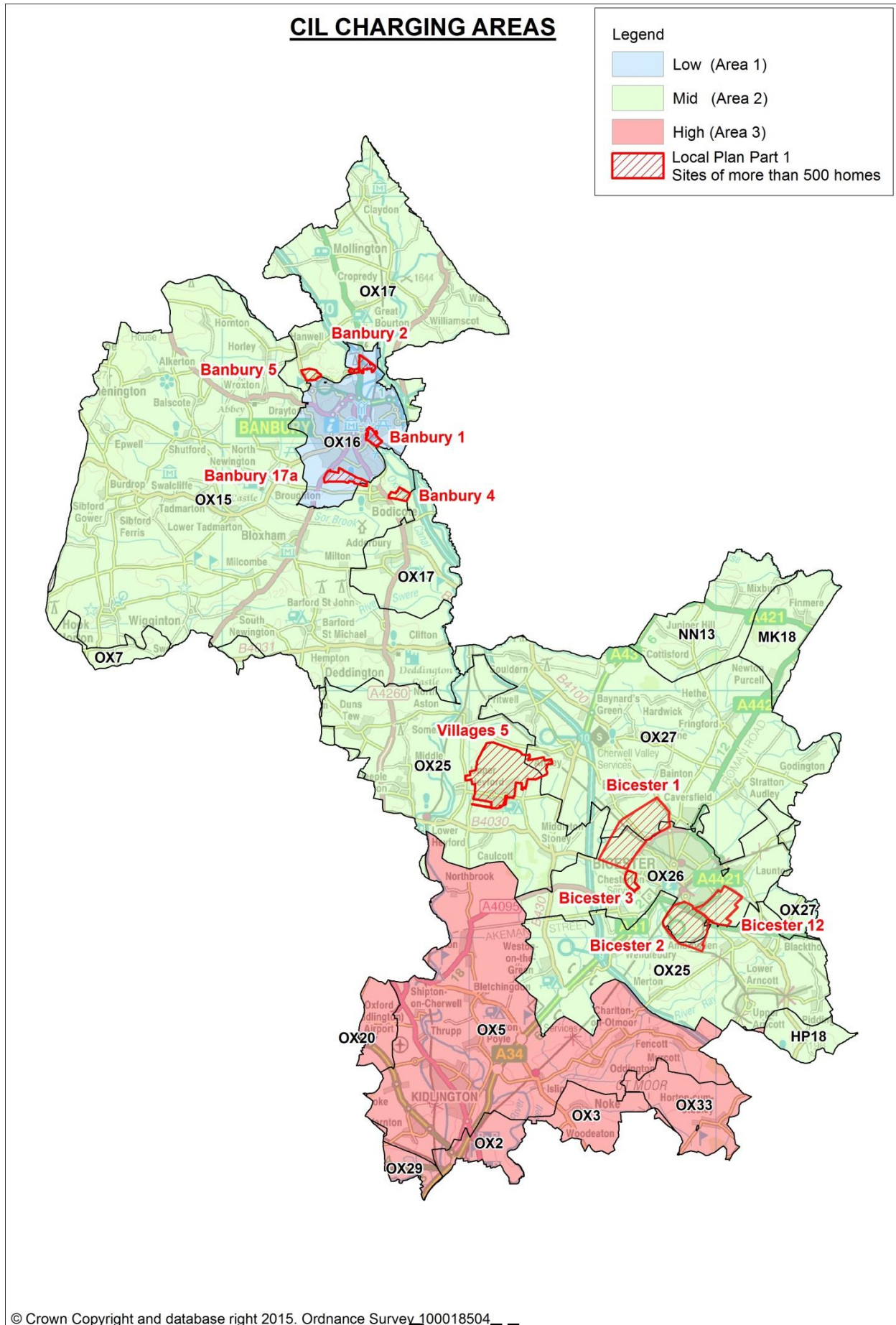
CIL liability	No of payments	Payment periods			
		1 st payment	2 nd payment	3 rd payment	4 th payment
Less than £10K	1	Within 60 days of commencement			
£10K or more and less than £500K	2	50% Within 60 days of commencement (2 months)	50% Within 180 days of commencement (6 months)		
£500K or more and less than £2m	3	40% Within 60 days of commencement (2 months)	30% Within 180 days of commencement (6 months)	300% Within 270 days of commencement (9 months)	
£2m or more	4	25% Within 60 days of commencement (2 months)	25% Within 180 days of commencement (6 months)	25% Within 270 days of commencement (9 months)	25% Within 540 days of commencement (18 months)

4.20. In drafting the proposed Instalments Policy in Table 2, the Council has sought to address the comments received during the first CIL consultation stage in Feb. – Mar. 2016 and reach a balance between the desire to help viability of development proposals with an approach which does not prejudice the ability of the Council to fund infrastructure as and when it is needed.

4.21. Further supporting information is available in the Department for Communities and Local Government (DCLG) planning practice guidance web-based resource <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/> and the Planning Advisory Service website <http://www.pas.gov.uk/community-infrastructure-levy> .

5. Next Steps

- 5.1. Following consideration of comments received through this consultation, the Council will prepare a Submission Charging Schedule in 2017 for public examination and intends to adopt a CIL Charging Schedule in Autumn/Winter 2017.
- 5.2. The collection, administration and monitoring of CIL in accordance with the regulations and how it will affect Parish and Town Councils is currently being considered, and will be reported as CIL progresses through next steps.



Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) requires local authorities to indicate the list of infrastructure projects or infrastructure types they intend to fund (wholly or in part) through CIL.

The indicative table below outlines projects identified in Cherwell Infrastructure Delivery Plan Update 2015 that may be prioritised for CIL funding.

The purpose of the list is to ensure that development proposals are not charged twice for the same infrastructure through S106 Agreements¹, S278 Agreements² and CIL.

The inclusion of an infrastructure scheme or infrastructure type on the list does not constitute a commitment from the Council to fund them (in whole or in part). Neither does it represent the Council's prioritisation of projects.

This draft list will be amended as a result of consultation and informed by the progression of Local Plan Part 2 and Local Plan Part 1 Partial Review as their infrastructure needs are identified. Considering the amount of growth planned and the emerging plans, at this stage the Regulation 123 list approach allows for an element of flexibility in its wording while still making clear what is expected to be secured through CIL and through S106/S278 Agreements.

CIL	Exclusions (S106s/S278s)
Transport	
London Road Level Crossing - vehicular solution.	Provision of new or improvements to existing transport infrastructure directly related to a specific development site and included in the Councils IDP.
Electric vehicle initiatives Charging points for electric vehicles (Banbury and Bicester)	
Car parking routeing and guidance system	
Reviewing the need for a bus station and rejuvenating and/or relocating Banbury Bus Station, including adding capacity and better linkage with the town centre.	
Increasing long term highway capacity: Link Road East of M40 J11 (Overthorpe Road to A422)	
Increasing long term highway capacity: Potential link road crossing from Tramway to Higham Way or a South East Link Road	
Education- refer to notes	
Provision of additional primary school capacity at existing schools; Provision of additional secondary school capacity at existing schools;	Provision of new or improvements to existing education facilities which are directly related to a specific development site and are included in the Councils IDP.
Health	
No CIL schemes identified at this stage.	Provision of new or improvements to health facilities which are directly related to a specific development site and are included in the Councils IDP.
Indoor sport, recreation and community facilities	
Indoor Recreation to be provided as part of development throughout Bicester/throughout Banbury/throughout Kidlington and Rural areas in accordance to Local Plan standards	Provision of new or improvements to indoor sport, recreation and community facilities which are directly related to a specific development site and are included in

¹ A section of the Town and Country Planning Act 1990 that allows legal agreements between Local Authorities and developers as part of a planning application

² A section of the Highways Act 1980 that allows legal agreements between Local Authorities and developers to make alterations or improvements to a public highway, as part of a planning application

	the Councils IDP.
Open space recreation and Biodiversity	
Community Woodland (43ha) –Chesterton (Burnehyll)	Provision of new or improvements to existing open space, recreation and biodiversity which are directly related to a specific development site and are included in the Councils IDP.
South West Bicester Sports Village Phase 3 P3b – Tennis courts P3c – athletics track next to school	
Canal Towpath Improvements (3000 linear metre)- Access to the Countryside (urban centre to Cherwell Country Park)	
Wildmere Community Woodland	
Cherwell Country Park - In IDP with funding secured	
Restoration, maintenance and new habitat creation at Tusmore and Shellswell Park - Conservation Target Area	
Restoration, maintenance, new habitat creation at River Ray Conservation Target Area	
Restoration, maintenance and new habitat creation at Northern Valleys - Conservation Target Area	
Restoration, maintenance and new habitat creation at Upper and Lower Cherwell Conservation Target Areas	
Restoration, maintenance, new habitat creation at Otmoor Conservation Target Area	
Restoration of BAP habitats on Parish sites.	

Regulation 40 of CIL Regulations 2010 (as amended)**“Calculation of chargeable amount**

40.—(1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I_p = the index figure for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

(6) In this regulation the index figure for a given year is—

(a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors(1); or .

(b) if the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.

(7) The value of A must be calculated by applying the following formula—

$$G_R - K_R - \frac{(G_R \times E)}{G}$$

where—

G = the gross internal area of the chargeable development;

G_R = the gross internal area of the part of the chargeable development chargeable at rate R;

K_R = the aggregate of the gross internal areas of the following—

(i) retained parts of in-use buildings, and

(ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

(i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and

(ii) for the second and subsequent phases of a phased planning permission, the value E_x (as determined under paragraph (8)), unless E_x is negative,

provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value E_x must be calculated by applying the following formula—

$$E_P - (G_P - K_{PR})$$

where—

E_P = the value of E for the previously commenced phase of the planning permission;

G_p = the value of G for the previously commenced phase of the planning permission; and
 K_{PR} = the total of the values of K_R for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within a description in the definitions of K_R and E in paragraph (7); or

(b) the gross internal area of any part of a building falling within such a description, it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

(i) a building into which people do not normally go,

(ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or

(iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

(i) is a relevant building, and

(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect—

(i) at the time planning permission first permits the chargeable development, and

(ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be—

(i) on the relevant land on completion of the chargeable development (excluding new build),

(ii) part of the chargeable development on completion, and

(iii) chargeable at rate R .”

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Developer Contributions Supplementary Planning Document (SPD)

Consultation Draft November 2016

Cherwell District Council

**DRAFT FOR EXECUTIVE
NOVEMBER 2016**

	CONTENTS	Page
1	Introduction	1
	Purpose of this document	3
	What are Planning Obligations	3
	What is CIL	4
	Relationship between CIL and S106s	4
	Planning Conditions	4
	Section 278 Agreements	5
2	Policy Framework	5
	National Level	5
	Local Level	5
	Bicester Garden Town	6
	Healthy New Towns	6
3	Procedures	7
	General Approach	7
	Planning Obligations	7
	Pre-Application Discussions	8
	Unilateral Undertakings	8
	Cross Boundary Applications	8
	Viability	9
	Security and Timing of Payments	9
	Fees	10
	Monitoring and Enforcement	11
	Dispute Resolution	11
4	Specific Planning Obligation Guidance By Type	13
	Guide to Funding Mechanisms by Infrastructure Type	13
	Affordable Housing	15
	Education	18
	Transport and Access	19
	Open Space, Play Facilities, Outdoor Sport & Recreation	20
	Indoor Sport, Recreation & Community Facilities	22
	Nature Conservation & Biodiversity	23
	Apprenticeships & Skills	24
	Public Art	25
	Health Care	26
	Community Safety & Policing	26
	Appendices	
1	Population Figures	1
2	Regulation 123 List	2
3	Indices used for Contributions sought on behalf of OCC	3
4	Education Infrastructure: Calculation of Contributions	5

5	Local Standards of Provision – Outdoor Recreation	7
6	Summary of Demand for open space, sport & recreational facilities by development type	9
7	Local Standards of Provision – Indoor Recreation	10
8	On-site Community Hall Provision: Commuted sums for maintenance	12
9	Commuted Sums for Children’s Play Space, Sports Pitches, Public Open Space	13
10	On-Site Community Centre & Indoor Sports Provision: Process & Procedures	16
11	Open Space, Sport & Recreation – Process & Procedures for Applications where On-Site Provision is Required.	17
12	Local Management Organisation Requirements	21
13	Apprenticeship & Skills	22
14	Community Safety/ CCTV Provision	29

1. INTRODUCTION

Purpose of this Document

- 1.1. The purpose of this Developer Contributions Supplementary Planning Document (SPD) is to set out Cherwell District Council's approach to seeking Section 106 planning obligations and their operation alongside the Council's emerging Community Infrastructure Levy (CIL). This document should be read alongside the Council's Community Infrastructure Levy Draft Charging Schedule.
- 1.2. This guidance does not cover every possible circumstance and/or obligation that may need to be taken into account, nor does it cover the CIL implementation process but it does provide a clear indication of the Council's essential requirements from new development in respect of the provision of infrastructure, community facilities and services. It will enable developers to understand planning obligation requirements and costs from an early stage in the development process and to make appropriate provision when formulating costs and undertaking financial appraisals.
- 1.3. Since the introduction of the CIL Regulations in 2010, developers are expected to contribute towards the provision of infrastructure through a combination of mechanisms: paying a levy through CIL (if adopted at local level), S106 obligations, planning conditions and S278 highway contributions.
- 1.4. The CIL Regulations mean that since 6 April 2015 the use of Section 106 obligations has become more restricted, with the Council only able to pool a maximum of five separate obligations (entered into on or after 6 April 2010) for a specific infrastructure project or a type of infrastructure. The Council has prepared a draft list of infrastructure items that it intends to fund (wholly or partly) through CIL. This is known as the 'Regulation 123 List' and it is included in Appendix 2 for information. Section 106 developer contributions cannot be collected for infrastructure items included in the 'Regulation 123 List'.

What are Planning Obligations?

- 1.5. A planning obligation is either a deed of agreement or a unilateral undertaking made under planning legislation in association with a planning permission for new development. It is normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls. Planning obligations are legally binding and enforceable if planning permission is granted. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.

- 1.6. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition. (Paragraph 203 NPPF¹).
- 1.7. In addition, the CIL Regulations 122 states that the use of planning obligations should only be sought where they meet all of the following tests:
- They are necessary to make a development acceptable in planning terms
 - They are directly related to a development
 - They are fairly and reasonably related in scale and kind to the development.

What is CIL?

- 1.8. CIL is a discretionary tariff charged on new development that the Council can choose to adopt to support the provision of infrastructure. Once adopted CIL is fixed, non-negotiable and enforceable.
- 1.9. Cherwell District Council must set a CIL rate or rates in a Charging Schedule, and follow two stages of consultation and an Examination in Public prior to adoption and implementation of CIL. The Council is currently consulting on a Draft CIL Charging Schedule.

Relationship between CIL and S106s

- 1.10. The Government intends CIL to provide for infrastructure to support development rather than making individual planning applications acceptable in planning terms. Site specific mitigation will still be sought through Planning Obligations.
- 1.11. CIL Regulations 122 and 123 place limits on the use of planning obligations and makes the planning obligations policy tests (refer to Para'1.7 above) a statutory requirement. These two regulations are set out to avoid overlaps between CIL and planning obligations and to limit the pooling of planning obligations towards infrastructure provision that could be funded by CIL. The Government's intention is for local authorities to operate CIL and Planning Obligations in a complementary way.
- 1.12. When seeking contributions, the Council should ensure their combined total impact does not threaten the viability of the sites and scale of development identified in the Development Plan.

Planning Conditions

¹ National Planning Policy Framework

- 1.13. Planning conditions cannot require the transfer of land ownership or the payment of monies. They are attached to a planning permission and set out details or required standards, timeframes, and works which must be carried out at prescribed stages in the development process. They may also require further details to be submitted in order to make a proposal acceptable.
- 1.14. NPPF paragraph 206 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Section 278 Agreements

- 1.15. Section 278 Agreements allow developers to enter in to a legal agreement with the Highway Authority to fund alterations or improvements to the public highway where these are of benefit to the public.
- 1.16. The pooling restriction on planning obligations does not apply to S278 agreements. However, the CIL regulations prohibit CIL being spent on a highway scheme where a S278 agreement has been made.

2. POLICY FRAMEWORK

National Level

- 2.1. The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended); Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and the National Planning Policy Framework (NPPF), particularly paragraphs 203 to 205.

Local Level

- 2.2. The statutory Development Plan for the District currently comprises:
- Policies in the adopted Cherwell Local Plan 2011-2031 (Part1)(adopted July 2015)
 - The retained saved policies of the adopted Cherwell Local Plan 1996
 - The saved policies of the Oxfordshire Minerals and Waste Local Plan 1996
 - Hook Norton Neighbourhood Plan 2014-2031
- 2.3. The adopted Cherwell Local Plan Part 1 contains the strategic policies covering the District and identifies strategic sites for housing and employment development at Bicester, Banbury and the former RAF Upper Heyford.

- 2.4. Work has commenced on the production of Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites. Work has also commenced on a Partial Review of Cherwell Local Plan Part 1 which seeks to address the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City.
- 2.5. Other key planning policy documents include:
- Supplementary Planning Documents (SPDs). SPDs expand upon and provide further detail to policies in Development Plan Documents.
 - The Infrastructure Delivery Plan (IDP). The IDP is a live document adjusted over time and contains the infrastructure required to support **Policy INF 1: Infrastructure** of the adopted Cherwell Local Plan Part 1. An IDP was appended to the adopted Local Plan. IDP updates can be found on the Council's website.
- 2.6. The Council's Local Development Scheme provides up to date information on the progress of these documents.

Bicester Garden Town

- 2.7. In 2014 the Government announced that Bicester had achieved Garden Town status after Cherwell District Council had successfully demonstrated plans to meet the necessary criteria of providing affordable homes, schools and jobs while preserving the countryside.
- 2.8. Since then an initial grant has been awarded to fund the necessary feasibility studies which will guide the delivery of the 13,000 homes, 21,500 jobs and supporting infrastructure as set out in the adopted Cherwell Local Plan Part 1.

Healthy New Towns

- 2.9. In 2015 the Government launched its Healthy New Towns Programme. This programme offers to radically re-think how we live, and takes an ambitious look at improving health through the built environment.
- 2.10. In 2016 Bicester was successful in being selected as one of the 10 exemplar healthy new towns. The Bicester Healthy New Town Programme aims to enable people who

live or work in Bicester to live healthier lives and to prevent ill health in the future. The two key priorities for the programme are:

- To reduce the number of people who are overweight or obese because it is the cause of so many health problems.
- To reduce the number of people who feel socially isolated because that has an important impact on mental wellbeing.

2.11. The built environment has a role to play in supporting health and wellbeing of communities in the whole of Cherwell District and it is a Council priority to ensure new developments supports this aim.

3. PROCEDURES

General Approach

3.1 The Developer Contributions SPD and the CIL Charging Schedule once adopted will comprise Cherwell District Council's approach to planning contributions.

3.2 The Council will seek CIL payments in accordance with its CIL Charging Schedule. Once in place, this charge is non-negotiable.

3.3 Although the scope for securing S106 planning obligations has been reduced since April 2015 due to the pooling restrictions, it is expected that planning obligations will still be sought for:

- Affordable housing; and
- Infrastructure which is required to mitigate the direct impact of a development. However, it should be noted that this is a general guide and development proposals will continue to be assessed on a case by case basis with the individual circumstances of each site being taken in to consideration when identifying infrastructure requirements. Infrastructure will not be sought by a S106 agreement if it is included in the Council's Regulation 123 list.

Planning Obligations

3.4 The Local Planning Authority (LPA) will assess each application to determine if a planning obligation is needed and if so what it should address. It will do this in consultation with other public bodies responsible for infrastructure provision.

3.5 The LPA will use planning obligations to:

- Secure general planning requirements that are necessary to allow the development to be permitted and where this cannot be achieved by way of planning conditions;
- Ensure that there is a satisfactory infrastructure to allow the development to proceed and that the infrastructure provided will be maintained; and
- Offset relevant adverse impacts, for example, on the environment, education, social, recreational and community facilities and transport that arise from the development where the development might otherwise have been refused because of those adverse impacts.

Pre Application Discussions

- 3.6 As part of any pre-application discussions the LPA will seek to agree the requirements and Heads of Terms for any planning obligation.
- 3.7 It is the Council's strong preference, where applications and associated planning obligations are more complex, that negotiations occur, and agreement on Heads of Terms is achieved, prior to the submission of a planning application. Pre application discussions can help to resolve potential problems and issues which may otherwise delay the determination of a planning application.
- 3.8 It is a local validation requirement that draft Heads of Terms accompany any application that requires a planning obligation.

Unilateral Undertakings

- 3.9 In cases where a planning obligation is only dealing with a standard financial contribution the LPA will encourage developers to make a unilateral undertaking and to make the relevant contributions on the granting of planning permission.
- 3.10 This approach allows applicants for small schemes to reduce the legal costs and avoid potential delays often associated with planning agreements. The Council provides a standard form for a unilateral undertaking and this can be found on its website.

Cross Boundary Applications

- 3.11 Where an application site falls partly into another local planning authority area the Council will, as far as possible, work to coordinate proportionate planning obligation requirements with that authority. If however, agreement cannot be reached, the Council will seek obligations for the portion of the site that falls within the District.

Viability

- 3.12 A key objective of this SPD is to alert applicants of the likely level of planning obligations that can be expected from proposed developments well in advance of any planning application being submitted. The developer can then factor these requirements in to any potential land transaction and/or scheme at an early stage. Viability issues should be considered in pre-application discussions.
- 3.13 The LPA recognises that financial viability is a material consideration. It may therefore, in exceptional circumstances, consider prioritising obligations when a proven viability case has been demonstrated by the developer. The relative priority given to competing requirements will be assessed having regard to the Development Plan, the needs of the locality and the particular characteristics of the site and its setting.
- 3.14 Where a disagreement arises about financial viability and the level of planning obligations sought, the applicant will be expected to provide the Council with evidence to support their case. In most instances this will involve the Council reaching an understanding based on a detailed open book financial appraisal, undertaken by an independent assessor. Where there are significant financial issues arising for other public bodies responsible for providing infrastructure (including Oxfordshire County Council), the LPA will expect that body to be actively involved in this assessment process and conclusions.
- 3.15 All costs incurred by the Council in financial appraisal and viability assessment are to be met by the applicant.

Security and Timing of Payments

- 3.16 Financial contributions (apart from legal costs and standard administration charges) will usually need to be paid prior to the implementation of planning permission or in accordance with a programme of agreed staged payments.
- 3.17 Upon completion of a Planning Obligation, the developer should identify the financial contributions payable and the corresponding triggers or payment dates.
- 3.18 Upon reaching a trigger or payment date, the developer should notify the Council of their intention to pay the financial contribution. If the developer notifies the Council of their intention to pay the financial contribution after the trigger or payment date has elapsed then late payment interest will be charged at a rate of 4% above the standard base rate or as otherwise stated in the Planning Obligation. The applicant may also become liable for additional monitoring and enforcement costs.

- 3.19 The Council will then calculate the total financial contribution payable including any interest and/or indexation due and will provide a copy of this calculation to the developer. This calculation will be valid for a period of 14 days from the date of issue unless otherwise agreed in writing. If the calculation has not been agreed within 14 days and is arithmetically correct, then late payment interest will be charged as per paragraph 3.17 above.
- 3.20 Once the developer has agreed the calculation, the Council will issue an invoice to the developer for the agreed sum. The invoice issued will be subject to the Council's standard payment terms.
- 3.21 The Council will not accept payment of any financial contribution unless accompanied by a valid invoice.
- 3.22 Upon receipt, financial contributions will be held in a specific account before being transferred to the relevant internal departments or third parties (e.g. other public sector body, parish council etc.) responsible for spending the contribution.
- 3.23 All receipts and spending of financial contributions will be recorded and monitored by the Council's Planning Obligations Officer.
- 3.24 Please note that the information above is only relevant to financial contributions payable to Cherwell District Council. Financial contributions payable to Oxfordshire County Council (i.e. those relating to highways and education etc.) will be subject to a different process and developers are advised to contact the Oxfordshire County Council Developer Funding Team (developer.funding@oxfordshire.gov.uk) for further information.

Fees

- 3.25 The Council's legal costs of preparing the Planning Obligation will be borne by the developer. These costs will be based on an hourly rate and will depend upon the complexity of the agreement and the length of time taken to settle the draft and proceed to completion.
- 3.26 The Council's reasonable legal fees will need to be met even if the planning obligation is not completed.
- 3.27 Standard unilateral undertakings will be subject to an administration charge covering legal costs and if necessary the transfer of money to third parties.

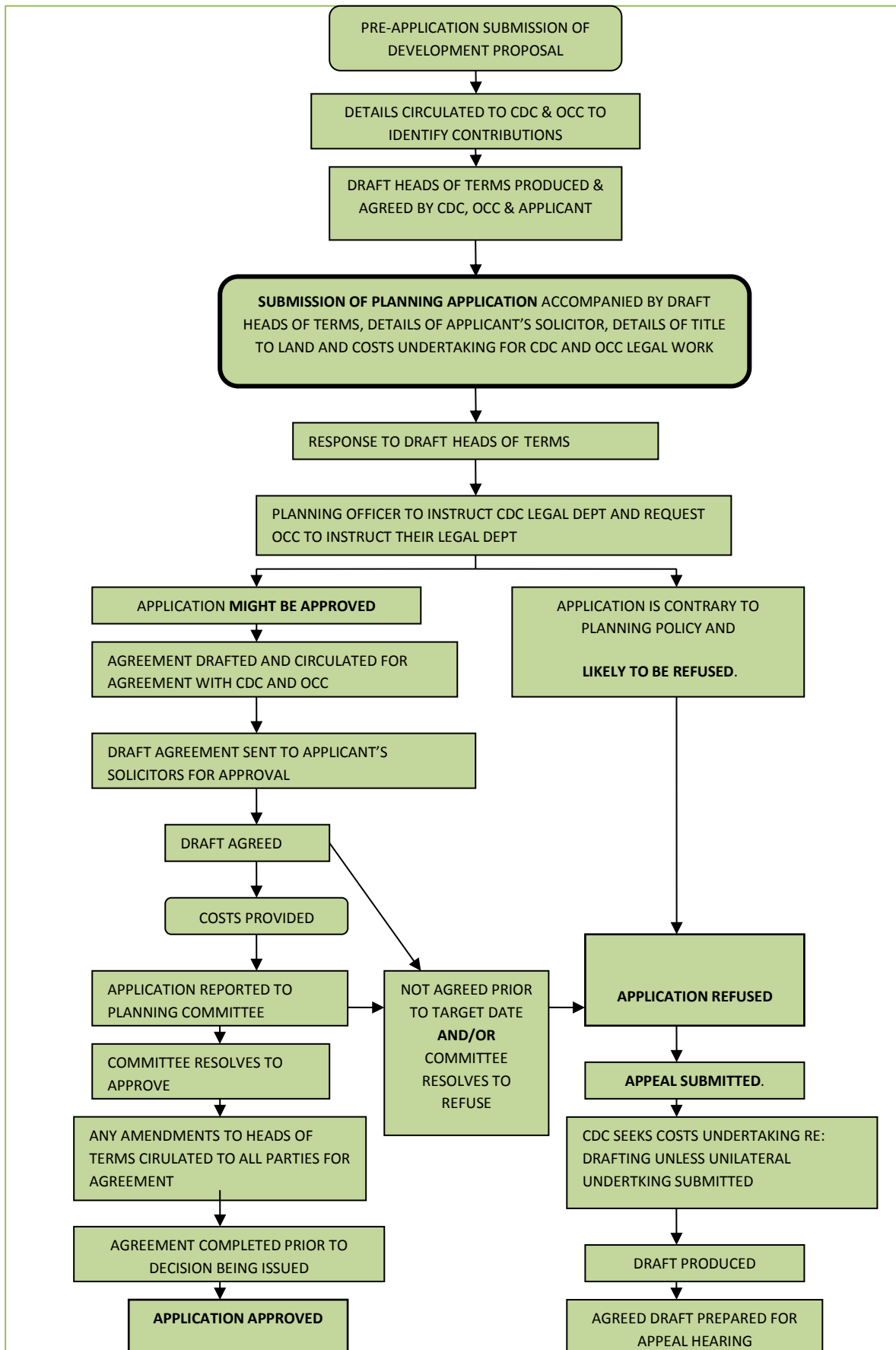
Monitoring and Enforcement

- 3.28 The Council monitors all Planning Obligations and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time.
- 3.29 Where there is evidence of non-compliance with a Planning Obligation (such as the non-payment of financial contributions, failure to comply with an obligation, or failure to notify the Council of a due payment or event as required), the Council will seek to recover all reasonable administration costs incurred. This could include, for example, site visits, the recovery of any unpaid monies and/or correspondence.
- 3.30 If it is apparent that matters within the Planning Obligation are not being complied with, despite efforts by the Council to remind the developer of their obligations, then the Planning Obligations Officer will instruct the Council's Legal Service to take appropriate action to secure compliance. This could include for example, seeking a court injunction.
- 3.31 Where a formula has been set for the calculation of contribution levels, any cost figures used will be updated regularly to take account of inflation and are the sums required at the time of negotiation.
- 3.32 All payment levels will be subject to an inflation factor adjusted according to the fluctuations between the date of the obligation and the quarter period in which payment is due to the District Council.

Dispute Resolution

- 3.33 Changes introduced by the 2016 Housing and Planning Act relating to Schedule 13 of the Town and Country Planning Act 1990 (as amended) give the Secretary of State the power to appoint someone to resolve issues that are holding up the completion of a planning obligation.
- 3.34 Figure 1 overleaf provides an overview of the Planning Obligation process

Figure 1: Planning Obligation Process



4. SPECIFIC PLANNING OBLIGATION GUIDANCE BY TYPE

- 4.1. This section gives specific advice for various types of infrastructure commonly required by the Council to support development. However, as stated previously it does not cover every circumstance and/or obligation that may be needed to make a development acceptable in planning terms. In all cases the LPA will ensure that the infrastructure sought complies with CIL Regulation 122.
- 4.2. Table 2 below offers a guide to the types of infrastructure to be covered by S106 planning obligations and what will be covered by CIL. It should not be confused with the CIL Regulation 123 list. Table 2 has helped inform the preparation of CDC’s Draft CIL Regulation 123 list prepared alongside the CIL Draft Charging Schedule and contained in Appendix 2.

Table 2: Guide to Funding Mechanisms by Infrastructure Type.

Type	CIL	S106	Condition	S278
Housing				
Affordable Housing		✓		
Commuted offsite payments for the provision of affordable housing		✓		
Transport (includes PRow)				
Site specific Highway and Access Impacts		✓		✓
Non-site specific Highway improvements	✓ Unless identified project compliant with pooling restrictions; would need clarification in Reg. 123 list.			
Site specific sustainable transport		✓		
Non-site specific sustainable transport	✓ Unless identified project compliant with pooling restrictions; would need clarification in Reg. 123 list.			
Highways Depots	✓			
Education				
On site Education (Primary, Secondary, 6 th Form, Special Educational Needs)		✓		
Education (Primary, Secondary, 6 th Form, Special Educational Needs)	✓ Unless identified project compliant with pooling restrictions; would need clarification in Reg. 123 list.			
Onsite early years provision		✓		
Early years provision	✓ Unless identified project compliant with pooling restrictions; would need			

Type	CIL	S106	Condition	S278
	clarification in Reg. 123 list.			
Apprenticeships			✓	
Utilities				
Sustainable Urban Drainage Systems		✓	✓	
On site provision of Refuse bins, recycling banks/'bring in' sites			✓	
Off-site provision of Recycling banks/'bring in' sites	✓			
Strategic Waste Management (WRC)	✓ Unless identified project compliant with pooling restrictions; would need clarification in Reg.123 list.			
Strategic Flood Defence	✓			
Enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers (*)	✓			
Fire and Rescue	✓			
Community safety and policing				
Onsite provision of community safety and policing infrastructure		✓		
Off-site Community safety and policing infrastructure	✓			
Health				
Onsite provision of health infrastructure		✓		
Off-site provision of health infrastructure	✓			
Air Quality				
Measures during construction of new development including dust control, site monitoring and plan emissions			✓	
Indoor sport, recreation and community facilities				
Onsite Community centre/hub		✓		
Offsite Community centre/hub	✓			
Community Development Funding	✓			
Site specific Indoor Sports		✓		
Indoor Sports	✓			
Integrated Youth Support Service	✓			
Libraries	✓			
Day care Provision for the Elderly	✓			
Adult Learning	✓			
Museum Resource Centre (MRC)	✓			
Open space recreation and Biodiversity				
Site specific Open space, play space, outdoor sport, allotments, recreation and landscaping		✓		
Country parks, open space, play space, outdoor sport, allotments, recreation and	✓			

Type	CIL	S106	Condition	S278
landscaping				
Cemeteries	✓			
Onsite Nature Conservation and Biodiversity		✓	✓	
Nature Conservation and Biodiversity	✓ Unless identified project compliant with pooling restrictions; would need clarification in Reg.			
Sustainable Construction			✓	
Public Realm				
Site specific Public Art			✓	
Public Art	✓			
Heritage				
Archaeology			✓	
Heritage-related projects	✓			

Affordable Housing

- 4.3. Cherwell District has a high level of need for affordable housing. The Council's Housing Strategy 2012-17 recognises the need for affordable homes, and aims to ensure that Cherwell is well –placed to maximise investment by registered providers and to respond to opportunities as they arise.
- 4.4. The NPPF defines affordable housing as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. This definition has been amended by the Housing and Planning Act 2016 which changes the definition to include 'starter homes'.
- 4.5. The various types of affordable housing can be described as follows:

Social Rented Housing

- 4.6. Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

Affordable Rented Housing

- 4.7. Rented housing provided by a registered provider of social housing, that has the same characteristics as social rented housing except that it is outside the national rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80% of local market rents.

Intermediate Rent

- 4.8. Housing at prices and rents above those of social rent, but below market price or rents and which meet the criteria set out above but does not include affordable rented housing. These can include shared equity products or other low cost homes for sale such as;
- Shared Equity
 - Shared Ownership
 - Discount Sale

Starter Homes

- 4.9. The Housing and Planning Act 2016 states that a starter home is a dwelling which is only available for purchase by a qualifying first time buyer and which is made available at a price which is at least 20% less than the market value. The current maximum price cap outside London is set at £250,000 ².

Requirements & Thresholds

- 4.10. Policy BSC 3 of the adopted Cherwell Local Plan Part 1 requires the following provision:
- At Banbury and Bicester all proposed developments that include 11 or more dwellings (gross), will be expected to provide at least 30% of new homes as affordable homes on site.
 - At Kidlington and elsewhere, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as **affordable homes on site**.
 - Financial contributions in lieu of on – site provision will only be acceptable in exceptional circumstances.
 - Where there is a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.

² Housing & Planning Act 2016

- 4.11. All qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.

Housing Mix

- 4.12. Adopted Local Plan policy BSC4 sets out the Council's housing mix requirements. In general there is a need to provide a mix of housing to reflect the needs of an ageing population, a growth in smaller households and the demand for family housing.
- 4.13. In all qualifying developments the mix of housing will be negotiated having regard to the Council's most recent evidence and evidence from developers on local market conditions.
- 4.14. Extra Care Dwellings will be important in meeting the needs of an older population. It comprises self-contained accommodation for older and disabled people which enables independent living by providing a range of support facilities on the premises and 24 hour care services. Housing sites of at least 400 dwellings will be expected to provide a minimum of 45 self-contained extra care dwellings as part of the overall mix. However, if the Council agrees that extra care housing would not be desirable in a particular location an equivalent amount of alternative specialist housing for older people will be required. It should not necessarily be assumed that the Extra Care/Older Persons housing should be made up entirely of affordable housing, rather the affordable housing should be considered an element. In any case the detail should be discussed and agreed with the Council.

Affordable Housing Standards

- 4.15. It is expected that 50% of the affordable rented housing will be built to Building Regulations Requirements M4(2) Category 2: accessible and adaptable dwellings. In addition, 1% of the affordable housing is to be built to Building Regulation Requirement M4(2) Category 3: Wheelchair User Dwelling. However, this requirement will be assessed on a site by site basis in discussion with the developer.

Viability

- 4.16. The Council will apply its policy requirements to all developments in the first instance. However, it will adopt a negotiated approach to all aspects of affordable housing delivery. If developers consider that the Council's policy requirements on affordable housing give rise to development viability issues they will need to fully justify their reasons.

Further Advice

- 4.17. Detailed advice on the provision of affordable housing is available by contacting the Council's Strategic Housing Team.

Education

(Including primary, secondary, pre-school, further education and special needs education)

- 4.18. The NPPF (para' 72) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. This approach is further developed in the adopted Cherwell Local Plan Part 1 (Policy BSC 7) which seeks the provision of educational facilities throughout the District to accommodate population growth.
- 4.19. Oxfordshire County Council (OCC) has a statutory responsibility to plan for school places. It is important that these places are available within a reasonable travel distance for all those of school age occupying new residential development.

Planning Obligation Requirements

- 4.20. The LPA will expect all residential developments of 10 or more dwellings to contribute towards the provision of education infrastructure where there is not enough spare capacity in existing appropriate schools to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new schools to be provided or for existing schools to be extended. A list of planned projects is set out in the Council's IDP which is updated on a yearly basis.
- 4.21. Decisions as to whether or not there is sufficient spare capacity in a school are made with reference to current and forecast numbers on the roll and school capacity. Empty places at a school do not necessarily equate to there being excess capacity at that school. Any assessment of adequate and appropriate capacity will not normally include temporary accommodation.
- 4.22. In circumstances where it is not possible to provide school places within a reasonable walking distance an additional contribution towards the cost of providing transport for children to school may be required. The contribution will reflect the cost of providing the transport for a defined period of time.
- 4.23. Further advice on the method of calculations and the expected costs are set out in Appendix 4.

Transport & Access

- 4.24. Oxfordshire County Council is the local highway authority and is responsible for the management and maintenance of the adopted highway network within the District.
- 4.25. The County Council is also the local transport authority. It produces the Oxfordshire Local Transport Plan and has various responsibilities for public transport. It is also the traffic authority responsible for traffic management and road safety. It has further responsibilities in relation to school transport and public rights of way.
- 4.26. The Oxfordshire Local Transport Plan provides the strategic framework for transport in the County. It sets out likely transport infrastructure requirements and priorities for Cherwell aimed at tackling congestion, promoting sustainable travel, safer roads and improving the street environment. Specific schemes and projects are set out in the Council's Infrastructure Delivery Plan.
- 4.27. The Council's strategy, as set out in the adopted local plan, for managing growth is to locate development in sustainable locations and identify appropriate and deliverable measures to meet the transport needs of the District.

Planning Obligation Requirements

- 4.28. All new developments in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of the development. This will support delivery of the infrastructure and services needed to facilitate travel by sustainable modes. It will also enable improvements to be made to the local and strategic road and rail networks.
- 4.29. Where there is likely to be a transport impact the LPA will require the submission of a Transport Assessment. The type and level of any contributions towards transport infrastructure provision will be considered in the Transport Assessment and negotiated with the Highway Authority.
- 4.30. Detailed technical pre-application discussions with Oxfordshire County Council on the transport assessment are essential for major developments.
- 4.31. Direct infrastructure provision, financial and other contributions (including those for bus services) towards mitigating measures will be included in a planning obligation. The implementation of any physical changes to the highway network required to accommodate, or mitigate, the effects of a proposal will be managed through a highways agreement with the Highway Authority. For major schemes it will be

necessary to define the highways agreements at the time planning permission is granted. In such cases the highways agreement will be referred to in, and linked to, the planning agreement. This will ensure certainty and transparency of implementation requirements and costs for all parties.

- 4.32. For specific transport schemes identified in the IDP the following formula will be used to calculate S106 contributions. Where:

X = Cost of Scheme(s)

Y = Held/Committed funding

Z = LGF Funding/Alternative Funding

E = Expected Growth (dwellings/employment floor space)

$$\text{S106 Contribution} = (X - Y - Z) \div E$$

- 4.33. The LPA may also require the preparation, agreement and implementation of a Travel Plan to mitigate the impact of the development on the transport system and environment. This will be a standard requirement for major developments and, depending on the nature of the development, the Plan may be secured by either a condition or planning obligation. Travel Plans for major development will normally include targets for modes of travel to and from the site and monitoring arrangements. There will be a need for financial commitments and incentives and/or penalties for non-compliance.

Open Space, Play Facilities, Outdoor Sport & Recreation

- 4.34. Proposals for new development will be expected to contribute to open space, sport and recreation provision in accordance with Policies BSC10, BSC11 and BSC12 of the adopted Cherwell Local Plan Part 1.

- 4.35. The evidence base for these policies is the District's PPG17 Open Space, Sport and Recreational Facilities Needs Assessment, Audit and Strategy 2006 and the subsequent Green Spaces and Playing Pitch Strategies 2008. The Council has now commissioned studies to update this information. Should these studies result in amendments to the open space standards, these standards will be updated in the Cherwell Local Plan Part 2.

Local Standards and Thresholds

- 4.36. The Council's strategies referred to above establish the current and future deficiencies in open space, sport and recreation provision together with recommendations as to how these deficiencies should be met. The Strategies recommend local minimum

standards of provision and these are embodied in the adopted Cherwell Local Plan Part 1. They are set out in Appendix 5 for ease of reference.

- 4.37. Obligations will only be sought in cases where the proposed development will result in a net increase in demand for recreational facilities. If the development is for a purpose which is unlikely to generate demand then no contribution will be sought. The LPA may, however, seek contributions from applicants for commercial development as working population increases as a result of commercial development can add to demand for facilities. People travelling in to the District for work will often use facilities close to their place of work.
- 4.38. On-site provision will be sought, in the first instance, in accordance with the minimum standards set out in Appendix 5. Detailed guidance on the Council's specification and design requirements for different types of open space/facility can be requested from the Council's Street Scene and Landscape Services Team.
- 4.39. If the proposed development results in an increase in demand for recreational facilities, and the developer is unable to provide open space as part of the development, or the development falls below the thresholds, and there are identified shortfalls in the area, the LPA will seek a financial contribution towards off-site provision. This may include contributions to the improvement/enhancement of existing areas/facilities where appropriate schemes have been identified.
- 4.40. A list of deficiencies in open space, sport and recreation and priorities by Ward is set out in the Council's PPG17 Assessment – Open Space, Sport and Recreational Facilities Needs Assessment Audit and Strategy 2006 and the subsequent Green Spaces and Playing Pitch Strategies 2008. Updated information will be published by the Council as it becomes available.
- 4.41. Commuted sums for maintenance of the open space or play facility will also be sought. This sum will be based on the LPA's actual maintenance costs, to cover the future maintenance of open space, sport, and recreation and play facilities, together with a sum to cover management costs for a 15 year period. A multiplier is used to account for the costs which will vary over the 15 year period and the 'discount effect' of a lump sum up front. The Council's 2016/2017 commuted sum requirements are set out in Appendix 9. Further detailed information and specifications can be accessed by contacting the Council's Street Scene and Landscape Services Team.

Local Management Organisations

4.42. It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in conjunction with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out in Appendix 12 and has the agreement of the relevant town or parish council.

Indoor Sport, Recreation and Community Facilities

4.43. Policy BSC12 of the adopted Cherwell Local Plan Part 1 sets out the Council's overall approach to provision and enhancement of indoor sport, recreation and community facilities.

4.44. The Council's PPG17 Indoor Sports and Recreational Facilities Assessment 2006 together with the 2016 Interim Cherwell Community Spaces and Development Study identified the current and future deficiencies in provision and contain recommendations as to how these deficiencies can be met.

4.45. The Council is currently undertaking a review of the District's indoor sport, recreation and community facilities provision. If this additional analysis work results in amendments to the Council's standards, they will be updated in the Cherwell Local Plan Part 2. Once in place, Local Plan Part 2 standards will replace Appendix 7.

4.46. The PPG17 Assessment recommended local minimum standards of provision and these are set out in Appendix 7.

4.47. New development that generates a need for sport, recreation and community facilities that cannot be met by existing provision will be expected to contribute towards the provision of new facilities or the improvement/expansion of existing facilities.

4.48. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. A commuted sum for the future maintenance of the facility will also be sought.

Thresholds

4.49. The threshold for provision of indoor sport and recreation facilities on-site is a population that supports a 4 court facility or 683m² of floor space. I.e. 12648 people or 5292 dwellings if the average occupancy is 2.39 per dwelling.

4.50. In relation to community centre facilities, on site facilities will be sought on sites of 1000 or above residential units. However, the Council's accessibility standard is 800m or 10 minutes' walk for such facilities, therefore on site provision may be sought for smaller developments, depending upon the proximity of existing community centres. The size of the on-site provision will be commensurate with the scale of the development. This will be assessed on a case by case basis.

Contributions

4.51. If on-site provision is not possible, or appropriate, or where the development falls below the threshold, financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified.

4.52. Costs relating to the proposed improvements will be proportionate to the size or potential occupancy of the development. The levels of contributions will be reduced where the developer makes appropriate provision on-site of particular services or facilities.

4.53. The appropriate contribution is calculated by reference to the expected population in the development and the facilities required to support the population, multiplied by a standardised cost for the provision of the facility. Where contributions are sought for the expansion or improvement of existing facilities then the costs applying to the proposed improvements will apply.

4.54. Further detailed advice can be found in Appendix 7.

Nature Conservation & Biodiversity

4.55. Policies ESD10 and ESD11 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to the protection and enhancement of biodiversity and the natural environment, including Conservation Target Areas.

4.56. Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site of known, or potential, biodiversity value or the biodiversity/natural environment of the local area.

4.57. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.

- 4.58. Detailed advice for preparing a biodiversity survey can be found in Oxfordshire County Council's guidance entitled 'Biodiversity and Planning in Oxfordshire' which is available on its website.
- 4.59. Where mitigation for the ecological impacts of a development can be achieved on-site, the LPA would normally secure this through a planning condition. Arrangements for the long term management and maintenance of this mitigation will normally be secured by a S106 agreement. In certain circumstances the LPA may seek a Local Ecological Management Plan (LEMP) through a planning condition.
- 4.60. Thames Valley Environmental Records Centre (TVERC) has identified ten Conservation Target Areas (CTAs) in the District. They have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK BAP priority habitats.
- 4.61. General targets for maintenance, restoration and creation of habitats have been set for each area. These will be achieved through a combination of biodiversity project work undertaken by a range of organisations, agri-environment schemes and biodiversity enhancements secured in association with development. These targets are in the process of being made more specific in terms of the amount of each habitat type to be secured within each CTA.
- 4.62. Where on-site mitigation or compensation cannot be achieved contributions may be sought towards a scheme that closely offsets the impact of the development, and which also meets the aims of the Council's Biodiversity Action Plan (BAP).
- 4.63. The Council will generally seek to fund biodiversity enhancements in association with development through CIL. However, where specific projects have been identified, and where they are excluded from the CIL 123 List, financial contributions may be sought via a section 106 agreement.

Apprenticeships & Skills

- 4.64. Securing the economic future of the District is the main priority of the adopted Cherwell Local Plan Part 1. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities. In particular, the Plan notes that as relatively large numbers of people in Cherwell are without qualifications and basic skills the level of education and training needs to improve. The Plan contains five strategic objectives for developing a sustainable economy. Strategic Objective 3 (SO3) aims, amongst other things, to support an increase in skills and innovation. Furthermore, paragraph B14 states that

the Council will support proposals to strengthen the skills base of the local economy which will include the promotion of local training providers.

- 4.65. 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 2014 is committed to delivering 1150 more apprenticeships to 2020 within Oxfordshire. The SEMLEP Strategic Economic Plan 2015-2020 is seeking just over 94,000 apprenticeship starts within the SEMLEP area. Of these, it is anticipating that 7017 will be created within the Cherwell District. 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.
- 4.66. The Council approved an Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills in April 2016. This document provides detailed advice and guidance on the Council's approach to securing construction apprenticeships and skills through the planning system. For ease of reference this document is reproduced at Appendix 13.
- 4.67. It states that the Council 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 by a condition or S106 agreement.
- 4.68. Appendix 13 sets out the type of development and the thresholds on development that will trigger this requirement. However, if proposed developments fall below these thresholds and developers still wish to provide new construction apprenticeships, the Council will support them in doing so.

Public Art

- 4.69. Public art can play an important role in enhancing the character of an area, enriching the environment and improving the overall quality of space. It can help to establish an identity for an area making it memorable and providing useful landmarks, particularly if it draws inspiration from local themes or associations.
- 4.70. The Government's NPPG³ (para 018) states that 'Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using'.

³ Planning Practice Guidance

- 4.71. The adopted Cherwell Local Plan Part 1 requires the provision of public art on most of its allocated strategic sites.
- 4.72. Public art policies for non-strategic sites will be developed as part of the emerging Cherwell Local Plan Part 2. In addition, the Council will update its adopted 2007 Public Art Policy to provide detailed advice and guidance on the Council's approach to securing public art through the planning process.

Health Care

- 4.73. Policy BSC 8 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to securing health and well-being throughout the District. In addition, the Bicester Healthy New Town Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future.
- 4.74. New residential development will be expected to contribute towards the provision of additional health care infrastructure generated by population growth arising from new residential developments where there is insufficient existing capacity, well located to serve the development. This may include financial contributions and/or the provision of land and buildings to enable the provision of doctor's surgeries and other health facilities to serve the local population, or the upgrading or extension of existing facilities in some locations.
- 4.75. An on-site new facility would not normally be required unless a need is generated for 4 or more whole time equivalent (WTE) GPs and then only if other nearby practices lack the capacity to expand. On smaller residential sites and where the new development increases demand on existing facilities, the need for new provision is likely to be replaced by extending existing facilities.
- 4.76. The Council will generally seek to fund off-site provision or improvement of facilities through CIL.

Community Safety & Policing

- 4.77. The supporting text to the adopted Cherwell Local Plan Part 1 states that the Council will ensure that new developments, area renewal and town centre expansions are safe places to live, work and visit by using tools such as 'secured by design' and by requiring CCTV provision when appropriate.

- 4.78. The Council will therefore require all major residential and commercial developments to contribute towards the provision of additional on-site infrastructure, for example, CCTV cameras. The Council and its community safety partners may also seek financial contributions towards area based initiatives to help reduce crime and disorder.
- 4.79. Requirements and contributions will be assessed on a site by site basis when a specific need or item of infrastructure is identified.
- 4.80. Further advice on the level of contributions sought by development type can be found in Appendix 14.

Appendix 1: Population Figures

This appendix sets out the assumed population generation rates per dwelling for Oxfordshire. The average occupancy rate per dwelling for the whole of Oxfordshire is 2.49 This assumes that an average development would contain 15% one bed dwellings, 30% two bed dwellings, 40% three bed dwellings, and 15% four bed dwellings.(Source: SHMA 2014).

Average Occupancy per Dwelling

Dwelling Type	One Bed	Two Bed	Three Bed	Four Bed
All Ages	1.28	1.85	2.88	3.96

(Source: OCC)

The above occupancy rates will be applied to all residential development proposals of 400 dwellings and below. For larger developments an excel based model known as POPCAL 10 will be used to calculate a detailed population profile associated with the proposed development.

Average Pupil Generation per Dwelling

School Category	One Bed	Two Bed	Three Bed	Four Bed
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

(Source: OCC)

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Appendix 2: Draft Regulation 123 List

For illustrative purposes only. Please see Draft Charging Schedule for details

CIL	Exclusions (S106s)
Transport	
London Road Level Crossing - vehicular solution.	Provision of new or improvements to existing transport infrastructure directly related to a specific development site and included in the Councils IDP.
Electric vehicle initiatives Charging points for electric vehicles (Banbury and Bicester)	
Car parking routeing and guidance system	
Reviewing the need for a bus station and rejuvenating and/or relocating Banbury Bus Station, including adding capacity and better linkage with the town centre.	
Increasing long term highway capacity: Link Road East of M40 J11 (Overthorpe Road to A422)	
Increasing long term highway capacity: Potential link road crossing from Tramway to Higham Way or a South East Link Road	
Education- refer to notes	
Provision of additional primary school capacity at existing schools; Provision of additional secondary school capacity at existing schools;	Provision of new or improvements to existing education facilities which are directly related to a specific development site and are included in the Councils IDP.
Health	
No CIL schemes identified at this stage	Provision of new or improvements to health facilities which are directly related to a specific development site and are included in the Councils IDP.
Indoor sport, recreation and community facilities	
Indoor Recreation to be provided as part of development throughout Bicester/throughout Banbury/throughout Kidlington and Rural areas in accordance to Local Plan standards	Provision of new or improvements to indoor sport, recreation and community facilities which are directly related to a specific development site and are included in the Councils IDP.
Open space recreation and Biodiversity	
Community Woodland (43ha) –Chesterton (Burnehyll)	Provision of new or improvements to existing open space, recreation and biodiversity which are directly related to a specific development site and are included in the Councils IDP.
South West Bicester Sports Village Phase 3 P3b – Tennis courts P3c – athletics truck next to school	
Canal Towpath Improvements (3000 linear metre)- Access to the Countryside (urban centre to Cherwell Country Park)	
Wildmere Community Woodland	
Cherwell Country Park - In IDP with funding secured	
Restoration, maintenance and new habitat creation at Tusmore and Shellswell Park - Conservation Target Area	
Restoration, maintenance, new habitat creation at River Ray Conservation Target Area	
Restoration, maintenance and new habitat creation at Northern Valleys - Conservation Target Area	
Restoration, maintenance and new habitat creation at Upper and Lower Cherwell Conservation Target Areas	
Restoration, maintenance, new habitat creation at Otmoor Conservation Target Area	
Restoration of BAP habitats on Parish sites.	

Appendix 3: Indices used for Contributions Sought on behalf of OCC

Contributions sought on behalf of OCC will be index-linked to maintain the real value of the payments.

Indexation will be applied using the formula:

$$\text{Index Linked Contribution} = \text{Revised Index Value}^{**} \div (\text{Principal Amount} \times \text{Base Index Value}^*)$$

* A base date for contributions is established in this Guide and within the planning obligation. Using this base date a precise value within a particular index can be found.

** The date that the contribution is indexed to will be identified within the planning obligation. This will usually be the date of payment. Using this revised date a precise value within a particular index can be identified.

The table below sets out the indices that will be used.

Contribution Type	Index Name	Source	Notes
Transport contributions (excluding Public Transport Services)	Baxter	The Dept for Business, Innovation & Skills	This index is a composite index comprising the following weighted indices from the Civil Engineering Formula '1990 Series' Index 1: Labour & Supervision (25%) Index 2: Plant & Road Vehicles (25%) Index 3: Aggregates (30%) Index 9: Coated Macadam & Bitumous Products (30%)
Public Transport Services Contributions	RPIX	ONS	RPIX is a measure of inflation in the UK. It is equivalent to the Retail Price Index (RPI) excluding mortgage interest payments.
All Other contributions	Tender Price Index of Public Sector Building (Non-housing) PUBSEC (incorporating SE	The Dept for Business, Innovation & Skills	The PUBSEC index is compiled from bills of quantities of accepted tenders forwarded from

	location factor)		Government Departments. The Index is an indicator of the trend in accepted tender prices for constructing public sector works in Great Britain. The results are published quarterly.
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Appendix 4: Education Infrastructure: Calculation of Contributions

Contributions for educational infrastructure will be calculated by multiplying the net increase in the forecast number of pupils (of the appropriate age) moving in to the new housing by the 'cost per pupil' of the required additional infrastructure.

Average Pupil Generation per Dwelling

School Category	One Bed	Two Bed	Three Bed	Four Bed
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

These rates are derived from the Oxfordshire Survey of New Housing (2008).

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Based on the current percentage of pupils being educated in Special Educational Needs (SEN) schools in Oxfordshire 1.1% of the total pupils generated by the development will need to be educated in a SEN school (the majority of pupils with a statement of special educational needs are educated in 'mainstream' schools).

The table below sets out the standard cost per pupil of providing an extension to an existing facility. These standard costs will be used unless there is a specific scheme cost or where a new school is required. The figures are from the Department for Education (DfE) and have been adjusted for Oxfordshire using the DfE published location factors.

Table1: Cost per pupil for extensions to existing facilities

	Total Cost per Pupil for Extensions (3Q15)
Primary	£12,688
Secondary	£19,194
Sixth Form	£20,484
SEN	£36,684

To give an indication of the contributions which may be necessary to address the impact of proposals the cost per pupil for extensions to existing facilities is multiplied by the pupil generation rates per dwelling to reach the contributions per dwelling shown below.

Table2: Contribution per dwelling

	1 Bed	2 bed	3 Bed	4+ bed
Primary	£0	£2157	£4948	£6471
Secondary	£0	£1727	£4415	£6718
Sixth Form	£0	£205	£615	£1434

If a development creates all or part of the need for a new school a different level of contribution reflecting the actual estimated cost for the new school or part thereof will be applied. Where the development substantially necessitates a new school, developers will be expected to provide at nil cost to the education provider a suitable site (both in terms of size and location) which is fully serviced, fully decontaminated and remediated. The costs of providing and equipping a new school including playing fields/sport facilities will be calculated by reference to the county council's adopted primary and secondary school briefs together with relevant government advice. These requirements will be negotiated on a site by site basis.

Appendix 5: Local Standards of Provision – Outdoor Recreation.

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
General green space (parks & gardens/natural semi-natural/amenity green space)	2.4ha per 1000 urban dwellers	5 minute walk (amenity open space) (400m)	200sqm	10 urban dwellings
	2.74ha per 1000 rural/urban dwellers	15 minute walk other (1200m)		6 rural/urban edge dwellings
Play space (combining provision for younger and older children including MUGAs)	0.78ha per 1000 people	5 minutes walk (400m) except for NEAPs 15 minute walk (1200m)	LAP – 100sqm activity zone; 400sqm including buffer	10 dwellings (for a LAP)
			LEAP – 400sqm activity zone; 3600sqm including buffer	50 dwellings (for a LEAP and LAP)
			NEAP – 1000sqm activity zone; 8500sqm including buffer	100 dwellings for a NEAP and LEAPs/ LAPs
			NB: In some cases a combined all-age area of play will be preferable to provision of LAPs/LEAPs/NEAPs.	
Outdoor sports provision (combining tennis courts, bowling greens, golf courses and playing pitches) (to be accompanied by changing facilities where appropriate)	1.13ha per 1000 people	Football, rugby, cricket: 10 minute walk (800m) urban areas, 10 minute travel time (8km) rural areas Tennis courts: 15 minute walk (1200m) urban areas, 15 minute	0.12ha	65 dwellings

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
		<p>travel time (12km) rural areas</p> <p>Bowling greens, golf courses: 15 minute travel time (12km)</p> <p>Hockey: 20 minute travel time.</p>		
Allotments	0.37ha per 1000 people	10 minute walk (800m)	0.2ha	275 dwellings

Appendix 6: Summary of demand for open space, sport and recreational facilities by development type

Type of Green space	Houses	Flats	Bedsits	Hostels	Sheltered Accom	V. Sheltered accom	Care homes	Student accom
Parks and gardens	yes	yes	yes	yes	yes	no	no	yes
Natural/semi natural green space	yes	yes	yes	yes	yes	no	no	yes
Amenity green space	yes	yes	yes	yes	yes	no	no	yes
Play provision	yes	yes	no	no	no	no	no	no
MUGAs	yes	yes	no	no	no	no	no	yes
Tennis courts	yes	yes	yes	yes	no	no	no	yes
Bowling greens	yes	yes	yes	yes	yes	no	no	yes
Golf courses	yes	yes	yes	yes	no	no	no	yes
Allotments	yes	yes	yes	yes	yes	no	no	yes
Pitches	yes	yes	yes	yes	no	no	no	yes

Appendix 7: Local Standards of provision – Indoor Recreation

Facility Type	Local Quantity Standard per 1000 Population
Sports Hall	0.315 badminton courts
Swimming Pool	9.31 m ²
Squash Courts	0.059 courts
Health & Fitness	5.28 stations
Indoor Bowls	0.045 rinks
STPs	0.046 pitches
Athletics Tracks	0.0012 8 Lane facility
Community Centre	185m ²

Sports Hall

There is a need for 0.315 badminton courts (sports hall) or 53.78m² per 1000 people (or 0.054m² per person). This figure is based on the area of a four court hall plus circulation, reception and changing space (683m²). The cost of construction is £2251 per m² plus land costs and VAT (at 2016). The cost per person for sports hall provision is therefore £121.56 plus land costs and VAT.

Village Hall/Community Centre

There is an estimated 6,818m² of village hall/community centre space in the District (at 2010), which equates to 0.052m² per person (using population data from 2001 Census). In order to maintain this level of community space within the District, a standard of 0.052m² per person will be applied. The cost of construction of a new build, general purpose community hall is £1174 per m² (BCIS 2009) plus 15% professional costs (architect's fees etc) which equates to £1350.10m² (2009). The cost per person for community space is therefore £70.20 (2009).

Table 3 below sets out the contributions that may be necessary to satisfactorily address the impacts of development. The cost per person is multiplied by the average number of people per dwelling. These figures have been adjusted for inflation to give a figure for 2016.

Contributions towards the maintenance of the facility will also be sought. This will cover a 15 year period following the transfer of the facility to the LPA (or community association). An illustration of these costs is shown in Appendix ?

Table 3: Contributions Required by Dwelling Size for Community Hall Facilities

1 Bed	2 Bed	3 Bed	4 Bed
£104.73	£151.21	£235.39	£323.70

NB: These costs are in addition to land costs and VAT
Prices correct at 2016 but subject to inflation.

Swimming Pool

There is a need for 9.31m² of swimming pool area per 1000 people or 0.0931m² per person. The cost of construction of a new build swimming pool, using average of Swim 25 commercial

product and RICS Building Cost Information Service construction costs, would be £2,296 per m² plus land costs and VAT (at 2010). Therefore the cost per person for swimming pool provision is £213.76 plus land costs and VAT.

Appendix 8: On-Site Community Hall Provision: Commuted Sums for Maintenance

Annual Costs	£
Fire alarms & extinguishers	650
Intruder alarms	825
Boiler service & gas safety	900
Water monitoring & legionella	500
Emergency light maintenance	300
Lift maintenance*	1000
Miscellaneous repairs	500
Business rates	850
Water rates	280
insurance	650
Gas	5000
electricity	2000
Sub total	13455
Income	-5500
Sub Total (Annual costs)	7995
One off costs	
Electrical testing	500
Internal decoration	5000
Replacement boiler/water heaters	3000
Replacement extractor fans	6000
Replacement external lighting	2000
Replacement light fittings	1500
Sub Total(one off costs)	18000
Annualised over 15 years (£18,000÷15)	1200
Total Annual costs (£7995+£1200)	9195
Commuted Sum Required (9195 x multiplier of 12.50)	114,938

*Commuted sum reduced by £12,500 if the building is designed on ground level only.

NB: These figures are based on 2010 calculations.

They will be indexed to reflect current costs as appropriate. (The Council is currently updating these figures and they will be incorporated in to this document when available).

Appendix 9: Commuted Sums for Children’s Play Space, Sports Pitches, Public Open Space

The commuted sums for capital infrastructure are based on current contractor costs. The landscape maintenance rates are taken from the annually updated competitive rates of the Council’s landscape maintenance contract. (quoted sums from 2016/2017)

Each provision is multiplied by the current multiplier to commute the payment over a 15 year period

Current Inflation Figure = CPI 0.5%

Current Multiplier - 15

Play Areas – Maintenance Provision	Total Cost (£)
LAP – Equipped (400m ²)	27501.52
LAP – Free Play Zone (400m ²)	12394.26
LEAP (3600m ²)	108761.69
LEAP/LAP Combined (4000m ²)	121492.13
NEAP (9500m ²)	249994.49
NEAP/LEAP Combined (13100m ²)	350435.88

Play Areas – Capital Provision	Total Cost (£)
LAP – Equipped (400m ²) Local Area for Play (fencing, furniture, surfacing & signage)	20779.15
LAP – Free Play Zone (400m ²) Local Area for Play (fencing, furniture, path surfacing & signage)	10882.91
LEAP (3600m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	60783.45
LEAP/LAP – Combined (4000m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	74723.30
NEAP (8500m ²) Neighbourhood Equipped Area for Play (play equipment, MUGA, fencing, furniture, surfacing & signage)	240326.82

Outdoor Sports Facilities – Maintenance Provision	Total Cost (£)
Tennis/netball/basketball court	27468.25
Bowling Green	173303.86
Cricket Square	53197.08
Football Pitch - Senior	70195.95
Football Pitch - Junior	61589.12
Synthetic Pitch – 400mm 3G (130m x 90m)	111638.94
Pavilions	
2 changing room – Tennis & Bowls	43164.75
2 changing room – Football – 1 pitch	41338.67
4 changing room – Football – 2 pitches	55084.05
6 changing room – Football – 3 pitches	71871.57

Outdoor Sports Facilities – Capital Provision	Total Cost (£)

Tennis/netball/basketball court	40903.50
Bowling Green	122449.20
Cricket square	43267.93
Football pitch - Senior	77647.64
Football pitch - Junior	62670.80
Synthetic pitch – 40mm 3G (130m x 90m)	582900.00
Pavilion	
2 changing room – Tennis & Bowls	431648.51
2 changing room – Football – 1 pitch	413392.68
4 changing room – Football – 2 pitches	550840.50
6 changing room – Football – 3 pitches	718715.70

Green Infrastructure – Maintenance Provision	Total Cost (£)
Public Open Space (cost per hectare)	93222.18 (per m ² – 9.32)
Hedge Maintenance (cost per 1000 Lnm)	14354.42 (per m ² – 14.35)
New Woodland Area Maintenance (cost per 1000m ²)	23233.59 (per m ² – 23.23)
Mature Woodland Area Maintenance (cost per 1000m ²)	4629.23 (per m ² – 4.63)
Mature Tree Management (cost per 10 trees)	3348.23

Green Infrastructure – Capital Provision	Total Cost (£)
Public Open Space (cost per hectare)	110829.85
Hedge Planting (cost per 1000Lnm)	6051.91
New woodland planting (cost per 1000m ²)	6545.57

Water Feature – Maintenance Provision	Total Cost (£)
Pond maintenance (per 500m ²)	21904.28 (per m ² – 43.81)
Ditch maintenance (per 500 m ²)	16290.05 (per m ² – 32.58)
Stream Maintenance (per 500m ²)	8969.63 (per m ² – 17.94)
Balancing Pond maintenance (per 500m ²)	5812.92 (per m ² – 11.63)

Allotments – Maintenance Provision	Total Cost (£)
Allotment Areas (cost per hectare)	42190.84 (per m ² – 4.22)
Allotments – Capital Provision	
Allotment Areas (cost per hectare)	255713.11

Off- Site Contributions	Total Cost (£)
In lieu of Children’s Play Facilities – Developments (10+ dwellings)	23068.62 (per dwelling – 2306.86)

In lieu of Sports Pitch provision- Developments (10+ dwellings)	20170.30 (per dwelling- 2017.03)
In lieu of Open Space Provision- Developments (10+ dwellings)	14262.65 (per dwelling- 1426.27)

Appendix 10: On-Site Community Centre and Indoor Sport Provision: Process and Procedures

The LPA will identify the on-site indoor sport and/or community centre provision required and will provide the developer with a specification for the floor space and the facilities that need to be provided on site. At application stage specific proposals must be identified and defined to support the preparation of planning obligation documents.

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications and guarantees (transferable). The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the proposals as necessary.

The developer will construct the building/facility in accordance with the approved details and ownership of the building/facility will be transferred to the Council following a satisfactory final inspection. The Council may subsequently transfer the ownership to the relevant parish authority or a suitable community association.

The timing of provision of the facility will be negotiated on a case by case basis but the size of the development and proximity to existing facilities will be a determining factor. In the case of the community hall provision a suitable temporary facility should be available to the residents on completion of the 100th dwelling. A permanent community centre will be required to be operational on either the occupation of the 400th dwelling or 50% of the approved number of dwellings, whichever is the soonest.

Appendix 11: Open Space, Sport and Recreation: Process and Procedures for Applications where On-Site Provision is Required.

Pre-application

The LPA will identify the on-site open space, sport (indoor/outdoor), recreation and play provision required, and the planning obligation (including commuted sums/rates) that is required.

The LPA will identify requirements in consultation with the appropriate Parish and Town Councils. Normally Town and Parish Councils are the preferred custodians and providers of open space, play, sport and recreation facilities and they will be expected to take ownership or adopt the facilities. In exceptional cases Town and Parish Councils may not be willing or able to take ownership or adoption and in these cases the LPA will proceed on the basis that the District Council will be responsible for the long term ownership, management and maintenance after transfer.

Where possible any options for off-site provision will be identified at this stage.

Application

The same procedure for Pre-application applies. At this stage the LPA will seek the agreement of Parish and Town Councils to the concept and layout of the open space, sport (indoor/outdoor), recreation and play provision prior to the granting of planning permission. Their commitment to future ownership or adoption will also be expected.

At application stage specific proposals must be identified and defined to support preparation of planning obligation documents.

Approval of Submitted Open Space, Sport, Recreation and Play Proposals (Construction Details)

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications, guarantees (transferable) and maintenance specifications to BS/EN standards. The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the open space, sport, recreation and play proposals, as necessary.

Approvals will be managed as follows:

- The LPA will discharge the conditions/obligations when open space, sport, recreation and play provision details are deemed acceptable by the Council.
- It is important to note that the development must not commence until there has been submitted to and approved by the LPA a scheme (including a phased programme [on large developments]) for the laying out, hard and soft landscaping and equipping of the open space, sport, recreation and play provision including, supporting changing accommodation.
- The planting, turfing and seeding to the open space, sport, recreation and play provision is to take place during the first planting season following the commencement of development [or phase of development]. The setting out of the landscaping and equipping of the open space, sport, recreation and play provision is to be in accordance with the approved scheme to the satisfaction of the LPA.

- The Developer is required to notify the LPA on the commencement and completion of the open space, sport, recreation and play provision, and must maintain the provision to its original standard for a period of twelve months following its completion, as certified by the LPA, replacing items (including surfaces) which are defective in the opinion of the LPA in accordance with the approved details contained in the scheme, and replacing any trees or shrubs which may die, are removed or become seriously damaged or diseased with others of similar size and species to the satisfaction of the LPA, The Developer is to carry on maintaining the open space, sport, recreation and play provision and supporting changing accommodation until these facilities are transferred, and to give access to the LPA's officers to enter to the area/s to carry out inspections.
- The LPA is to be notified by the developer on the commencement and completion of the open space, sport, recreation and play provision and supporting changing accommodation and the LPA will inspect the development at the following stages:
 - a) setting out,
 - b) drainage,
 - c) equipment installation,
 - d) surfacing; and
 - e) planting (including grass / wildflower seeding)

The developer is to ensure that a report is to be provided by a recognised body certifying that the construction is adequate for the intended use and submitted to the LPA.

Monitoring Development

The Developer is to provide an indicative timetable of on-site operations including indicative dates for the stages of construction and completion of the open space, sport, recreation and play provision to the LPA for the Council's co-ordinated monitoring of the open space, sport, recreation and play provision and supporting changing accommodation. It is necessary for the Developer to advise the LPA when the laying out of the open space, sport, recreation and play provision is taking place.

The LPA will monitor the commencement of development, compliance with conditions and planning obligations.

The LPA will endeavour to carry out inspections within 5 working days of notification by the developer at the stages listed above with the aim of ensuring that works are satisfactory, to identify remedial works when necessary and areas completed in accordance with the approved plan. Records will be kept on monitoring sheets of all inspections, and minutes of site meetings.

Enforcement (before practical completion)

The LPA will take enforcement action on conditions and obligations, should it be necessary, and will ensure good record keeping as evidence and provide expert witness statements, if required.

Practical Completion

The Developer must arrange for satisfactory Royal Society for the Prevention of Accidents (RoSPA) inspections and the subsequent reports to be forwarded to the LPA. They must also obtain transferable

guarantees for equipment which must also be sent to the LPA. For natural sports pitches or courts a satisfactory post completion 'fit for purpose' report from a recognised body, such as the Sports Turf Research Institute (STRI) or a member of the Sports and Play Construction Association (SAPCA), will be required. The Developer is to provide two sets of as-built drawings for the LPA. The LPA will carry out inspections of the completed open space, sport, recreation and play provision and inform the Developer of any defects in writing. The Developer must correct the defects as soon as possible and inform the LPA's planning department when the defects have been remedied, as early as possible. The LPA will then issue certificates of practical completion, detailing outstanding items of work, copies of which to be provided to the Developer and contractor.

The Developer is to confirm to the LPA that remedial works to defects are complete. Once the LPA has inspected the remedial works and found them to be satisfactory the LPA will then confirm that all works are complete in accordance with the approved plans and the open space, sport, recreation and play provision is acceptable for adoption.

The LPA will check and revise commuted sum calculations, if required (in cases where a schedule of rates was given by the District Council and shown in the planning obligation).

The Developer must ensure that the play areas/MUGAs are opened for use once practical completion is granted. Insurance cover must be provided by developer until formal transfer by the District. The developer should provide signs at each facility providing contact details for the public to report any defects. Joint monitoring of the open space, sport, recreation and play provision by the Developer and the Council is necessary to ensure the sites are safe for use. The LPA will consider any proposed change to the twelve month liability period by the Developer and agree to any changes in writing, if appropriate.

A twelve month maintenance period is required for open space and play provision to ensure that landscape features become established prior to the areas being transferred.

On sports pitches a minimum of two years is required before transfer from the date of seeding and completion to allow for establishment of the pitches.

Final Completion

The LPA will undertake an inspection of the open space, sport, recreation and play provision one month before the expiry of the twelve month defects period. The developer is to bring the space, sport, recreation and play provision up to the adoptable standard. The developer shall also provide the LPA with a post installation inspection and safety audit from a RoSPA -approved expert for play areas and informal open space. For sports pitches or courts a satisfactory post completion report from a recognised body such as STRI or SAPCA member will be required.

If all areas are satisfactory the LPA will issue certificates of final completion to the Developer.

Transfer

The Developer will start the legal transfer to the LPA, accompanied by an appropriate contribution towards its maintenance after adoption. This contribution will normally be in the form of a commuted sum, to cover 15 years maintenance, secured through a planning obligation document.

The LPA's finance section is to set up a new accounting code for each commuted sum. This will be specifically linked to the planning application reference number. All payments are to be made to the

LPA (by cheque or BACS) under the designated code with details of the application reference number and accompanied by a breakdown of capital and maintenance contributions.

The receiving LPA's Legal Team will complete the transfer of the open space, sport, recreation and play provision to the LPA on receipt of the commuted sum. On completion of the legal transfer the LPA will take over the maintenance responsibility. The LPA will then proceed to transfer or lease the provision to the relevant town or parish council along with any commuted sum balances.

Developer Responsibilities for maintenance of open space, sport, recreation and play facilities.

The long term maintenance of open space, sport, recreation and play facilities is critical to ensure that they achieve and maintain their maximum potential benefit and value. In the case of new housing developments, the developer will be required to make provision for the appropriate amount and type of open space, sport, recreation and play provision, plus supporting changing accommodation.

The developer is to submit to the LPA management plans and maintenance schedules to ensure that the soft/green areas of open space, sport, recreation and play facilities are established successfully for the benefit of the community and biodiversity. The maintenance specification is to be written and implemented in accordance with the relevant EN/BS standards.

Maintenance of Sports Pitches

The Developer's Contractor will be responsible for the maintenance of the grass sward for 2 years from the date of practical completion. A maintenance specification is to be submitted to the LPA. This maintenance specification must comply with industry best practice.

Maintenance of Play Areas and MUGAs

The Developer's Contractor will be responsible for the maintenance of the play areas and MUGAs for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Maintenance of Open Space and Recreation Areas

The Developer's Contractor will be responsible for the maintenance of open space and recreation areas for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Appendix 12: Local Management Organisation Requirements

NOTE: It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in conjunction with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out below and has the agreement of the relevant town or parish council.

Provide a method statement of how the funding will be provided to the Management Company to cover maintenance costs in perpetuity.

Provide a method statement of how capital funding for replacement items/unforeseen costs will be generated.

The Council's twice yearly inspection costs will be paid as a commuted sum for the first fifteen years for monitoring the management company's maintenance standards.

Confirmation that the standards of maintenance will be identical to the standard set out in the Council's Technical Specifications for Landscape and Cleansing Operations.

Confirmation that a diminishing bond will be put in place to cover the Council's costs of maintenance and management of the site, to be available for the council to draw upon if standards delivered by the management company do not match those set out in the Council's Technical Specifications.

Confirmation that the Council has the step in rights if the management company let standards drop below the standards set out in the Council's Technical Specification along with the rights to recover costs.

Confirmation that at no point will the service charges levied on residents increase the rents for affordable housing above 80% of the open market rents as published by the Home and Communities Agency (HCA), where affordable rents are in place.

Confirmation that all public open space, outdoor sports pitches and play areas remain accessible and usable by the general public in perpetuity.

If the management company goes in to administration, confirmation that title deeds of all public open space, outdoor sports or play areas transfer to the Council as the provider of last resort.

Appendix 13: Apprenticeships & Skills

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 2020¹. 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 numbers². 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”³. 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 emerge⁴.

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 demand⁵.

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

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

² Op. cit. page 3

³ Cherwell District Council Performance Pledges 2016-2017

⁴ Construction Skills Network South East Report 2016-2020

⁵ Oxfordshire Labour Market Information Summer 2014, Oxfordshire Skills Board Page 39 more apprenticeships

to 2020 within Oxfordshire⁶. 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 District⁷. 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 area⁸.

1.5 Cherwell District Council's Economic Development Strategy (CDCEDS) identifies the provision of apprenticeships as one way to help people into employment⁹. 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 initiative¹⁰.

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 role¹¹. 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."¹² 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."¹³

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..."¹⁴ 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

⁶ OxLEP Strategic Economic Plan March 2014, page 42

⁷ SEMLEP Strategic Economic Plan 2015-2020, Table B SEMLEP Apprenticeship Data, Page 25

⁸ Op cit. paragraph 2.5.19, page 26

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

¹⁰ Op Cit. page 47

¹¹ NPPF (March 2012) paragraph 7

¹² NPPF (March 2012) paragraph 9

¹³ NPPF (March 2012) paragraph 10

¹⁴ 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.¹⁵

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 Plan¹⁶. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities.¹⁷ 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 improve¹⁸. The Plan contains 5 strategic objectives for developing a sustainable local economy including SO5 which aims to “.....support an increase in skills and innovation....¹⁹”. 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....²⁰. 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 construction²¹. 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.

¹⁵ NPPF (March 2012) paragraph 19

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

¹⁷ Op cit. paragraph 1.66

¹⁸ Op cit. paragraph A14

¹⁹ Op cit. page 31

²⁰ Op cit. paragraph B14

²¹ 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 developers²².

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

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

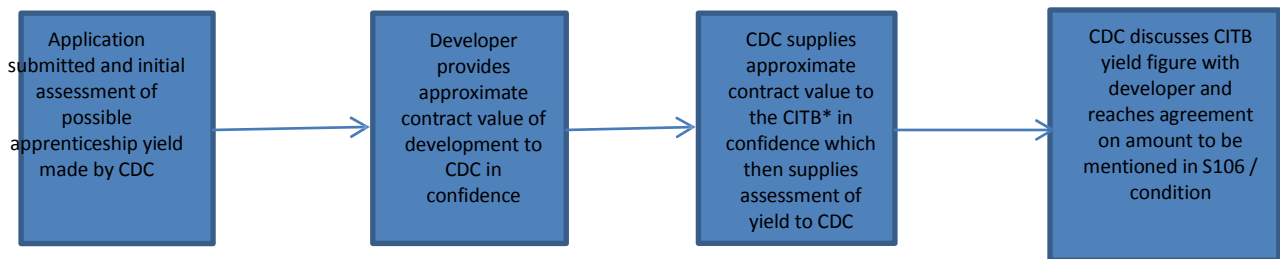
encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations / conditions as a stated target to be achieved, if developers and / or their contractors are able and willing to exceed these, then the Council will encourage them to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

Appendix 14: Community Safety/ CCTV Provision

Table 1: Levels of Contribution Sought

Priority	Level of Contribution
Priority 1	Seeking on-site provision of an appropriate number of CCTV cameras to monitor areas considered to be of high risk.
Priority 2	Relevant permissions to erect infrastructure, such as aerials, to facilitate transmission of images.
Priority 3	To install ducting to facilitate self-provide fibres
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance.
Priority 5	New development will be expected to contribute towards the provision of additional on-site infrastructure for at least a period of 10 years.

Crime impacts all development, however, retail and evening leisure uses usually have the greatest impact. Table 2 illustrates the measures likely to be considered appropriate for the type of development proposed.

Table 2:

Development Type	Priority/ Measure
Large Retail	1,2,3,4,5
Drinking Establishments	1,2
Nightclubs	1,2
Hot Food Takeaway	1,2
Local Retail	1,2,3
Large scale public open space	1,2,3

Table 2 is indicative only. Developments may include all, or only part of these elements. Specific requirements are therefore subject to negotiation following impact assessments by the police and partners.

Table 3: Guidance on Costs

Priority	Level of Contribution	Costs
Priority 1	Seeking on-site provision of an appropriate amount of CCTV cameras sufficient to monitor areas considered by police and partners to be of high risk as part of new development.	Cameras = £3,000 approx. This includes brackets and aerials
Priority 2	Relevant permissions to erect infrastructure such as aerials	Subject to planning permissions

	to facilitate transmission of images.	
Priority 3	To install ducting to facilitate self-provide fibres	Insignificant as ducting can be provided early in the construction process.
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance	Monitoring can range from £1,000 to £2000 per camera per annum. Where there are a large number of cameras the fee is negotiable. Maintenance would be approximately £300 per camera per annum.
Priority 5	New development will be expected to contribute towards the provision of additional onsite infrastructure for at least a period of 10 years.	The longevity of the provision is dependent upon the figures in Priority 4 being extended for at least 10 years.

CONSULTATION STATEMENT

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT

Prepared under Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

1. Purpose and Background

This consultation statement has been prepared in accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, which states that, before a local planning authority adopts a supplementary planning document it must prepare a statement setting out:

- i. The persons the local planning authority consulted when preparing the supplementary planning document;
- ii. A summary of the main issues raised by those persons; and
- iii. How those issues have been addressed in the supplementary planning document.

The Council has prepared a Statement of Community Involvement (July 2016) which shows how it will involve the community in its plan and policy-making process. This document can be viewed on the Council's website. The Developer Contributions SPD has been prepared in accordance with the steps outlined in Table 3 of this document.

The Planning and Compulsory Purchase Act 2004 sets out the requirements for preparing SPDs as part of the planning process. SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan.

The purpose of the Developer Contributions SPD is to set out the Council's approach to seeking Section 106 planning obligations and their operation alongside the Council's emerging Community Infrastructure Levy (CIL).

The SPD does not create new policy. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the Developer Contributions SPD providing a further level of detail to guide development proposals.

The SPD will be a material consideration in the determination of planning applications alongside the Local plan and other planning policies.

2. Consultation undertaken during early preparation of Draft SPD

Details of key consultations undertaken during the development of the draft Developer Contributions SPD are provided in the table below.

Persons Consulted	Method	When	Main Issues raised	How addressed in SPD
Cherwell District Council (DM, Legal)	Working Group	On a regular basis during preparation of SPD	Working Group discussed matters such as scope and content of SPD, including detailed procedures related to securing S106 contributions; project specific requirements.	Suggestions and comments used to develop and refine SPD. E.g. SPD reflects legal advice on scope for S106 agreements and compliance with regulations.
CDC – Key stakeholders	Meetings, emails	On-going basis, as necessary, during the preparation of the SPD	Detailed comments and suggestions received on content and scope of SPD.	Suggestions and comments used to develop and refine SPD. E.g. Detailed comments on affordable housing, inclusion of section on Apprenticeship & Skills, guidance on approach to Biodiversity.
OCC – Key stakeholders	Meetings, emails, telephone conversations.	On-going basis, as necessary, during the preparation of the SPD.	Detailed comments and suggestions received, particularly relating to education and transport.	Suggestions and comments used to develop and refine SPD. E.g. Education standards and detailed transport and highway requirements (including calculation of contributions).
Oxfordshire Clinical Commissioning Group	Email	18/7/2016	No comments received	
Thames Valley Police	Email	18/7/2016	No comments received	
Thames Water	Email	Via consultation on IDP	Projects to be included in IDP	SPD makes reference to projects listed in IDP.
SSE (Electricity)	Email	Via consultation on IDP	Projects to be included in IDP	SPD makes reference to projects listed in IDP.
All persons registered on the Council's Local Plans consultation	Email, website, hard copies, notices, social media, parish	12 February – 25 March 2016 as part of the CIL Regulation 15	Limited comments received on the relationship of CIL	SPD provides clear advice on relationship of S106

database	council workshops	consultation. Paragraph 2.3 of the Council's Position Statement on CIL and Planning Obligations (Feb 2016) stated ' The Council intends to publish for consultation a new Developer Contributions SPD at the next CIL consultation stage for the Draft Charging Schedule. However, early views are welcome as part of the first CIL consultation to help inform the SPD review process.'	with S106 requirements. (A summary of the representations received is set out in Appendix 1).	requirements and CIL. Document is compliant with CIL Regulations.
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3. Formal Consultation on the Draft SPD

Formal public consultation on the draft SPD will now be undertaken. A number of methods will be used to seek responses as follows:

- **Mail out:** information will be sent to all persons registered on the Council's consultation database, including specific, general and prescribed bodies. This will be undertaken by email or letter.
- **Website:** the SPD will be published on the Council's website.
- **Hard copies:** the SPD will be available in hard copies at the locations in Appendix 2.
- **Public Notices:** notices will be placed in the Banbury Guardian, Oxford Mail and Bicester Advertiser newspapers.
- **Social Media:** public notifications will be issued.

4. Responses

All representations received will be recorded, analysed and recommendations made about how they should be taken in to account to inform the final SPD. The final SPD will be presented to the Council's Executive, and if approved, presented to the Council for formal adoption.

5. Conclusion

The production of the Developer Contributions SPD has involved wide ranging stakeholder consultation. This has directly influenced both early development and later refinement of the document. Public consultation will now take place in accordance with statutory regulations.

If there are any questions on this Consultation Statement please contact the Planning Policy Team on 01295 227985 or email planning.policy@cherwell-dc.gov.uk

Appendix 1

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of Representations Received Related to Section 106 Contributions

- Development-specific planning obligations may continue to be used for mitigation such as archaeological investigations, access and interpretation, and the repair and reuse of heritage assets. (*Historic England*)
- NW Bicester benefit from a resolution to approve for a number of dwellings and s106 negotiations are on-going but provision of County wide and town wide infrastructure is outstanding. The burden of infrastructure provision could well be exacerbated by the reliance entirely upon s106. Whilst we anticipate permission in respect of the A2D applications in advance of CIL, there are areas of the master plan that have yet to be the subject of permission. (*Barton Wilmore*)
- The key tests of CIL Regulation 122 should be outlined within the supporting documentation. (*Barton Wilmore*)
- Paragraph 2.14 should make clearer what types of infrastructure will be provided as S.106 planning obligations and what as CIL. If CIL is brought in, the role of planning obligations should be limited to onsite provision and limited offsite circumstances such as S.278 works. It is requested that CIL is placed on hold pending the outcome of the national consultation but if progressed the draft Regulation 123 List should be published asap and consultation undertaken on it. (*Bidwells*)
- Welcome CDC intention to operate CIL and planning obligations as complementary funding mechanisms. We wish to work with CDC to achieve this. (*OCC*)
- At times, the CDC documents refer to 'on-site' mitigation in reference to S106 agreements. Infrastructure 'directly related' to a development can be 'on-site' and 'off-site'. While S278 can deal with off- site highway mitigation there can be other off-site impacts. It will be important the forthcoming Planning Contributions SPD is not unduly restrictive in this regard. (*OCC*)
- Appendix 1 of the Position Statement sets out potential funding sources of infrastructure funding. Here, it refers to 'local site-related transport requirements'. This better reflects an approach that we would want to see in the forthcoming SPD and R123 List that would enable S106 contributions. (*OCC*)

Parish Council Workshops

Parish Councils were invited to consultation workshops as part of the issues consultation on the Cherwell Local Part 2 and the Partial Review of the Cherwell Local Plan Part 1.

Two workshops took place for Parishes in the north and south of the District on 23 and 24 February 2016.

Consultation on CIL was also highlighted although this was not the focus of the workshops.

Issues Raised Specific to S106 Agreements

- Discussion around potential sources of funding to supplement and improve existing and future infrastructure requirements. E.g. open space, transport, schools, and community facilities.
- Developer contributions needed to improve changing rooms and extend village hall.
- Parish has used S106 money to upgrade facilities.
- It would be beneficial if the contributions from various smaller sites could be used to fund much larger, better equipped sites.
- CDC officers advised on the preparation/review of the IDP and the relationship between CIL and S106 agreements and how they are used to fund infrastructure.

Appendix 2: Where and When to Inspect Documents

www.cherwell.gov.uk/policypublicconsultation

Hard copies are available at the locations listed below during opening hours

Cherwell District Council Offices, Bodicote House, Bodicote, Banbury, OX15 4AA
8.45am - 5.15pm Monday –Friday

Banbury Town Council, the Town Hall, Bridge Street, Banbury, OX16 5QB
Monday to Thursday 9am- 4.45pm, Friday 9am- 4pm

Banbury Library, Marlborough Road, Banbury, OX16 5DB
Monday 9am – 1pm, Tuesday 9am-7pm, Wednesday 9am – 8pm, Thurs and Friday 9am – 7pm, Saturday 9am – 4.30pm, closed Sunday

Neithrop Library, Community Centre, Woodgreen Avenue, Banbury, OX16 0AT
Monday 10am – 7pm, Tuesday Closed, Wednesday 2pm – 5pm, Thursday 10am – 1pm, Friday 10am- 5pm, Saturday 9.30am – 1pm, closed Sunday

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS
Monday – Thursday 9am – 5pm, Friday 9am – 4pm

Bicester Library, Old Place Yard, Bicester, OX26 6AU
Monday 9.30am – 7pm, Tuesday 9.30-5pm, Wednesday and Thursday 9.30am – 7pm, Friday 9.30am – 5pm, Saturday 9am-4.30pm, closed Sunday

Kidlington Library, Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP
Monday 9.30am – 5pm, Tuesday 9.30am – 7pm, Wednesday 9.30am – 1pm, Thursday 9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm, closed Sunday

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS
Tuesday: 10 am –12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12 noon & 2 pm – 5pm, Saturday: 9.30 am –1pm, closed Monday, Wednesday & Sunday

Deddington Library, The Old Court House, Horse Fair, Deddington, Oxon. OX15 0SH
Monday 2pm - 5pm, 5.30pm - 7pm, Tuesday Closed Wednesday 9.30am - 1pm, Thursday 2pm - 5pm, 5.30pm - 7pm Friday Closed Saturday 9.30am - 1pm, closed Sunday

Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH
Monday 2pm - 5pm, 6pm - 7pm, Tuesday Closed, Wednesday 2pm - 5pm, Thursday Closed, Friday 2pm - 5pm, 6pm - 7pm, Saturday 9.30am - 12.30pm, closed Sunday

Copies will be available on the North, Central and West Mobile Library Services.

For details of locations and times of the mobile library visit www.oxfordshire.gov.uk or phone 01865 810240

Banbury LinkPoint, 43 Castle Quay, Banbury, Oxfordshire, OX15 5UW
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Bicester LinkPoint, 38 Market Square, Bicester, Oxfordshire, OX26 6AL
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Kidlington LinkPoint, Exeter Hall, Oxford Road, Kidlington, Oxon, OX5 1AB
8.45am (10am Wednesday) to 5.15pm Monday to Friday

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**Strategic Environmental Assessment Screening Opinion for the Cherwell District
Council Developer Contributions Supplementary Planning Document.**

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmen tal effect? Y/N
1. Characteristics of the SPD having particular regard to:		
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	The SPD sets out CDC's approach to seeking developer contributions in relation to planning application decisions. They are normally used where an aspect of the development cannot be controlled by imposing a planning condition or by the use of other statutory controls. The SPD does not allocate resources but it does provide guidance on where resources should be directed.	N
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD does not influence other development plan documents. The SPD is in general conformity with the Development Plan.	N
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD promotes sustainable development in accordance with the NPPF and Local Plan policies.	N
(d) Environmental problems relevant to the SPD.	The Cherwell Local Plan Part 1 SA identified a number of objectives for the Plan. The SPD performs positively against these SA objectives as it provides for developer contributions towards infrastructure related to these objectives.	N
(e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	The SPD is not directly relevant to the implementation of environmental plans such as the Oxfordshire Joint Municipal Waste Strategy.	N
2. Characteristics of the effects and area likely to be affected having particular regard to:		
(a) The probability, duration, frequency and reversibility of the effects.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the	N

	adopted Cherwell Local Plan Part 1 which was subject to an SA.	
(b)The cumulative nature of the effects of the SPD.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the adopted Cherwell Local Plan Part 1 which was subject to an SA. The SPD will have a positive contribution as it provides for developer contributions towards infrastructure which will help meet the SA objectives.	N
(c)The trans boundary nature of the effects of the SPD.	A Habitats Regulation Assessment was undertaken for the Cherwell Local Plan Part 1 and concluded that growth in the Local Plan will not lead to any significant effect on the Oxford Meadows Special area of Conservation (SAC) alone or in combination with other projects. The SPD does not allocate sites or contain formal development plan policies. Trans-boundary effects will not be significant.	N
(d)The risks to human health or the environment (e.g. due to accident).	No significant risks to human health or the environment have been identified in the SPD preparation.	N
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD.	The SPD relates to the whole of Cherwell District but it does not allocate sites or contain formal development plan policies.	N
(f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. 	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the Cherwell Local Plan Part 1 which was subject to a Sustainability Appraisal during its production.	N
(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the Cherwell Local Plan Part 1 which was subject to a sustainability appraisal during its production.	N

Name of officer producing the screening opinion	Christina Cherry
Date of assessment	30 August 2016

Person requesting Screening Opinion	N/A
Conclusion of assessment	Is an SEA required? NO
Name of officer approving the Screening Opinion	David Peckford Planning Policy Team Leader Cherwell District Council
Date of approval	30 August 2016

Summary of responses from statutory consultees

Consultee	Summary of response	Date of consultation	Date of response
Environment Agency	Agree no SEA required	31/08/2016	22/09/2016
Natural England	Agree no SEA required	31/08/2016	22/09/2016
Historic England	Agree no SEA required	31/08/2016	31/08/2016

DRAFT FOR EXECUTIVE (07.11.16)

Community Infrastructure Levy (CIL)

Draft Charging Schedule

Cherwell District Council

CONSULTATION STATEMENT

November 2016

1. Introduction

- 1.1. This consultation statement sets out the Council's engagement in the preparation of emerging CIL rates and supporting evidence associated with the CIL Preliminary Draft Charging Schedule, February 2016.
- 1.2. It also sets out the main changes made to the charging schedule to its Draft stage. The main aim of the preliminary draft charging schedule consultation was to set up robust evidence on viability informing CIL rates, explore the remit of CIL and S106s Agreements, and increase awareness of the levy and changes brought in by the CIL Regulations.

2. Pre-consultation and endorsement

- 2.1. The Council adopted the Local Plan Part 1 in July 2015 covering the period 2011 to 2031. The Plan was accompanied by an Infrastructure Delivery Plan (IDP) supporting the Plan's growth.
- 2.2. In October 2015 CDC Officers consulted infrastructure providers for an update to the IDP¹. Progress was reported to Executive on January 2015 as part of the Council's Annual Monitoring Report process.
- 2.3. In November 2015 CDC Officers and the consultant commissioned to undertake the CIL Viability Report undertook a Peer Review of assumptions to be used in the viability modelling supporting the CIL Preliminary Draft Charging Schedule.
- 2.4. The Peer Review resulted in an adjustment of the following assumptions:
 - Gross to Net Ratio for retail, offices and C3 retirement/sheltered accommodation;
 - Purchaser costs at 5.8%;
 - House prices for post codes: OX15, OX16, OX17, OX25, OX26, OX27, OX33
- 2.5. As part of the Council's Parish Liaison meetings (biannual), officers raised awareness of CIL and its potential implications for Cherwell in a presentation to parish representatives on 10 June 2015.
- 2.6. Preliminary Draft Charging Schedule was endorsed for consultation by CDC's Executive on 1 February 2016.

3. CIL Regulation 15 consultation

- 3.1. Cherwell's Preliminary Draft Charging Schedule was subject to consultation for the period 12 February - 25 March 2016. The consultation included the following documents:
 - Preliminary Draft Charging Schedule (February 2016)

¹ http://www.cherwell.gov.uk/media/pdf/9/1/IDP_December_2015_Update_.pdf

- Position Statement on CIL and Planning Obligations (February 2016)
- Infrastructure Funding Gap (February 2016)
- Viability Study (January 2016)
- Public Notice (February 2016)
- Representation Form (February 2016)
<http://www.cherwell.gov.uk/index.cfm?articleid=9648>

3.2. The archived consultation documents are available in the Council's website <http://www.cherwell.gov.uk/index.cfm?articleid=9648>.

3.3. Appendix 1 contains the Notice of Publication for the CIL Regulation 15 consultation stage.

Parish Council Workshops

3.4. As part of the Council's 'Issues' consultation on Local Plan Part 2 and Local Plan Part 1 Partial Review officers organised 2 Parish workshops on 23 and 24 of February 2016. Consultation on the Community Infrastructure Levy was also highlighted at the workshops although this was not the focus of the workshops. The following is a summary of main comments and queries on CIL:

- Discussion of CIL as a mechanism for achieving community facilities, need to ensure that planning contributions are retained in the area experiencing the development
- Discussed CIL as a potential source of funding helping provision of facilities.
- CDC officers advised on the preparation/review of the Infrastructure Delivery Plan, the relationship between CIL and S106 agreements and how they are used to fund infrastructure.
- Questions were raised about contributions from smaller developments (i.e infilling). Concerns were expressed about CIL being used to obtain planning permission by developers.

Viability stakeholder workshop

3.5. In addition to the formal call for responses during the consultation period, officers held a viability stakeholder workshop on 17 March 2016 to enable an in depth discussion of assumptions and information within the Viability Report supporting the Preliminary Draft Charging Schedule.

3.6. Eleven participants attended the workshop in addition to the officers leading and consultant running the workshop. The session raised awareness of CIL amongst those involved in development in the district and provided the opportunity to discuss in detail viability modelling and whether it matched the stakeholders' local experience. It was apparent that there were areas for which attendees preferred to reserve their positions and provide detailed comments formally on behalf of clients and that the strategic nature of viability modelling for CIL makes it difficult to provide definite answers to fit all scenarios. Nevertheless there seemed to be consensus on:

- Methodology being suitable and not dissimilar to that used elsewhere;
- Site typology contains a reasonable mix and also similar to that used elsewhere;
- Exceptional circumstances relief could be beneficial if set within a context which does not undermine the broader CIL purpose and delivery of infrastructure;

- Transactions for commercial sites are greater than 4-5 years ago high level CIL modelling does not seem to work for commercial development with anecdotal evidence of commercial sites changing hands at high values.
- Would welcome an Instalments policy; needed for larger schemes.
- Benchmark land values; the most difficult element of the viability assumptions. Those used in CDC Viability seem reasonable for the larger sites less so for smaller sites.
- Landowner expectations of land values maybe different south and north of the District but CDC viability approach has been an agricultural uplift approach District wide.

Responses to CIL Regulation 15 consultation stage

3.7. The Council received 38 responses to the formal consultation; a similar rate to adjoining authorities for the same consultation stage.

3.8. The consultation documents asked a number of specific questions:

Appropriate balance

Question 1: Does the Preliminary draft charging schedule strike an appropriate balance between the desirability of funding infrastructure from CIL and the potential effects of CIL on the economic viability of development across the district? If not, what changes would achieve this?

Instalments policy

Question 2: Would an instalments policy assist development viability? If yes, which number of instalments and thresholds would best reflect development stages?

CIL relief

Question 3: The Council does not intend to offer discretionary relief from CIL. Are there any circumstances which would justify discretionary relief such as for investment activities for charitable purposes or for exceptional circumstances on economic viability grounds?

CIL rates

Question 4: Most development will have an impact in the area and some types of development need good transport and community infrastructure to prosper. The viability evidence study only shows viable CIL rates for residential and out of centre retail. Would a nominal charge set at a level which would have minimum impact on overall development costs be a fairer proposition to strike the appropriate balance in question 1?

3.9. A summary of main issues raised in the Preliminary Draft consultation include:

Appropriate balance

- Suggested amendments to economic viability assumptions on matters including: external site works and S106s, land values, affordable housing values, building costs and contingencies.
- CIL implications on viability and conservation of the historic environment.
- Concern with level of charges in relation to charges of neighbouring authorities
- Proposed rate for Area 3 (southernmost part of the District) is too high when compared to proposed charges elsewhere in the District and adjoining Local Authorities.

- Supporting a zero charge for residential allocations of 500 dwellings or more in areas 1 and 2 but seeking its application to all sites over 500 dwellings whether or not currently identified as an allocation. Residential sites below 500 units to benefit from the same discount.
- Suggest charges for employment uses and Houses in multiple occupation
- Welcome a zero retail charge in town centres.
- Have different rates or exclusions for any part of Cherwell is not sensible; infrastructure is required across the District.
- Suggest reducing rates to minimise impact on affordable housing provision
- Request that the evidence base is reviewed and a lower CIL rate set across the District.
- Amended CIL Charging Schedule should include town centres' Area of Search for Expansion
- Consider undertaking further sensitivity testing.
- Needs adequate buffers above the proposed CIL rates.

Instalments policy

- Majority of comments support provision of an instalments policy.

CIL relief

- Similar number of responses 'supporting' and 'not supporting' provision of discretionary CIL relief.
- Those responses supporting CIL relief relate mainly to relief on economic viability grounds.

CIL rates/nominal charge (i.e. a standard minimum charge applying to most development)

- Similar number of responses 'supporting' and 'not supporting' a nominal charge.
- Some support for charging development types in addition to those proposed in the Charging Schedule.

3.10. The consultation resulted in a number of adjustments and changes now reflected in an Updated CIL Viability Report and a Draft CIL Charging Schedule. These include:

- Adjusting the viability model and re-run the site appraisals.
- Additional sensitivity testing on build costs, house prices, Section 106 costs and developer's profit for residential development and variations in the yield for commercial development.
- Changes to proposed out of town retail charge from £190 to £170
- Changes to proposed residential charge for Area 3 (southern part of the District) from £310 to £270.
- Clarification in the charging schedule to indicate Town Centres are defined in Cherwell's Local Plan Proposals Map.
- Drafting of an Instalments Policy.

3.11. Appendix 2 contains the list of those consulted during CIL Regulation 15 consultation stage and Appendix 3 contains a summary of all responses received.

3.12. The Council's Position Statement on CIL and Planning Obligations document sought views on:

- The most suitable funding mechanisms to deliver infrastructure; and
- Further information/evidence from the public, infrastructure providers and site promoters on which infrastructure needs are most likely to be provided for 'on-site' and which strategic sites are likely to come forward ahead of CIL adoption.

3.13. The Council's Position Statement helped inform the Draft Developer Contributions SPD.

Notice of publication of the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation

CHERWELL CIL PRELIMINARY DRAFT CHARGING SCHEDULE

Regulation 15 of the Community Infrastructure Levy (CIL) Regulations (2010; as amended)

Cherwell District Council has published a CIL Preliminary Draft Charging Schedule for consultation. CIL is a planning charge introduced as a mechanism for local authorities to help deliver infrastructure to support the development of their area. Since April 2015 the Council's ability to use existing mechanism of pooling development contributions (generally known as Section 106 agreements) has been largely limited to securing site specific infrastructure and affordable housing. If adopted, CIL would enable the Council to continue pooling contributions from new development across the district to help the funding of local and strategic infrastructure.

The Preliminary Draft Charging Schedule sets out the proposed rates of CIL to be charged on different types of development across Cherwell.

Your comments are invited on the proposed CIL Charging Schedule and its supporting evidence. The Preliminary Draft Charging Schedule and related documents, including viability and infrastructure evidence and representation forms, are available to view on line at www.cherwell.gov.uk/policypublicconsultation or at the locations listed below.

Hard copies at the locations below during opening hours:

Cherwell District Council Offices, Bodicote House, Bodicote, Banbury, OX15 4AA
8.45am - 5.15pm Monday –Friday

Banbury Town Council, the Town Hall, Bridge Street, Banbury, OX16 5QB
Monday to Thursday 9am- 4.45pm, Friday 9am- 4pm

Banbury Library, Marlborough Road, Banbury, OX16 5DB
Monday 9am – 1pm, Tuesday 9am-7pm, Wednesday 9am – 8pm, Thurs and Friday 9am – 7pm, Saturday 9am – 4.30pm, closed Sunday

Neithrop Library, Community Centre, Woodgreen Avenue, Banbury, OX16 0AT
Monday 10am – 7pm, Tuesday Closed, Wednesday 2pm – 5pm, Thursday 10am – 1pm, Friday 10am- 5pm, Saturday 9.30am – 1pm, closed Sunday

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS
Monday – Thursday 9am – 5pm, Friday 9am – 4pm

Bicester Library, Old Place Yard, Bicester, OX26 6AU
Monday 9.30am – 7pm, Tuesday 9.30-5pm, Wednesday and Thursday 9.30am – 7pm, Friday 9.30am – 5pm, Saturday 9am-4.30pm, closed Sunday

Kidlington Library, Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP
Monday 9.30am – 5pm, Tuesday 9.30am – 7pm, Wednesday 9.30am – 1pm, Thursday
9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm, closed Sunday

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS
Tuesday: 10 am – 12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12
noon & 2 pm – 5pm, Saturday: 9.30 am – 1pm, closed Monday, Wednesday & Sunday

Deddington Library, The Old Court House, Horse Fair, Deddington, Oxon. OX15 0SH
Monday 2pm - 5pm, 5.30pm - 7pm, Tuesday Closed Wednesday 9.30am - 1pm, Thursday
2pm - 5pm, 5.30pm - 7pm Friday Closed Saturday 9.30am - 1pm, closed Sunday

Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH
Monday 2pm - 5pm, 6pm - 7pm, Tuesday Closed, Wednesday 2pm - 5pm, Thursday
Closed, Friday 2pm - 5pm, 6pm - 7pm, Saturday 9.30am - 12.30pm, closed Sunday

Copies will be available on the North, Central and West Mobile Library Services.
For details of locations and times of the mobile library visit www.oxfordshire.gov.uk or phone 01865
810240

Banbury LinkPoint, 43 Castle Quay, Banbury, Oxfordshire, OX15 5UW
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Bicester LinkPoint, 38 Market Square, Bicester, Oxfordshire, OX26 6AL
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Kidlington LinkPoint, Exeter Hall, Oxford Road, Kidlington, Oxon, OX5 1AB
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Comments should be sent to:

Planning Policy Team, Strategic Planning and the Economy, Cherwell District Council, Bodicote
House, Bodicote, Banbury, OX15 4AA.

Or by e-mail to planning.policy@cherwell-dc.gov.uk

Representations should be received no later than Friday 25th March 2016.

S SMITH, CHIEF EXECUTIVE

APPENDIX 2

List of consultees
CIL Preliminary Draft Charging
Schedule, February 2016

Including:
All Peer Review Stakeholders
+

All those individuals and organisations in the Council's Local Development Framework
Consultation list at February 2016 including:

Company / Organisation

1st Adderbury Scout Group
Acanthus Clews Architects
Adderbury Conservation Action Group
Adderbury Contact
Adderbury History Association
Adrian James Architects
Age Concern
Age UK Oxfordshire
Aircraft Owners and Pilots Association
Albert Cox Chartered Surveyors
Allied Surveyors Plc
Anglian Water Services Ltd
Anjali Dance Company
Anker & Partners
Applied Landscape Design Ltd
ARCh
Ardley with Fewcott Environment Committee
Ardley with Fewcott Parish Council
AS Planning
Aston le Walls Parish Council
Asylum Welcome & Detainees Support
Aylesbury Vale District Council
Aynho Parish Council
B H Planning Ltd
Banbury & District Housing Coalition
Banbury & District Samaritans
Banbury & District Scout Council
Banbury and Cherwell Green Party
Banbury Animal Rescue & Kindness Service
Banbury Canalside Landowners Consortium
Banbury Chamber of Commerce
Banbury Charities
Banbury Civic Society

Company / Organisation

Banbury Community Church
Banbury Ideas for Change
Banbury Life
Banbury Lions
Banbury Ornithological Society
Banbury Polish Association
Banbury Rugby Club
Banbury Town Council
Banbury United Football Club
Banks Design Architects
Banner Homes
Barford News
Barton Willmore
BattlefieldsTrust
Beckley and Stowood
Bellway Homes
Berkley Group
Bicester & District Chamber of Commerce
Bicester & Kidlington Ramblers group
Bicester Athletic Association
Bicester Chamber of Commerce
Bicester Citizens Advice Bureau
Bicester CPRE
Bicester East Community Association
Bicester Friends of the Earth
Bicester Gliding Centre
Bicester Green Gym
Bicester Local History Society
Bicester Local History Society and Bomber Command Heritage
Bicester Traffic Action Group
Bicester Vision
Bidwells
Bioregional Development Group
Bladon
Blessed George Napier School
Blessed George Napier School Board of Governors
Bloombridge
Bloor Homes
Bloxham Recreation Ground Trustees
Bloxham School
Boarstall Parish Meeting
Boarstall Parish Meeting
Bomford Estates Ltd
Bovis Homes
Boyer Planning

Company / Organisation

Brailles
Brill Parish Council
Britannia Road Childrens Centre
British Gliding Association
British Horse Society
British Red Cross
British Waterways (South East)
Bromford Housing Group
Bromford Living
BT Group PLC
Buckinghamshire County Council
Building Research Establishment
Campaign to Protect Rural England (Oxfordshire)
Campaign to Save Gavray Wildlife Meadows
Canal and River Trust
Capital & Provident Management Ltd
CAPOLD
Carter Jonas LLP
Cassington
Castle Flowers
Cerde Planning
Chacombe Parish Council
Charter Tenants Panel and Bicester and District Tenants Association
Chasewell Community Association
Cherwell Community and Voluntary Service
Cherwell Community and Voluntary Service
Cherwell Heights Housing Action Group (CHHAG)
Cherwell Rail Users Group
Cherwell Valley Benefice
Chipping Warden and Edgecote
CHUFF
Civil Aviation Authority
Coast & Capital LLP
Coles Books
Colliers CRE
Communities First Oxfordshire
Congregation of Jehovah's Witnesses
Corylus Planning & Environmental Ltd
Cotswolds Conservation Board
Council for British Archaeology
Council for Racial Equality
Countrywide Farmers Ltd
CPRE
CPRE Oxfordshire
Cropredy Cricket Club

Company / Organisation

Cropredy History Society
Cushman & Wakefield
David Hyams Consulting
Deddington and District History Society
Deddington CofE Primary School
Deddington Development Watch
Deddington News
Deddington Online
Defence Infrastructure Organisation (MOD)
Define
Derwent Green Residents Group
DevPlan
DLP Consultants
Dogs for the Disabled
Dr Radcliffe's School Foundation
Drayton Leisure Golf Centre
Drivers Jonas
Drivers Jonas Deloitte
Duns Tew Parish Council
Easington Sports Trustees
East West Rail Consortium
EE
Elsfield
Ely Diocese/HS&P
Energy Saving Trust
English Heritage
English Heritage South-East Region
Environment Agency
Events Management International
Faccenda Holdings Ltd
Fairbairn Wild
Faith Communities
Farm Crisis Network
Farnborough
Fisher German Chartered Surveyors
Fisher German LLP
Friends of Frank Wise School
Friends, Families and Travellers
Fritwell Parish Council
Fusion Online Ltd
Gallagher Estates
George Wimpey Strategic Land
Gerald Eve LLP
Gladman Developments Ltd
Grainger PLC & Church Commissioners

Company / Organisation

Grayline Coaches
Great Tew Parish Meeting
Greenhill Residents Management Company Ltd
Gregory Gray Associates
Grimsbury Community Association
Grundon
GVA Grimley Ltd
H A Hart & Sons
Habitat for Humanity GB
Hadland Manning Bullock & Partners Ltd
Hanwell Community Observatory
Hanwell Fields Community Association
Hanwell Village Residents
Harris Lamb Property Consultancy
Help the Aged/Retired Members Unison OCC
Heyford Leys Camping Park
Heyford Park and Community Development Residents Association
Heyford Park Residents Association
Highways England
Hill Street Holdings Ltd
Hodge Jones Allen Solicitors
Hollins Strategic Land
Holloway's Limited
Home Builders Federation (HBF)
Homes and Communities Agency
Hook Norton Neighbourhood Plan Steering Group
Inland Waterways Association
Inland Waterways Association
James Martindale Consultancy
JCL Planning
Jewson
JM Osborne & Co
John Hallam Associates
JPPC
JR Power
Katherine House Hospice
Kidlington & District Information Centre
Kidlington Historical Society
Kidlington Village Centre Management Board
Kidlington vs. Climate Change
Kingerlee Homes
Kingston Communication
Knight Frank LLP
Lambert Smith Hampton
Lane Fox

Company / Organisation

Langford Village Community Association
Lasalle Investment Management
Laws and Fiennes
Leonard Cheshire Disability
Leonard Cheshire Homes
Leslie Burton Architects
Lets Play Project
Liggins Thomas Ltd
Limehouse Software
Little Tew
Low Carbon Hook Norton
Low Carbon Hub
Ludgershall Parish Council
Malcolm Scott Consultants
Market Engineering
Marrons
Marsh Gibbon Parish Council
Mike Gilbert Planning Ltd
Miller Strategic Land
MJCT Architects
Montague Evans
Multiple Sclerosis Society Banbury
Multiple Sclerosis Society Oxford and District
Museum of the History of Science
Muslim Community Group
National Express Group Plc
National Farmers Union
National Federation of Gypsy Liaison Group
National Grid
National Gypsy Council
National Sports Training Centre
National Travellers Action Group
National Trust
Natural England
Network Rail Infrastructure Ltd
New College Oxford
NHS
NHS England
Noralle Ltd
Norman Machin Architect & Design
North Oxfordshire District Scout Council
Northamptonshire County Council
Northamptonshire Police
Oakley Parish Council
Office of Rail Regulation

Company / Organisation

OMK Design Consultancy
Orange Personal Communications Service Ltd
Oxford (Kidlington) Scout Group
Oxford and Cherwell Valley College
Oxford Architectural & Historical Society
Oxford Brookes University
Oxford Citizens Housing Association
Oxford City Council
Oxford Diocesan Board of Finance
Oxford Field Path Society
Oxford Geology Trust
Oxford Gliding Club
Oxford Green Belt Network
Oxford Innovation
Oxford University Hospitals Trust
Oxfordshire Badger Group
Oxfordshire Bat Group
Oxfordshire Business Enterprise
Oxfordshire Chinese Community
Oxfordshire Clinical Commissioning Group
Oxfordshire Community Foundation
Oxfordshire Council for Voluntary Action
Oxfordshire County Council
Oxfordshire Diocesan Advisory Committee
Oxfordshire Family Conciliation Service
Oxfordshire Geology Trust
Oxfordshire Historic Churches Trust
Oxfordshire LEP
Oxfordshire Mind
Oxfordshire Nature Conservation Forum
Oxfordshire Ornithological Society
Oxfordshire Playing Fields Association
Oxfordshire Preservation Trust
Oxfordshire Rambler's Association
Oxfordshire Rural Community Council
Oxfordshire Sports Partnership
Oxfordshire Association for the Blind
Oxon and Bucks Rail Action Committee (OBRAC)
Oxon Fire & Rescue Service
Oxon Gypsy and Traveller Services
P3Eco
P4D Architects Ltd
Pax Christi
Persimmon Homes Midlands
Peter Barnby Associates

Company / Organisation

Peter Grabham Associates
Plan Info
Planned Approach
Planning and General Services
Planning Potential
Poundon Parish Meeting
Power Park Autos
Preston Bissett Parish Council
Prodrive
Pub Stuff Ltd
R Thompson Valuation and Management Consultancy Ltd
Railfuture (Thames)
Railfuture (Thames)
Raleigh Oxford Support Group
Raleigh Oxfordshire Support Group
Ratley and Upton
Redrow Homes
Relate
Restore
Roberts Design Group
Roger Coy Partnership
Rollright
Roselodge Group
Royal Pioneer Angling Association
RSPB
RSPB
Ruscote Community Association
Ruscote Community Association
Sanctuary Housing
Save Gavray Meadows Campaign
Savills (UK) Ltd
Scotia Gas
Scottish and Southern Electric (SSE)
SEMLEP
Severn Trent Water Ltd
shenington with alkerton parish council
Shenington with Alkerton Parish Council
Shotteswell
Slighte Ltd
Solid Structures (UK) Ltd
South Central Ambulance Trust
South East Midlands LEP
South Newington Parish Council
South Northamptonshire District Council
South Oxfordshire District Council

Company / Organisation

Southwold Community Association

Special Olympics Great Britain

Spirit Motor Holdings Ltd

Spital Farm Allotments Association

Sport England

St Johns Ambulance

St Mary's Church Centre

St Mary's School

Stagecoach Oxfordshire

Stansgate Planning Consultants

Stanton St John

StarTech

Steeple Aston Village Archive

Steeple Barton

Stephen Brear Associates

Stewart, David J. Associates

Stratford Upon Avon District Council

Stratford-on-Avon Constituency

Stratford-on-Avon District Council

Stratton Fields Management Ltd

Strutt & Parker

Strutt and Parker

Subject II Survey & Company

Sunrise Multicultural Play Project

Sunshine Centre

Suzi Coyne Planning

Swerford Parish Council

Tackley

Tackley Church of England Primary School

Talking Newspapers - Banbury

Taylor Wimpey Strategic Land

Tetlow King Planning

Thames Valley Environmental Records Centre

Thames Valley Police

Thames Water

The Battlefields Trust

The British Astronomical Association's Campaign for Dark Skies

The Cherwell Gospel Halls Trust

The Cherwell-M40 Investment Partnership

The Coal Authority

The Cooper School

The Dashwood

The East Street Centre

The Glebe Recreational Charity

The Lower House

Company / Organisation

The Michael Hardinge Trust
The Midcounties Co-op
The Mill Arts Centre
The National Energy Foundation
The Oxford Trust For Contemporary History
The Performance Solution Ltd
The Romans Group
The Shout Project
The Victorian Society
The Woodland Trust
Thomas Merrifield
Three
Tingewick Parish Meeting
Tony Herring Associates Ltd
Traveller Law Reform Project
Turley Associates
Turnberry Planning
Twyford Parish Council
Tysoe
U.G.S
Upper Heyford Village Residents Group
Vale of White Horse District Council
Value Retail
Venables Sherrott Lockhart & Partners Ltd
Vernacular Architecture Group
Vodafone & O2
W R Henman & Sons Ltd
W S Atkins
Waitrose
Walsingham Planning
Warkworth Parish Meeting
Warmington and Arlescote
Warriner School Farm
Warwickshire and West Mercia Police
Warwickshire County Council
Water Stratford Parish Meeting
West Bicester Community Association
West Northamptonshire Joint Planning Unit
West Oxfordshire District Council
Westbury Parish Council
Westcote Barton
Western Power
Whichford and Ascott
William Davies Ltd
William Powell Ltd

Company / Organisation

WM Morrison

Woodstock Town Council

Wormleighton

Wroxton Gazette

Wytham

APPENDIX 3

Summary of consultation
responses
CIL Preliminary Draft Charging
Schedule, February 2016

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-001	Martin Small	Historic England	Q1: Appropriate balance Need awareness of CIL implications on viability and conservation of the historic environment. Rates in areas where there are groups of heritage assets at risk should not discourage schemes coming forward for re-use or regeneration. In such areas, there may be a case for lowering the rates.
			Q3: CIL relief Encourage offering CIL relief in exceptional circumstances and that the conditions and procedures for CIL relief are set out within a separate statement following the Charging Schedule.
			Heritage-related projects should be appropriate for CIL funding. Development-specific planning obligations may continue to be used for mitigation such as archaeological investigations, access and interpretation, and the repair and reuse of heritage assets. CDC conservation staff to be involved in the preparation and implementation of the Draft Charging Schedule.
CIL-A-002	Tom Amos	Natural England	No comment on PDCS. If your CIL requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult Natural England.
CIL-A-003	Carl Smith	Gosford & Water Eaton Parish Council	Essential infrastructure will be required before CIL money available resulting on infrastructure problems. Need clarification on how New Homes Bonus and CIL will be allocated and used. Expect CIL to be used to improve all infrastructure and flood defences in Kidlington and this Parish, to address increasing flood risk from developments situated to the north of Oxford (providing, improving & maintaining flood defences and maintenance of watercourses). Add 'raising of the flood defence at Kidlington' as a project for CIL funding. 'Public Rights of Way' should be clarified - providing and improving the Cherwell County Road Network. Delete 'Strategic' from 'Strategic Flood Defence 'and include improving and maintaining existing flood defences and watercourses. Need clarification on allocation of CIL money to each tier of local government authority.
CIL-A-004	Caroline Dunn	Launton Parish Council	Q1: Appropriate balance The PDCS does not appear unreasonable
			Q2: Instalments policy An instalments policy would assist development viability and suggest three instalments with the final one to be paid on completion of the site.

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Not offering CIL relief seems unnecessarily restrictive.</p> <p>Q4: CIL rates . No comments on CIL rates.</p>
CIL-A-005	Carmelle Bell	Savills	<p>Q1: Appropriate balance Sewerage/wastewater and water infrastructure buildings should be exempt from payment of CIL and this appears to be the case in the PDCS which Thames Water support.</p> <p>Consider using CIL contributions for enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers such as providing greater protection for surface water flooding schemes (currently only funded to a circa 1:30 flood event).</p>
CIL-A-006	Richard Cuttler	Bloombridge	<p>Q1: Appropriate balance Rate for Area 3 is too high. Area 3 is a more disparate area in terms of value than assumed in PDCS. Kidlington is a different value proposition to villages. The scarcity of supply caused by the Oxford GB has distorted values, which will be addressed with a GB review. The assumed build cost of £1000 per sqm is far too tight. This will prejudice high quality or energy efficient schemes, especially for smaller sites. £1200 per sqm m represents a better balance.</p> <p>Agree that an instalment policy would assist development viability.</p> <p>Q3: CIL relief Should offer discretionary relief.</p>
CIL-A-007	Theresa Goss	Bloxham Parish Council	<p>Q3: CIL relief Endorse not offering discretionary relief.</p> <p>Q4: CIL rates Support a nominal charge- set at an appropriate level which would have minimum impact on the likelihood of overall development.</p> <p>Welcome the consultation and look forward to further detail on how it would be implemented and how it will work for Parish Councils.</p>
CIL-A-008	Olivia Wojniak	Aylesbury Vale DC	No comments at this stage.

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-009	Oliver Thompson	Persimmon PLC	<p>Q1: Appropriate balance</p> <p>The effect of CIL on viability of development have not been given sufficient weight.</p> <p>The threshold for residential 'large sites' is set at 150 units; this is too low. The smaller site land value should apply to all schemes up to 500 units.</p> <p>Values are low: smaller sites regularly exceed £1m per gross hectare and most exceed £2m. Larger sites reach around £850,000 per gross hectare in this market area. These values are achieved once planning permission is granted but they are the landowners expected value for their land.</p> <p>Residential sales values for area OX26 - Bicester appear correct. No enough information on other postal districts to provide an opinion.</p> <p>Disagree with urban extensions being adjusted based on a mid-point between values in the urban area and the rural area in which they are located. Urban area values should be adopted for these sites.</p> <p>Affordable housing values: the blended rate of 55% of private sales open market values is more reflective of a 50/50 tenure split and it should be reduced to reflect the higher proportion of rented units.</p> <p>Build costs: Agree with the assumptions</p> <p>External/Site works: Agree with % assumption used but consider spine roads as an abnormal cost in excess of these allowances.</p> <p>S106: total contribution likely to be higher than assumed. Figures should be reviewed by reference to recent signed S106s agreements. A draft Regulation 123 list would give a better understanding of likely infrastructure items to be paid through CIL.</p> <p>Contingency, Professional Fees and Finance: Allowances are reasonable.</p> <p>Sales rate: 4 sales per month for sites of fewer than 500 units seems reasonable. A sales rate of 6 units per month would be more realistic for sites or more than 500 units.</p> <p>Key appraisal assumptions (in Appendix A): most assumptions are agreed or discussed above but some remain. Recommend at least 7.5% of GDV for overheads and 20% of build costs to be allowed for abnormals with no additional allowance for demolition.</p> <p>Developer's profit: a blended rate of 20% GDV is reasonable though the more risky the site the more the margin may need to increase.</p> <p>Residential appraisal results: In residential area 1 77% of sites produce negative financial outcome; proposed £100 per sqm charge poses a serious risk to delivery this area should be zero rated. In Areas 2 and 3 some financial outcomes are already negative without CIL charge, the range should start at £0.</p> <p>Support proposed nil charge for larger allocations for 500 or more in areas 1 and 2. This should apply to all sites over 500 dwellings whether or not currently identified as an allocation.</p>
			<p>Q2: Instalments policy</p> <p>Cash-flow is a key part of ensuring viable development . An instalments policy would assist this. High number of instalments would improve viability but need a balance with the practicality of monitoring payments. The proportion of the levy paid upon commencement should be minimised.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Offer discretionary relief from CIL on viability grounds. The Council retains discretion on its application and sites where the viability is marginal still have an opportunity to come forward.</p> <p>Q4: CIL rates A nominal charge could help to strike a better balance. Surprised that large distribution units are unable to support any CIL charge as we are more frequently becoming in competition with such uses for land and have been outbid in terms of land value on several occasions, suggesting there is headroom in the viability.</p>
CIL-A-010	Danny Duggan	Hook Norton Parish Council	<p>Q1: Appropriate balance. None</p> <p>Q2: Instalments policy. N/A as we are the Hook Norton Parish Council not a developer</p> <p>Q3: CIL relief. N/A as we are the Hook Norton Parish Council not a developer</p> <p>Q4: CIL rates CIL should be set as high as possible to offset the local impact and higher on-going costs resulting directly from the developments. Income from CIL passed on to local associations to be used locally to help those local residents effected by the development.</p>
CIL-A-011	Mark Longworth	Ambrosden Parish Council	<p>Q1: Appropriate balance Object to exemption of allocated sites which are on greenfield sites. These sites create significant infrastructure impacts and the CIL regulations reduce the ability of the use of s106s contributions to minimise their cumulative impact. The higher rate proposed adjacent to Oxford contradicts the potential requirement to provide for Oxford's unmet need by pushing development for these houses out of Area 3 and placing greater pressure on rural areas and larger towns in Areas 1 and 2. Object to nil CIL payments for employment which creates significant impacts on GI, employment and loss of green space. Rates should be tiered to encourage high quality research and science and motorsports. B8 should be subject to a higher rate of CIL than B1(a) and B1(b). C4 should be charged at the same rate as C3 as permitted development rights allow change to C3. Care, supporting living and retirement schemes should be exempted from CIL</p> <p>Q2: Instalments policy An instalments policy is essential and must be phased over the length of the development program for larger sites</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Relief should be made available for heavily contaminated sites where financial viability could either stop development or lead to nil provision of affordable housing and on open market housing on rural exception sites where the open market housing is required to cross subsidise the affordable element.</p>
			<p>Q4: CIL rates A greater no. of uses should be subject to CIL at a nominal charge: B1(a) and (b) - nil rate, B2 nominal rate, B8 higher nominal rate, C1 nominal rate, C2/C2A nil rate, C4 same as C3, D1 nil rate, D2 nominal rate, Sui generis - nominal rate, Other uses - nil rate.</p>
CIL-A-012		Banbury Town Council	<p>Q1: Appropriate balance 'CIL Charging Areas Map' will encourage residential development on the outskirts of Banbury. BTC would therefore like to see, in the map's terms, Area 1 within the existing footprint of the town. Area 1 incentivises growth to the south east of Banbury, where despite certain development proposals currently coming forward, there remains inadequate (especially road) infrastructure to cope with new residents. The discrepancy in residential charging rates will create a skewing in favour of development in the north (Banbury) versus the south of the district.</p>
			<p>Q2: Instalments policy Opposed to an instalments policy (with associated thresholds) tied to completion rates. Policy should ensure collection in a timely manner to enable infrastructure projects. Exemption of Banbury's strategic sites (Banbury 1,2,4 & 17) lead BTC to favour a frontloading of CIL contributions where possible. Opposed to thresholds tied to the size of potential contributions. Support an instalment policy tied to the commencement dates but with all instalments paid no later than 90 days after commencement .</p>
			<p>Q3: CIL relief Supports not offering discretionary relief but open to exploring discretionary relief for prospective out of town retailer also offering a presence in Banbury Town Centre.</p>
			<p>Q4: CIL rates Support charging B8 and from all warehousing uses across Cherwell. Do not consider this would impact the economic viability of this development type.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-013	David Hodgetts	Indigo Planning B/O Sainsbury's Supermarkets LTD	<p>Q1: Appropriate balance The £190 psq rate for out of centre retail is unreasonable and unjustified. Combined with Section 106s, will be too onerous and put overall development at risk.</p> <p>This rate has not been robustly assessed. It is unreasonable to base a figure on the general assumption that out of centre retail development can afford to make a larger contribution than other types of development.</p> <p>Obstacles to economic growth should not be imposed and would be in conflict with national policy.</p> <p>If a levy must be brought forward, a cap of £100 per sqm should be set and be based on a robust assessment of viability, taking into account that developers will still also be contributing significant funds towards Section 106 obligations.</p> <p>We welcome the £0 levy for town centres and other areas set out in the charging schedule, given the costs associated with redevelopment of previously developed sites/land and therefore have no objection to this charge.</p>
CIL-A-014	Valerie Russell	Bodicote Parish Council	<p>Q1: Appropriate balance. Support the need to strike an appropriate balance between funding infrastructure from CIL and its potential effects on the economic viability of development. The detail of how to achieve this must be determined by CDC, having regard to the data they have gathered.</p> <p>Q2: Instalments policy. An instalments policy may assist development viability. Bodicote Parish Council is not qualified to comment on the appropriate number of instalments and thresholds.</p> <p>Q3: CIL relief. Support CDC's decision to not offer discretionary relief.</p> <p>Q4: CIL rates We leave this decision to CDC, based on available data and their expertise.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-015	Paul Burrell	Pegasus Group B/O The Dorchester Group	The PDCS confirms that Strategic Allocations, including Villages 5, will be subject to a nil CIL levy. The consequence is that the delivery of infrastructure associated with growth proposed through Villages 5, will be secured by Planning Obligations. The effect of restrictions on pooling planning obligations could have a damaging effect on delivery of homes in Villages 5 if not carefully managed should it trigger NPPF Para 118 directing refusal of planning permission in circumstances where impact is not adequately mitigated. Villages 5 will not attract a CIL levy and noting the restrictions imposed on pooling of contributions, it is critical that development is comprehensively planned and that infrastructure costs are identified and apportioned appropriately to individual proposals that collectively deliver growth set out in Policy Villages 5. Without an appropriate mechanism in place, future development proposals will seek piggy-back on to infrastructure improvements which have been fully-funded by the Dorchester Group, with no opportunity for our client to claw back appropriate funding from other developments which form part of the strategic allocation. Clarification on the approach to CIL/ S106s is essential. The charging map should be revised to ensure consistency with the extent of Villages 5 allocation and to distinguish strategic sites by ensuring that the areas where a levy is proposed (Areas 1,2 and 3) are not annotated within the red line areas of the LP Part 1 Strategic Allocations. Villages 5 has potential to provide additional development for Oxford's unmet need. The proposed CIL levy should apply to any future expanded development area at this site.
CIL-A-016	Ruth Powles	Kirtlington Parish Council	Q1: Appropriate balance PDCS strikes an appropriate balance
			Q2: Instalments policy An instalments policy would not assist
			Q3: CIL relief There is no justification for descretionary relief
			Q4: CIL rates Nominal charges would not be a fairer proposition
CIL-A-017	Sue Mackrell	Bicester Town Council	Welcomes CIL, since it will give greater flexibility and freedom to towns and parishes in terms of how the funds received are spent across the whole town. Disappointed that it is taking so long to bring in and urges CDC implement it as soon as possible.
CIL-A-018	Iain Painting	Barton Willmore LLP	Q1: Appropriate balance Welcome the reduced capacity of large strategic sites to accommodate CIL and the nil charge. Regulation 123 list, direct provision on large strategic sites and shared provision needs consideration.

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
Page 159		B/O A2 Dominion	<p>Q2: Instalments policy Unless the Council adopts an instalments policy, the cost burden of CIL is disproportionate in relation to cash flow, the result of which is a reduction in the viability of the scheme. Affordable housing is the ‘balancing’ mechanism! Whilst we recognise the desire of the Council to secure funding ‘early’, refusal to adopt an instalments policy will lead to a reduction in the viability of a scheme and hence the capacity of a scheme to meet affordable housing requirements and come forward at all.</p>
			<p>Q3: CIL relief Whilst the Council has sought to vary CIL across the district, individual schemes will be subject to specific costs which would render the scheme unviable unless relief from CIL was provided. Such schemes can include regeneration projects which require substantial remediation or indeed, a scheme that requires substantial infrastructure or simply, the viability of which is marginal notwithstanding the desire for the Council for the project to proceed. There is no good reason for the Council not to provide for relief in exceptional circumstances.</p>
			<p>NW Bicester benefit from a resolution to approve for a number of dwellings and s106 negotiations are on-going but provision of County wide and town wide infrastructure is outstanding. The burden of infrastructure provision could well be exacerbated by the reliance entirely upon s106. Whilst we anticipate a permission in respect of the A2D applications in advance of CIL, there are areas of the master plan that have yet to be the subject of permission. The key tests of CIL Regulation 122 should be outlined within the supporting documentation. Details of when CDC is intending to review its charging schedule(and under what circumstances) should be provided along with details of how the CIL will be monitored. The current review of the local plan to address the unmet need from Oxford City ought to generate a review of the IDP upon which CIL is predicated.</p>
CIL-A-019	Richard Fordham	Sport England	<p>Q4: CIL rates ‘Sporting and recreation facilities’ are included within the definition of CIL infrastructure in the 2008 Planning Act. Money raised can be used to fund new or enhanced sports facilities. Sports development to be added to the list of developments exempt from paying CIL.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-020	Hayden Jones	Pegasus Group B/O Richborough Estates	<p>Q1: Appropriate balance</p> <p>Strategic sites only make up around half of Cherwell's housing supply and small sites are equally important as they make up the other half. Residential sites below 500 units should benefit from the same discount applied to large residential sites in Areas 1 and 2.</p> <p>The level of proposed residential charges causes concern in relation to the evidence base and the charges of neighbouring authorities. The sites selected for appraisal will have a significant bearing on the charging rates recommendations. The viability study does not show the full list of sites they were selected to help understand how representative they are. Within Area 2 site 31 is shown as having a maximum CIL charge of £666 per m2 and this is significantly higher than the other Area 2 sites. As the full selection list is not available it is not readily apparent whether this site is representative.</p> <p>The proposed Cherwell CIL rates for smaller residential sites of less than 500 units are significantly higher than other authorities. CDC's approach is out of kilter with the rest of the Oxfordshire HMA and the Charging Schedule needs to be revisited.</p>
CIL-A-021	V.N. Smith		<p>Q1: Appropriate balance</p> <p>The maximum rate should be applied when green field sites are developed . Reductions should be considered when around 20% of houses are affordable. Some reduction could be given to previously developed land for industrial purposes and requires decontamination or if old buildings have to be demolished.</p> <p>It is not sensible to have different rates or exclusions for any part of Cherwell. Road improvements are required in varying degrees of urgency right across Cherwell District now.</p>
			<p>Q4: CIL rates</p> <p>Business development should pay at least the same amount as residential as the traffic movement will usually be higher and the vehicles much larger. There may be a case for higher charges for business involved in transport of goods or product servicing requiring numerous vehicle movements.</p>
			<p>In principle the proposal to introduce a levy is supported but any such charge should be paid by the land owner. 25% of the increased value should be paid into a local authority development fund. Any developer who is planning to build in adverse conditions where demolition of old buildings is required or there is contaminated soil could apply for a grant to reduce pre-building costs.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-022	David Keene	David Lock Associates B/O Gallagher Estates	<p>Q1: Appropriate balance</p> <p>Support strategic allocations for 500 or more residential units being zero rated in areas 1 and 2 but should be extended to all strategic allocations identified in LP Part1. There is no justification to exclude allocated sites such as Gavray Drive required to ensure a continuous supply of housing.</p> <p>The £230 m2 CIL charge is exceptionally high when compared against South Oxfordshire's CIL Schedule. Based on an average 100m2 home the draft Cherwell CIL charge would equate to circa £23,000 per dwelling. This figure is likely to be challenging before any site specific S106 requirements are identified, calculated and added to the site's obligation.</p> <p>Significant funds will be required to manage and improve the Local Wildlife Site under any new consent on the land east of Langford Brook. The CIL rate will undermine the viability of these site specific improvements.</p> <p>A zero rate CIL contribution on Gavray Drive (and all district allocations) will provide greater flexibility, ensuring site specific circumstances can be adequately and fairly considered.</p>
CIL-A-023	Peter Monk		<p>Q1: Appropriate balance</p> <p>There is no logic in setting a ceiling to the number of dwellings (Table 1 Charging Schedule) as it is these developments that cause the most stress on the existing fabric of the community. The categories listed should include Education, Highways, Surgeries and foul sewerage treatment , as it is these elements that make most call on community resources. Helpful if figures had been provided for the cost of specific infrastructure to cater for a new development.</p> <p>The PDCS does not show all the sites listed in LP1 due to having permission by CIL adoption. They should be included to ensure that if schemes are not implemented they are subject to CIL if/when a viable scheme is brought forward.</p> <p>Do not understand the separation of Areas 1&2. The greatest concentration of new housing is in and around the existing communities. Facilities there are functioning at full capacity and the same level of charge (or more) should apply to that proposed for other locations.</p> <p>Q2: Instalments policy</p> <p>50% of the CIL sum is to be paid before work starts on site as infrastructure expenditure will be incurred early in the project. The reminder should be paid when the development is 50% completed regardless of occupation rate.</p> <p>Q3: CIL relief</p> <p>Needs to be a definition of 'Affordable housing' reflecting: average earnings for an up to 30 year old potential occupant and the probable mortgage supported by such earnings.</p> <p>Para. 2.4 needs to clearly state that extensions to existing single-household dwellings are exempt.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-024	Stephen Pickles	West Waddy ADP B/O J A Pye (Oxford) Ltd	<p>Q1: Appropriate balance The proposed rates are contrary to NPPF paragraphs 174 and 175. The CIL rate for residential development in the southern part of the district is excessive when compared with the rate in other parts of the district. Viability Report states that in area 3 the majority of the sites tested could support this level of charge. Some sites even now therefore cannot viably pay this rate and this would be likely to increase substantially in an economic down turn. No justification or evidence is given for the S106 contributions assumed. Where significant on site infrastructure is required this is likely to be a significant underestimate. The report gives no indication that financial implications of all CDC's policy requirements have been taken into account in assessing viability. The rate is significantly different to the rates charged or proposed to be charged in neighbouring districts. Significantly different rates in CDC despite the geographical proximity suggests that rates cannot be justified on viability grounds. Research by Savills (November 2014) indicated the effect of CIL has been to discourage residential development. The higher rate in the south of the District will discourage development in the Kidlington area despite its sustainable location close to Oxford. The rate for this area should be reduced to ensure that is viable and does not conflict with the need to provide additional housing to accommodate Oxford's unmet need in locations close to the city. The Infrastructure Funding Gap does not include Kidlington or the southern part of Cherwell. Development in this area may be paying disproportionately high rates for infrastructure in Banbury and Bicester with little benefit for the development funding it. This is contrary to the CIL's purpose of meeting the cost of infrastructure provision to support development. Infrastructure improvements needed to serve new development in Kidlington.</p>
			<p>Q3: CIL relief The extent of the requirement will vary significantly from site to site. Should offer discretionary relief on viability grounds to ensure development viability where significant S106 requirements apply. Necessary in order to comply with NPPF paragraph 173.</p>
			<p>Q4: CIL rates Viability Study indicates a significant negative financial viability situation for other uses. In these circumstances even a nominal charge should not be made.</p>
			<p>Table 1 in the 'Position statement on CIL and Planning Obligations,' which indicates the significant level of additional revenues that will be raised by CIL compared to the S106 contributions. No sites are assessed in the Kidlington area where the charge rate under the new regime would amount to several million pounds.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-025	Ian Gillespie	Carter Jonas B/O Gladman Developments	<p>Q1: Appropriate balance</p> <p>Support the Council’s proposed nil CIL charge rate for the strategic allocations of 500 dwellings or more within Areas 1 and 2.</p> <p>Do not support the proposed CIL charge rate for any future strategic allocations in Area 3. It is likely that any larger allocations made in proximity to Oxford City would also generate substantial infrastructure costs and requirements on site.</p> <p>Given the marginal viability of development across much of the District and the extent of the funding gap CDC and other infrastructure providers should explore opportunities for alternative sources of funding .</p> <p>The PDCS is seeking to increase the financial burden on developers. The ‘Position Statement on CIL and Planning Obligations’ acknowledges that as currently proposed, the CIL charge rates would result in higher development costs than past Section 106 agreements (in most cases). CDC has failed to deliver against its affordable housing targets in recent years – with the concern that the proposed CIL charge rates will worsen the situation. Particularly concerned with page 24 of the Viability Study noting the site appraisals have been examined ‘assuming a nil affordable housing allocation, given that authorities will retain the ability to flex this policy if necessary’.</p> <p>Broadly support the assumptions used in the Viability Study but recommend reducing the postal price data by circa 10% and encourage some sensitivity testing of rising interest rates.</p> <p>Benchmark land values are too low; evidence of actual transactions should be used where available.</p> <p>Recommend testing lower development densities, given that average development densities on completed schemes in Cherwell District in 2014/15 were 30.5 dpa.</p> <p>Evidence base does not support the proposed CIL rates, with many of the development typologies not viable with CIL as proposed, alongside existing Local Plan policies. The application of the proposed CIL rates would further reduce affordable housing delivery.</p> <p>Request that the evidence base is reviewed and a lower CIL rate set across the District.</p>
CIL-A-026	Ziyad Thomas	The Planning Bureau Limited B/O McCarthy & Stone Retirement	<p>Q1: Appropriate balance</p> <p>We commend the Council for their decision to test the viability of both sheltered/retirement housing and Assisted Living accommodation and the subsequent decision to exclude these forms of development from the 'Residential (C3) rates'.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-027	Elizabeth Foulkes	Savills (UK) Limited	<p>Q1: Appropriate balance</p> <p>55% of housing supply is anticipated on strategic allocations within LP Part 1. There is an inconsistency between adopted LP having a £0 psm CIL rate for sites over 500 units and those which will be contained within the emerging strategic sites being subjected to £100- £310 psm (Area 1 – 3) and it is unclear how the threshold for the £0 psm CIL was determined. Should take a consistent approach across the District in relation to strategic sites; as proposed there is a two tier process.</p> <p>Should review the methodology and assumptions used in the viability study and amend the Charging Schedule accordingly.</p> <p>Viability evidence does not appear to support the PDCS rates and appear to be unreflective of the local market fundamentals: sales values in the high area are only 35% higher than the low zone but the CIL rate is 210% higher suggesting that CIL is being used as a policy tool.</p> <p>Viability appraisal inputs require further clarification.</p> <p>Proposed rates are significantly above the surrounding Local Authorities' rates.</p> <p>The approach to the revenue obtained from affordable housing requires review in light of the Government funding announcements in July 2015.</p>
		B/O Landowner and Housebuilder Consortium: Barratt Homes CALA Homes Christ Church David Wilson Homes Exeter College	<p>Q2: Instalments policy</p> <p>The Instalment Policy should reflect the timing of delivery of the development to ensure CIL does not put unnecessary pressure on cashflow and viability.</p> <p>Propose an instalments policy based on 5 CIL liability thresholds and a range of 1 to up to 4 payments from commencement.</p>
		Merton College Magdalen College Oxford Oxford University Taylor Wimpey	<p>Q3: CIL relief</p> <p>Recommend offering exceptional circumstances and charitable discretionary relief. The Council will retain control over the application of the policy and tests surrounding the availability and applicability of Exceptional Circumstances Relief. Charitable discretionary relief would give the Council and Colleges greater flexibility for investment across the District.</p>
		Trinity College	<p>Payment in Kind is restricted to those items of infrastructure which are not required to mitigate the impact of a development. This is not a credible option and emphasises the need to ensure that the Regulation 123 List does not include any items of infrastructure intended to be delivered through Section 106 agreements on strategic sites.</p> <p>It is noted this consultation is simultaneous to the Cherwell Call for Sites as a response to Oxford's Unmet Housing Need. It is highly likely the housing requirements in Cherwell will increase and a number of new sites will emerge. As the CIL and call for site both progress, viability appraisals should be undertaken on the emerging sites and the DCS should not be published until this information is available.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-028	Malcolm Hockaday		<p>Q1: Appropriate balance</p> <p>It is unreasonable to treat the Town Centre Expansion (Area of Search) in the same manner as out of centre retail development. The footnote in the charging schedule should be amended to Town centre (including its defined Area of Search for Expansion) and out of centre as per Cherwell Local Plan Part 1</p> <p>Alternatively, it is suggested that a reduced charging rate of around £95/sqm is applied to proposed retail development within the defined Area of Search through the provision of an alternative footnote:</p> <p>Town centre and out of centre as per Cherwell Local Plan Part 1; charging rate within defined Town Centre Expansion (Area of Search) at 50% of out of centre rate</p>
CIL-A-029	Matt Spilsbury	Turley B/O Bovis Homes Limited	<p>Q1: Appropriate balance</p> <p>The scale of CIL will impact on a large proportion of sites undermining the Council's ability to seek policy compliant levels of affordable housing particularly in Areas 1 and 2. Recommend that CDC reduces proposed rates to mitigate this risk.</p> <p>Market Values - fails to present evidence of new build residential transactions to underpin the rationale for both zoning of CIL liability and rates setting. Request that CDC publishes a comprehensive explanation of the approach (and data).</p> <p>Value Zones - recommend introducing a split zone within postcode area OX17, introducing a 'buffer zone' around Banbury and its allocated sites.</p> <p>Affordable Housing Values - a blended sales value for affordable dwellings of 55% of OMV is overly simplistic and not representative of Affordable Rent changes announced within the Summer Budget 2015. Recommends that CDC reduces the blended sales value to 45% of OMV, or presents value evidence from HAs / RPs locally to justify the proposed rate of 55% of OMV.</p> <p>Build Costs - the market evidence underpinning development values within viability testing is out-of-step with development costs; these being based on the previous Quarter. Request that BCIS build costs are updated to Q4: CIL rates</p> <p>2015 and viability testing re-run, should costs be reported by RICS to have increased from Q3: CIL relief 2015. Costs utilised must be properly referenced by attachment of the RICS BCIS report.</p> <p>Cashflow Assumptions - need to publish information on what development programme has been applied to residential sample and the rate (if any) of CIL liability indexation applied.</p> <p>Sensitivity Testing - consider running scenarios which examine construction cost inflation exceeding residential sales value inflation.</p>
			<p>Q2: Instalments policy</p> <p>An instalments policy should be introduced. Proposes: 5 thresholds starting at £25K and max of 4 instalments. Above £500K liability approach should be discussed on an individual basis.</p> <p>Recommends that it applies to development that is commenced and constructed as a single development and CIL liabilities arising on each phase of a development.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Without a policy for relief on exceptional circumstances, the Council cannot apply any flexibility in its adoption of the Regulations. The inclusion of an exceptions policy would provide further comfort to developers that CIL will not render sites with exceptional cost burdens undeliverable.</p>
			<p>Q4: CIL rates CDC has not presented sound market evidence to justify introducing a 'nominal' rate on uses demonstrated as being unviable or marginal within its published CIL viability evidence base. There is no defensible rationale to introduce 'nominal rates'.</p>
CIL-A-030	David Burson	JPPC B/O University of Oxford, Merton College and a local landowner	<p>Q1: Appropriate balance Charging rate in Area 3 is excessively high and would negatively impact on viability of development in this area. If the delivery of homes is impaired it would undermine Begbroke Science Park, a key employment site in the area and the Local Plan vision for the whole area. The University hopes to enable the delivery of its vision for Begbroke Science Park through the provision of 'key worker' (or affordable employee) housing. Such housing can effectively provide affordable housing as a restriction on the nature of occupants ensures the price of units remains lower than that of housing on the open market. Existing affordable housing policies offer no discretion for key worker housing and requirements to provide additional affordable housing mean they cannot compete with market housing in terms of viability. Key worker housing should not be precluded by CIL. If such specialist schemes are excluded from consideration in the rate setting process it is vital that provision is for discretionary relief.</p>
			<p>Q2: Instalments policy Welcome an instalment policy to allow effective delivery of development.</p>
			<p>Q3: CIL relief Discretion to allow relief for essential developments which CIL would otherwise make unviable allows an essential safety net. The viability assessment tests a selection of typical developments in the district; it cannot consider all eventualities. The assessment also retrospectively samples developments previously delivered, consequently the proposed charges do not include flexibility for unforeseen changes in circumstance. The opportunity for the Council to offer discretionary relief in exceptional circumstances would provide vital flexibility and should therefore be included.</p>
			<p>Q4: CIL rates CIL should be justified by sound viability evidence with an appropriate balance between delivery of infrastructure and development plan objectives. To levy a charge on uses shown to be unviable in the viability assessment solely in the name of fairness would be contrary to the CIL principles.</p>
			<p>A detailed analysis of the published viability appraisal and proposed levy has also been prepared on behalf of the Tripartite. This has been submitted as a separate response to this consultation.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-031	Darren Bell	David Lock Associates B/O Hallam Land Management	<p>Q1: Appropriate balance</p> <p>The proposed CIL charge for Area 2 is too high when compared to other CIL charges set in rural areas in neighbouring authorities and areas of a similar character. It is not considered to strike the right balance and would threaten the deliverability of homes in the lower value parts of the charging area.</p> <p>Whilst the principle of applying differential rates across the district based upon residential values is supported, the definition of Charging Area 2 is considered too broad and contains too many variations in value.</p> <p>Charging Area 2 has been defined by virtue of achieving sales values of £300 to £350 per square foot (psf) or £3,229-3,767 per square metre (psm). However the table on page 11 of the CIL Viability Study shows these villages having a typical average price of only £275 and £255 psf respectively (£2,960 and £2,745 psm).</p> <p>Site specific appraisals, including sites 22 and 23 (in Ambrosden and Arncott) have been assessed using an average sales value of £310 psf (£3,337 psm for the postal area of OX25. The northern part of OX25, to the north west of Bicester, achieves much higher values. It is therefore suggested that a further sub-area is defined to reflect these lower values or that the southern part of OX25 is included in Area 1 with a CIL charge of £100 psm.</p> <p>The viability appraisal has not applied adequate buffers above the proposed CIL rates, 'Discounts' of 15-20% have been applied compared to the buffers applied elsewhere (i.e. South Oxfordshire).The overall charging rate for Area 2 should be revisited with respect to the application of more generous buffers to build in flexibility in changing markets.</p>
			<p>Q2: Instalments policy</p> <p>Disagree with the proposed single instalment of payment within 60 days of commencement of development. Should introduce the phasing of payments based upon the amount of CIL payable. Cash flow is critical to viability and this would provide flexibility and maintain housing delivery.</p>
			<p>It is critical that the Regulation 123 list is published at the earliest opportunity. In compiling the list, CDC should consult fully with PCs to ensure strategic infrastructure needs of the sustainable villages (as defined in Policy Villages 2).</p> <p>The next draft of the Charging Schedule should be more explicit about the ability for payments in kind to meet CIL through land or infrastructure. The draft charging schedule should explain how this will be enabled and be clear on how this will work in practice.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-032	Mark Powney	Boyer B/O Redrow Homes/Wates Developments	<p>Q1: Appropriate balance</p> <p>The right balance has been achieved; The Council established a strategic infrastructure funding requirement through its IDP Update December 2015 and Infrastructure Funding Gap Report February 2016. While this indicates a substantial funding gap we are pleased to see the Council has not followed the recommendations of the Viability Study for a £70 CIL charge on strategic sites of 500+ homes in Areas 1 and 2.</p> <p>This demonstrates an appreciation of the substantial costs of bringing forward large sites. It has also had regard to the policy requirements of its adopted Cherwell Local Plan 2011-2031 Part 1 which places a substantial requirement to provide infrastructure alongside new housing on strategic sites.</p> <p>Agree with the majority of the viability assumptions used in the residential modelling in respect of strategic sites but have number of comments:</p> <p>Gross to net ratios for housing and flats - is set at 100% and 85% respectively. These don't appear to have been incorporated within the appraisal for Site 17 for 1,550 units. Appraisal 17 uses the same floor space (142,600 sqm) to calculate Gross Development Value (GDV) and build costs meaning the 85% gross to the net for the flats hasn't been incorporated. If this is an error the GDV of Site 17 will reduce as a result.</p> <p>Build costs - a rate of £1,105 psqm is used in the site 17 appraisal. Unsure how this relates to the build costs for houses and flats and appear to be on the low side of the values provided. Given our client's sites proximity to Bicester TC, and that it will incorporate a new local centre, some higher density development will be in the form of flats. The higher build costs associated with flats doesn't appear to be factored.</p> <p>£106 cost assumptions for strategic sites to £100 psqm underestimates the costs of onsite infrastructure provision and residual £106 monies outside of £278 works.</p> <p>The sensitivity testing only considers optimistic assumptions. Each of the 4 residential scenarios assume an increase in house prices. A moderation of house prices and a period of stagnation should be tested alongside flat or increasing build costs.</p> <p>Unsure as to the pre-construction and construction period applied to the different land use appraisals and how these have impacted the finance costs.</p> <p>It would be helpful to include a table comparing the Residual Land Value from each appraisal with the applicable benchmark land value.</p> <p>In relation to the commercial viability appraisals we are in agreement with the majority of the assumptions used. Support the nil rate for offices; industrial and in centre retail uses but from our experience 20% on cost is the accepted profit target for commercial development not 15%.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
Page 169			<p>Q2: Instalments policy An Instalments Policy would give certainty to developers / applicants as to when CIL contributions are due which can then be modelled accurately within their detailed appraisals to support planning applications. The exact timing of payments are more critical to larger multi phased schemes where the CIL costs are invariably much higher and potentially have to be borne alongside significant residual and in-kind s106 contributions. Large residential schemes up to 499 units will still be liable for a residential CIL and would benefit from the certainty as to when payments are due via an instalments policy. South Oxfordshire DC instalments policy District Council is an appropriate example.</p>
	<p>Q3: CIL relief Any drop in housing completions or failure of one or more strategic sites to come forward as predicted within the plan period could undermine the Council's current position. This coupled with the uncertainty around predicting the direction of the housing market it would be prudent for the Council to adopt a discretionary relief policy to grant relief from CIL with respect to chargeable development if it can be clearly established through viability modelling evidence that a development cannot absorb CIL. The discretionary relief policy would set out the parameters under which relief would be considered and the type of information needing to be submitted to the Council by the applicant to support its case for relief (i.e. contaminated land; reinvesting in heritage assets or sites in need of significant highways upgrades.</p>		
	<p>Q4: CIL rates Setting a nominal charge, especially for larger strategic sites of over 500 units, would mean CIL is set at the margins of viability especially when considered alongside significant residual and in-kind s106 contributions and could be contrary to CIL Regulations, NPPG and NPPF.</p>		
	<p>We consider the Council's current approach as being appropriate in that onsite infrastructure delivery will be more effectively secured through s106 on strategic sites rather than pooling contributions via CIL. Pooling via CIL to fund infrastructure in relation to strategic sites would require a long list of specific infrastructure items to be incorporated on the Regulation 123 List to guard against double counting with s106. The pooling of CIL funds will provide less certainty to delivery as CIL funds might need to be pooled in relation to several different developments, or phases of development, before enough money is collected to fund a particular infrastructure item. Also development may come forward at different times again providing delays to delivery whilst at the same time incurring CIL administration costs.</p>		
CIL-A-033	David Burson	JPPC B/O Bicester Heritage	<p>Q1: Appropriate balance We raise no specific comment in this regard, this should not however be assumed as endorsement of the proposed rates.</p> <p>Q2: Instalments policy Would welcome an instalment policy to allow effective delivery of development.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
Page 170			<p>Q3: CIL relief</p> <p>Although the creation of employment opportunities at Bicester 8 is fundamental to delivering the vision of the LP, a joint purpose of the allocation is to secure the long-term future of the heritage assets of the former airfield (of national significance). Restoration of buildings in a poor state of repair is more costly. This is particularly the case for heritage assets where restoration is dictated by the historic structure. Also means that the resulting space is often compromised compared to a purpose-built structure which can reduce prospective rent or sale values.</p> <p>Concerns that the absence of discretionary relief from CIL could inhibit high quality development of the site in the future, undermine delivery of LP policy and preclude beneficial development identified in NPPF Para' 131. It is imperative that CDC allows discretionary relief in exceptional circumstances.</p>
			<p>Q4: CIL rates</p> <p>To levy a charge on uses shown to be unviable in the viability assessment solely in the name of fairness is contrary to CIL principles and would undermine the credibility of all charges proposed in the schedule.</p>
Page 170	David Bainbridge	Bidwells B/O Brasenose College Oxford and Catesby Property Group	<p>Q1: Appropriate balance</p> <p>The PDCS does not strike an appropriate balance.</p> <p>For residential, PDCS seeks funding only from sites in the rest of the district beyond Banbury and Bicester and from sites of less than 500 dwellings at Banbury and Bicester. This departs from the Viability Study recommendations and there is no justification for this departure.</p> <p>The Infrastructure Funding Gap paper estimates CIL income to 2031 for LP Part 1 floor space to be circa £23 million. There is no explanation as to whether the estimated floor space is a net or gross figure.</p> <p>The PDCS results on residential development under 500 units at the villages in Area 2 and Area 3 making a disproportionate contribution towards the cost of infrastructure directly related to strategic scale residential-led development at Banbury and Bicester.</p> <p>The PDCS has been prepared too late to benefit from CIL receipts from strategic sites at Banbury and Bicester. They have permission or resolution to grant permission and are unlikely to be CIL liable.</p> <p>PDCS supports LP Policy INF1 and yet the growth in Part 1 of the LP is all strategic at the main two towns which for the most part is not proposed to contribute under CIL. PDCS Para' 2.7 implies there is a policy which envisages CIL but this is not the case.</p> <p>Table 1 in the PDCS does not include land west of Bloxham Road, South of Salt Way under strategic allocations. Whilst this site does not exceed the proposed threshold, it should also be considered to be strategic in nature.</p>
			<p>Q2: Instalments policy</p> <p>It is requested that a Draft Instalment Policy be prepared and consultation undertaken ahead of CIL examination. Consideration should be given to: the amount for a single instalment payment as part of a wider instalment policy (£20K might be too high for smaller sites), a low threshold, a range of instalments but in any (a minimum of 3), a longer period of time for full to assist cash flow.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 171</p>			<p>Q3: CIL relief It is requested that: the emerging affordable tenure of starter homes are entitled to benefit from mandatory relief, and that exceptional circumstances relief is made available as there are likely to be sites subject of a planning obligations where the Charging Authority considers the cost of complying with the planning obligation is greater than the chargeable amount payable under CIL and hence to apply the CIL charge would have an unacceptable impact on viability.</p>
	<p>Q4: CIL rates A blanket approach to harvesting CIL payments is not based on evidence. It would not be fair for development to have to contribute to effects unrelated to it. This principle applies to the current consultation where there is a disproportionate cost burden being proposed on residential development in Area 2 and Area 3.</p>		
	<p>The Council has made available a range of relevant documentation in support of the PDCS. This is good practice as it gives stakeholders the opportunity to understand the background and comment on this. CIL is a discretionary tariff that the Council can choose to adopt but CDC has not explained why is now seeking to progress CIL. Whilst it can be understood that the Council wanted to first achieve adopted of the Local Plan Part 1 this was adopted in July 2015 and yet CIL is not forecasted to be adopted until 2017. Commencement of the LP review should be made clear in the PDCS as it may affect responses to the consultation. Paragraph 2.14 should make clearer what types of infrastructure will be provided as S.106 planning obligations and what as CIL. If CIL is brought in, the role of planning obligations should be limited to onsite provision and limited offsite circumstances such as S.278 works. It is requested that CIL is placed on hold pending the outcome of the national consultation but if progressed the draft Regulation 123 List should be published asap and consultation undertaken on it. Explanation is needed on whether the latest IDP version is intended to supersede LP appendix 8 albeit seemingly without any consultation having been undertaken. 5% of the total CIL receipts to cover setting up and administrative costs is excessive. Based on the £23 million potential CIL income, £1,150,000 (5%) would be used. If averaged over 14 years from the projected adoption of CIL in 2017 to 2031 this would equate to £82,142 each year just to administer the process. It is requested that Position Statement on CIL and Planning Obligations in Table 1 and table 2 regarding 13/00159/OUT is reviewed to ensure accuracy.</p>		

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-035	Theresa Goss	Adderbury Parish Council	<p>Q1: Appropriate balance Balance depends on each individual development but it appears appropriate in general terms. Not clear why a nil rate is proposed for developments of 500+ residential units apart from the need to enable strategic sites to come forward. No explanation is given on why these units would not justify a CIL charge just as other residential units. Requests that CDC reconsider this proposal. Agree that CIL should be rated differently for different geographical areas.</p>
			<p>Q2: Instalments policy Agree that an instalments policy would assist viability. Suggest 3 instalments as houses are completed and sold.</p>
			<p>Q3: CIL relief Agree that there should be no discretionary relief</p>
			<p>Q4: CIL rates If the nominal charge actually did have minimum impact on overall development costs then it would be a fairer proposition.</p>
CIL-A-035	Peter Cox	Bicester Chamber of Commerce	<p>Q1: Appropriate balance The proposals will disproportionately disadvantage Bicester as a centre for business, commerce and employment by failing to address current deficiencies and not sufficiently funding future needs. The proposal to exempt all affordable and self build dwellings from the CIL will fall disproportionately heavily on Bicester because of the very large number of self build and affordable dwellings designated for Bicester in the Local Plan. This will leave a funding shortfall that will either have to be met by increasing the contribution from commercially priced property or see the level and extent of soft and hard infrastructures vital to attracting modern businesses much reduced, especially as North West Bicester Eco-Town, Graven Hill, South West Bicester Phase 2, and South East Bicester are singled out as CIL exempt areas. The variation in CIL values will also have a disproportionately negative impact on Bicester by adding to the funding gap. If there must be differential CIL rates based on geographic locations it would be more appropriate to apply a standard rate for urban housing along side one for rural housing.</p>
			<p>The monitoring of CIL should include its impact on a range of outcomes, especially its contribution to attracting and securing a wide range of local employment opportunities. This is important to start to address the present commercial and employment deficiencies from recent rapid growth.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-037	Kathryn Brown	Stoke Lyne Parish Council	<p>Q1: Appropriate balance It would be appropriate to extract as much charging as the market will allow. The PDCS proposals are too broad. The definition of infrastructure is too narrow and more evidence is required about infrastructure needs of different areas. Infrastructure should include all areas affected by the development at the time of building but also subsequent services when buildings are occupied. To properly comment on whether there is an appropriate balance more concise information on cost is needed.</p> <p>Q2: Instalments policy Instalments would mitigate the impact on viability. Payments should be phased over the build, starting with a portion to be paid on the granting of planning permission, then at various points in the build, finishing with a final payment on completion of the build but not necessarily on the sale of the building.</p> <p>Q3: CIL relief Supports decision not to offer discretionary relief. However, there may be times when an exceptional application for relief can be made which should then be an entirely separate application from planning permission.</p> <p>Q4: CIL rates A nominal charge would be less fair for smaller developments. The charge should reflect the size, nature, complexity and what benefits the project would bring to the local community. Do not agree that large sites of 500+, self builds and any other development type should be exempt. These sites will generate a cost of infrastructure and all the services required for use.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-038	Geri Beekmeyer	Oxfordshire County Council	<p>Q1: Appropriate balance The PDCS states that assisted/sheltered housing is excluded from residential development (use class order C3). The PDCS should make clear this applies to extra care housing. The viability study specifically refers to this use as unable to sustain a rate. The S106s rate assumed for the smaller sites appears low. There is no discussion of the basis of these figures. The viability study and supporting statements point to historic contributions secured, in the order of £15,000 per unit. This ties-in with the County Council's own experience of negotiating S106 that sites can afford more. The reality materialising is the assumption for S106 becomes 'fixed' once CIL is adopted, making our ability to negotiate an appropriate level of S106 problematic or negating it completely.</p> <p>Table 1 in the Position Statement is used to conclude that CIL income would be higher than S106 in most cases. CIL rates are compared to S106 amounts secured in the past. Some S106 schemes are low because the County secured works in kind so are not included in the total amount. It would be useful to see a re-worked version of this table based on an up to date price base (or forecast price base at 1st April 2017). Most of the strategic sites in LP Part 1 are expected to have gained planning permission by the time CIL is adopted. CDC state CIL will mainly address windfall sites and sites identified in the two emerging Plans. This raises two issues: i) any new infrastructure identified to meet new identified growth areas and related viability issues; ii) the need to keep the SPD and R123 List up to date, post adoption, to reflect any new requirements.</p>
			<p>Q2: Instalments policy An instalment policy can assist with the development economics on large sites.</p>
			<p>Q3: CIL relief No comment.</p>
			<p>Q4: CIL rates This is not considered appropriate – even a nominal charge could deter town centre uses</p>
			<p>Welcome CDC intention to operate CIL and planning obligations as complementary funding mechanisms. We wish to work with CDC to achieve this. At times, the CDC documents refer to 'on-site' mitigation in reference to S106 agreements. Infrastructure 'directly related' to a development can be 'on-site' and 'off-site'. While S278 can deal with off-site highway mitigation there can be other off-site impacts. It will be important the forthcoming Planning Contributions SPD is not unduly restrictive in this regard. Appendix 1 of the Position Statement sets out potential funding sources of infrastructure funding. Here, it refers to 'local site-related transport requirements'. This better reflects an approach that we would want to see in the forthcoming SPD and R123 List that would enable S106 contributions.</p>

Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
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Community Infrastructure Levy (CIL)

Draft Charging Schedule

Cherwell District Council

POSITION STATEMENT ON CIL AND PLANNING OBLIGATIONS (UPDATE)

November 2016

1. Introduction

- 1.1. This position statement supports Cherwell Local Plan Policy INF1 and has been prepared to explain how the Council would seek to operate CIL alongside requirements for Planning Obligations if the Council decides to introduce CIL. It describes how the Council intends to publish a consultation draft Developer Contributions SPD to replace its Interim Planning Obligations SPD and seeks views on the Council's approach to ensure that CIL and S106s (Planning Obligations) are not sought towards the same item of infrastructure.
- 1.2. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition (NPPF paragraph 203) and where the obligation meets the following three tests:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development
- 1.3. Since April 2015 and in accordance with CIL regulations 122 and 123, the Council can only pool up to five S106 contributions towards the provision of an infrastructure item. The Council is preparing a list of infrastructure items that it intends to fund (wholly or partly) through CIL, known as the 'Regulation 123 list'. S.106 developer contributions cannot be collected for infrastructure items included in the 'Regulation 123' list.
- 1.4. The Draft 'Regulation 123 list' is derived from the Council's Infrastructure Delivery Plan (IDP). An update of the IDP was published in January 2016 and a Draft Regulation 123 List has been published alongside the CIL Draft Charging Schedule and Draft Developer Contributions SPD for consultation.

2. CIL and Planning Obligations in Cherwell

Cherwell's Interim Planning Obligations SPD

- 2.1. The Council adopted the current Interim Planning Obligations SPD in May 2011 for Development Management purposes. It guides all those involved in planning applications as to when planning obligations will be required, sets thresholds and the priority given to different infrastructure types.
- 2.2. The Interim SPD seeks contributions towards:
 - i. On site related items, comprising:
 - Affordable housing
 - Local open space, play space and landscaping
 - Local community facilities and services such as education facilities and community halls
 - Sustainable urban drainage systems
 - Nature conservation and biodiversity

- Sustainable construction
 - Sustainable transport and travel plans, footpath /cycleway provision, public transport infrastructure and access improvements
- ii. General infrastructure related items or projects that at the time of drafting the SPD in 2011 were considered suitable for a tariff approach and will be considered as potential funding areas for CIL. These comprise (list is not exhaustive):
- Strategic open space, sport and recreation
 - Cemeteries
 - Indoor Sport
 - Strategic community facilities, including community development
 - Refuse and recycling
 - Public art
 - Public realm
 - General Transport and Access Impacts
 - Education
 - Children's Centres and Nursery Provision
 - Integrated Youth Services
 - Libraries
 - Day Care Provision for the Elderly
 - Adult Learning
 - Museum Resource Centre
 - Public Rights of Way
 - Fire and Rescue
 - Health
 - Police
 - Air Quality
 - Strategic Flood Defence

2.3. The Council is now publishing a new Consultation Draft Developer Contributions SPD which will sit alongside the next CIL consultation stage for the Draft Charging Schedule.

Affordable Housing

2.4. The CIL Regulations allow for affordable housing to be secured through S.106s with unlimited pooling. In setting CIL charges the Council will have to consider the combined impact on development viability of CIL charges alongside affordable housing policy.

2.5. Policy BSC3 of the Cherwell Local Plan sets out the Council's requirements for affordable housing. At Banbury and Bicester, all proposed development that includes 11 or more dwellings is expected to provide at least 30% new affordable homes on site. Elsewhere in the district the same site size threshold applies (11+) but the percentage of affordable homes is expected to be 35%. The Council will only consider financial contributions 'in lieu' of affordable housing on sites in exceptional circumstances.

2.6. Cherwell Annual Monitoring Report 2015 shows the following affordable housing completions for the years 2011/12 to 2014/15:

Year	Banbury	Bicester	Remaining Areas	Totals
2011/12 Net	88	4	112	204
2012/13 Net	69	34	10	113
2013/14 Net	44	35	61	140
2014/15 Net	78	61	52	191
Totals	279	134	235	648

2.7. The Council would expect to operate CIL and planning obligations as complementary funding mechanisms and would monitor the effect of CIL charges on affordable housing completions.

2.8. The CIL Viability Report takes into account Local Plan Part 1 Policy BSC3 on affordable housing and other Local Plan policies which have a development cost. It is the Council's view that the suggested CIL charges, set out in the accompanying preliminary draft charging schedule, would be set at a level which would allow proposals to comply with planning policy requirements while remaining viable development propositions.

Proposed approach to CIL and Planning Obligations

2.9. Upon the introduction of CIL, the Council would seek CIL payments in accordance with its CIL Charging Schedule, once in place; this charge is not negotiable. Although the scope for securing S.106 planning obligations has been reduced since April 2015 due to the pooling restrictions, it is expected that planning obligations would still be sought for:

- i. Affordable housing; and
- ii. Infrastructure which is required as a direct result of a development to mitigate its impact. Such infrastructure items will not be included in the Council's Regulation 123 list.

2.10. The Council's preliminary draft charging schedule proposes a nil CIL charge for sites in Cherwell Local Plan Part 1 comprising 500 or more homes. These are:

- Policy Banbury 1: Banbury Canalside
- Policy Banbury 2: Hardwick Farm, Southam Road (East and West)
- Policy Banbury 4: Bankside Phase 2
- Policy Banbury 17: South of Salt Way - East
- Policy Bicester 1: North West Bicester Eco-Town
- Policy Bicester 2: Graven Hill
- Policy Bicester 3: South West Bicester Phase 2
- Policy 12: South East Bicester
- Policy Villages 5: Former RAF Upper Heyford

2.11. These larger strategic sites are likely to generate the need for substantial infrastructure on site. Many of these sites have either outline planning permission or a resolution to approve and are likely to have gained outline planning permission ahead of CIL adoption. The infrastructure needs for these sites have been identified in the Local Plan and the Council envisages that infrastructure items

relating to the delivery of these sites will be excluded from CIL funding in the Regulation 123 list.

3. Summary of Monies raised By S106 Contributions for Cherwell District

3.1. Table 1 gives a summary of the total monies secured by S106 agreements from development in the District.

	1 April 2013- 31 March 2014	1 April 2014- 31 March 2015	1 April 2015- 31 March 2016	1 April 2016 to present
CDC	£2,488,579.00	£2,649,195.00	£1,118,641.00	£1,975.00
OCC	£15,506,108.00	£35,047,387.00	£12,123,043.00	N/A
Total	£17,994,687.00	£37,696,582.00	£13,241,684.00	£1,975.00

Table 1: Summary of Monies secured from S106 agreements.

4. Next Steps

- 4.1. The Council is now undertaking a second round of consultation on the Draft Charging Schedule. This will be for a period of six weeks from November 2016. This will be followed by an Examination Hearing in May 2017, with final approval by the Council anticipated in September 2017.
- 4.2. The Council will be consulting on its Draft Developer Contributions SPD alongside the CIL Draft Charging Schedule. On completion of this formal consultation process the Council will prepare a final SPD for adoption in September 2017.

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APPENDIX 9

**Community Infrastructure Levy (CIL) Draft Charging Schedule
& Developer Contributions SPD**

Summary of key CIL elements

1. The previous Executive Report on CIL, February 2016 is still relevant in explaining what CIL is, how it relates to S106s Agreements and for detailed background. Below there is a summary of relevant information in that report.
2. What is CIL:
 - A is planning charge to help fund infrastructure that is needed as a result of development. A CIL Charging Schedule sets the development it applies to and the charge to be applied.
 - It can be applied to all development that creates new floorspace over a specified minimum size.
 - It is implemented alongside, and partly replaces, Section 106 Developer Contributions. Regulations limit the pooling of more than 5 S106s Agreements towards any specific item of infrastructure.
 - It is intended to help fund infrastructure needs arising from future development (not to fully fund it) and can only be sought at an economically viable level.
3. How CIL works:
 - Works as a development tax, to help pay for infrastructure required to facilitate development.
 - The developer/landowner pays a sum of money for new floorspace created by applicable development (set out in the CIL Charging Schedule).
 - The money raised can only be spent on infrastructure supporting development.
 - The items of infrastructure on which CIL monies can be spent are set by the local authority in what is known as a 'Regulation 123 List'.
 - Unlike S106s Agreements, there is no requirement for the CIL collected to be spent on the development from which it arises.
 - The local authority to establishes its own means of prioritising how CIL monies are spent.
 - 15% of CIL receipts are passed directly to Parish or Town Councils from each 'paying' development within their areas and 25% if a neighbourhood plan has been adopted.
4. CIL and S106s Planning Agreements:
 - From April 2015, Local Authorities are no longer able to collect or pool more than five developer contributions (S.106 obligations) towards any specific item of infrastructure.

- Previously funds could be pooled to help pay towards larger items of infrastructure with this scaling-back of S.106 Agreements, CIL is intended to become the primary mechanism through which new development contributes towards the provision of required infrastructure.
- Site specific infrastructure that is directly related to a development, and affordable housing, are the main items that will continue to be delivered through the Section 106 regime.
- With the introduction of CIL, a S.106 planning obligation cannot be sought for any item of infrastructure included on the Regulation 123 List.

5. What would CIL mean for Cherwell:

- The Council will secure 'on-site' infrastructure and affordable housing through S106s agreements (subject to the pooling restrictions).
- The Council will secure funding for more strategic infrastructure through CIL.
- A Regulation 123 list is drafted to ensure Developers are not charged twice for the same item of infrastructure.
- CIL will not cover all infrastructure needs in Cherwell and other sources of funding will need to be sought.

Cherwell District Council

Executive

7 November 2016

A Business Improvement District (BID) for Banbury

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval to proceed with the preparation of a Business Improvement District (BID) for Banbury.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the Banbury BID feasibility report.
- 1.2 To agree to commit resources to move to phase two, preparing the Banbury BID Business Plan and preparation for the Ballot.

2.0 Introduction

Background

- 2.1 The Council was approached by the Banbury Chamber of Commerce to request that Cherwell District Council support a proposal to assess the potential for establishing a Business Improvement District (BID) in central Banbury.
- 2.2 From visits to the BIDs at Leamington and Rugby, plus discussions with the Stratford upon Avon BID about their approaches to town marketing, event organisation and street scene improvements, it was apparent that a BID might offer an opportunity to help strengthen the economy of the town centre of Banbury.
- 2.3 It could also help build on the Council's work to promote the vitality of the town centre and its funding of the town team co-ordination role, managed by the economic growth service, to assist the Council across many of its services such as licencing, planning, events and car parking.

- 2.4 The Council commissioned a feasibility study at ‘a cost of up to £10,000’. ‘Invitation to tender’ documents were issued and five companies submitted proposals to undertake the work.
- 2.5 Following interview, Heartflood Ltd was appointed having demonstrated suitable skills, experience and capacity to cover the defined scope of the project.
- 2.6 The attached report sets out the conclusions of the feasibility study. The final cost of this phase is expected to be £6,840.

BID background

- 2.7 The consideration of a Business Improvement District must follow a series of steps as set out in statute.
- 2.8 Experience elsewhere of successful BID development suggests that the usual time is approximately 18 months over 3 phases:-
- Phase 1 – foundation: includes feasibility, analysis and partnership review. The attached feasibility study completes this stage.
 - Phase 2 – development stage: includes appointing project manager, creating a task group, engaging and inspiring all businesses, build upon the feasibility study to produce a detailed business plan, prioritising actions, establishing baseline.
 - Phase 3 – running the campaign; undertaking a ballot of all business rate payers, based upon a defined geography and criteria set out in the legal framework.
- 2.9 A BID is a business-led and business-funded body formed to improve a defined commercial area. They are governed by a board made up of BID levy payers who represent the BID area, which means that businesses have a genuine voice - and are able to decide and direct what they want for their town or city.
- 2.10 Business support is required to proceed with a BID. This is why the feasibility study assessed the views of as many town centre businesses as possible. A BID can only be established following a positive vote by a majority of all eligible business rate payers within a clearly defined area. The feasibility study surveyed the views of over 100 businesses to establish whether or not a BID should be proposed for the town.

BIDs support business growth

- 2.11 There are more than 210 BIDs already operating across the UK, with the majority focusing on town or city centres. Businesses report the benefits they have brought include:
- Businesses get to decide the major improvements they want to see enacted.
 - The town or city benefits from increased footfall, which in turn boosts trade.
 - Major improvements, such as promotions, events and street scene enhancements generate a greater sense of local pride in the town, which is good for business.

- Businesses gain better networking opportunities with their fellow businesses and better links to contact the Council, Police and other public bodies.

Activities supported

2.12 The projects that a BID might fund depend entirely on the results of the business survey, although many other BIDs focus upon:

- Marketing & promotion of their town or city centre.
- Major town or city centre events.
- Improvements to the town or city centre street scene.
- Initiatives to improve business security and to reduce business overheads.

Area of coverage

2.13 The area to be covered is considered as part of the survey, as the study also needs to assess the level of local support for businesses to be situated within a possible BID area. Any possible BID area therefore remains open to consultation during the business planning phase.

The cost of a BID

2.14 A BID is funded by businesses paying a small proportion (typically of between 1% and 1.5%) of their business Rateable Value towards the BID. This money is then ring-fenced for use only in the BID area, unlike business rates which go to and are re-distributed by Government. A BID can only be formed following extensive consultation and a ballot in which businesses vote on a business plan.

2.15 It is suggested that a BID for Banbury would generate approximately £250,000 per year at a levy of 1.5%, although it should be emphasised that this is simply a guide figure at this stage.

2.16 In principle all businesses are liable to pay the BID levy if this is supported through a 'yes' vote, although an exemption level of upwards of £5,000 is typically applied, which means that very small businesses which fall under this threshold would not be liable to pay the levy. A lower BID levy is also typically applied to businesses within managed shopping areas, such as the Castle Quay.

2.17 The levy is normally collected by the Council as a separate bill to the normal business rates.

Duration of the BID

2.18 The maximum term for any BID is 5 years, after which a further BID may be proposed.

Form of organisation

2.19 If a BID is established it would need to be separate from the Council, potentially as a company limited by guarantee (i.e. 'not for profit').

Scope of the Feasibility Report

- 2.20 The scope of the objective feasibility study was to establish whether or not a BID would be viable in Banbury, by considering the following issues:
1. Options: In order to enhance the longer-term vitality of Banbury, explore all options including the creation of a BID and other means of enhancing the vitality of central Banbury.
 2. Focus: Identify priority areas for spending any funds raised.
 3. Support: Establish the likely level of support from businesses for a BID and their practical contribution to enable Banbury to be better able to compete as a primary retail centre.
 4. Viability: Calculate the likely amount of BID income required to achieve a vital town centre over a five year period. Advise how any boundaries should be drawn and how the programme could continue beyond the first five years. Establish if such goals are realistic with clarification of potential risks.
 5. Impact: Assess the impact (if any) on existing town centre services – street scene, CCTV, car parking, etc. The BID must demonstrate how it adds to existing Town Centre services and not for their replacement (a requirement of the legislation).
 6. Context: Advise how a BID could strengthen the position of the town centre in particular and Banbury in general in relation to the Gateway Retail Park and other out-of-town and edge-of-centre stores, together with the forthcoming town centre investment at Castle Quay 2 and emerging proposals at Bolton Road and Canalside.
 7. Masterplan: Establish how a BID could support the delivery of the emerging Banbury Masterplan (providing detail to the adopted Local Plan).
 8. Co-ordination: Identify how a BID could build upon the work of the Town Team Co-ordination programme.
 9. Structures: Explain all options for the most appropriate legal structure. Identify key partners, processes and actions.
 10. Phasing: Depending upon the findings of the study, provide advice on the phasing for the development of a successful BID.
 11. Any other considerations: a full and frank feasibility study is encouraged whereby the Council and businesses can clearly understand the potential costs and benefits of creating a BID - or alternative mechanism - to secure the long-term vitality of central Banbury.

The Banbury BID Feasibility Study

- 2.21 Heartflood Ltd consulted extensively with businesses and other interested parties. Press coverage, public meetings and direct discussion meant that the opportunity to find out more about BIDs was proactively given, as was the opportunity to express

support and/or challenge the view of some businesses that had called for a BID to assist the vitality of central Banbury.

- 2.22 The feasibility study found that of the 115 businesses making their views known, approximately 74% were in favour of the BID concept being tested in a ballot, 19% were undecided and 6% were against the idea of a ballot.

Proposed BID priorities for Banbury

- 2.23 The businesses surveyed in the feasibility report prioritised where they felt BID money should be spent. These are listed in priority order:

- 1) Empty shops improvement schemes
- 2) Car parking discounts or incentives
- 3) Marketing and promotion
- 4) Arrangements to provide additional car parking spaces
- 5) Additional or improved town centre markets
- 6) Major events or festivals
- 7) Street entertainment
- 8) Business cost reduction initiatives
- 9) Public transport improvements
- 10) Greater business championing and representation.

Proposed Boundary

- 2.24 A slightly wider boundary than the town centre set out in the adopted Local Plan is proposed to ensure sufficient resources are generated by the initiative to include relevant beneficiaries, to cover costs and to take worthwhile action.

3.0 Next Steps

- 3.1 A number of tasks need to be completed in phase two and three to secure the formal support of Banbury Town Centre and so establish the BID.

- 3.2 It is proposed that the Economic Growth Team leads the development of the BID through the following stages:

November 2016	Decision to proceed with BID and creation of shadow BID Board.
January to April 2017	Business liaison and consultation on proposed Business Plan.
May 2017	Notification to Secretary of State and Billing Authority of intention to hold a ballot.
June 2017	Notification to Billing Authority of Business Plan.
July 2017	Launch of Business Plan.
August 2017	Notice of ballot.
September 2017	Ballot papers issued.
October 2017	Ballot Day.
November 2017 to April 2018	Formation of Board of Directors, appointment of staff and BID begins operation.

Cost of the next stage

- 2.26 The cost of the next stage will be up to £60,000 that can be met from existing economic growth funds.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The proposal for a BID for Banbury is judged to have sufficient business support to proceed.
- 4.2 A BID for Banbury is expected to assist businesses and the Council to work together to strengthen the town centre in particular and Banbury in general by increasing the marketing of the town and undertaking a series of activities to increase footfall into the town centre and so assist improve the vitality of the town centre, as new town centre investment at Castle Quay two comes on stream.
- 4.3 A BID for Banbury will assist Banbury to compete with neighbouring towns.
- 4.4 The Executive is invited to note the Banbury BID feasibility report and to agree to commit resources to move to phase two, preparing the Banbury BID Business Plan and preparation for the Ballot.

5.0 Consultation

- 5.1 The request to assess the case for a Banbury BID was initiated by the Banbury Chamber of Commerce. Over 100 businesses have been consulted in the preparation of the feasibility report by Heartflood. Information sheets have been provided and one-to-one and an 'open invitation' group session held. Critical challenge was actively encouraged with pros and cons being recognised in the survey. Further detailed consultation would take place during the proposed second stage which would be based upon information, involvement and most importantly inspiration. .

6.0 Alternative Options and Reasons for Rejection

- 6.1 Alternative Option: To not proceed into stage two of the assessment.

This is not recommended as not proceeding will forgo the opportunity to support a business led project that has the potential to draw additional resources into action that would promote the town to the benefit of all stakeholders.

- 6.3 The proposed recommendation to proceed to the next stage is considered to be an appropriate response to the findings of the feasibility study.

7.0 Implications

Financial and Resource Implications

The successful introduction of a BID for Banbury stands to generate significant resources for the promotion of the retail heart of Banbury from local businesses, both directly through the Levy and also indirectly through the businesses contributing additional expertise, energy and other added value. This would all be in addition to the services provided by Cherwell and its investment in, for example, the Castle Quay two development. The cost of preparing the Banbury BID will be met from existing budget held by the Economic Growth team, supported by officer time.

Comments checked by:

Paul Sutton, Chief Finance Officer, Tel. 01295 221634

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

Successful BIDs can only be introduced by following the procedures set out in the BID legislation. The steps taken so far and proposed as next steps conform to that legislation.

Comments checked by:

Nigel Bell, Team Leader – Planning & Litigation, Tel. 01295 221687

Nigel.Bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision -	No
Financial Threshold Met -	No
Community Impact Threshold Met -	Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Lynn Pratt - Lead Member for Estates and the Economy

Document Information

Appendix No	Title
Appendix 1	Feasibility Study for Banbury BID
Background Papers	
None	
Report Authors	Adrian Colwell, Head of Strategic Planning and the Economy. Steven Newman, Senior Economic Growth Officer.
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Cherwell District Council

Executive

7 November 2016

Banbury Town Centre Public Spaces Protection Order (PSPO)
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Report of Public Protection Manager

This report is public

Purpose of report

To propose the making of a Public Space Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

1.0 Recommendations

The meeting is recommended

- 1.1 To approve the making of a Public Space Protection Order in Banbury Town Centre (Appendix 1).
- 1.2 To delegate authority to the Public Protection Manager to take all necessary steps to enforce the Public Space Protection Order in Banbury including the necessary authorisation of individual officers to issue fixed penalty notices.

2.0 Introduction

- 2.1 At the 4 July 2016 Executive meeting, it was agreed to carry out a consultation to ascertain the support for a PSPO in Banbury town centre. This report was based upon factual evidence from police and public as to the rising concern of the issue of begging, drunkenness and rough sleeping in Banbury.
- 2.2 The relevant act and sections outlined below provide a proportionate remedy, subject to public and business consultation. Following the completion of the consultation, the salient findings are reported in point 5. In brief the outcomes were:
 - 90% of those responding supported a PSPO to stop anti-social drinking
 - 84% of those responding supported a PSPO to stop begging
 - 79% of those responding supported a PSPO to stop rough sleeping

- 2.3 Currently the town centre has in force a Designated Public Place Order (DPPO). The DPPO was originally made to deal with persons who used public places for the purpose of excessive drinking of intoxicants, escalating into disorderly behaviour and occasional violence.
- 2.4 The Order has often been perceived to constitute a drink banning order, which in fact it was not. Drinking was permitted in a safe and responsible manner. The effect therefore is that the existing DPPO does not prevent drinking, until it reaches a point where it is unacceptable to the public in terms of disorder and public safety.
- 2.5 The misunderstanding and public perception of the wording has caused some ambiguity and has led to difficulties in enforcement. A new PSPO provides an opportunity to address this and ensure that there is clear understanding of the effect of the order.
- 2.6 Before a PSPO can be made there must be credible evidence to support it and to satisfy the criteria set down in legislation. Evidence collated by Thames Valley Police was presented to Executive on 4 July as below:
- Incidents reported to police from July 2014 to February 2016 (19 months)
 - Begging 56 reports
 - Drinking and anti-social behaviour (ASB) 57 reports
 - Rough sleeping 6 reports (beggars also rough sleep)
- 2.7 There is evidence to suggest that drug abuse by rough sleepers in the area of St Mary's Church, Peoples Park and the Peoples Church has led to substantial numbers of needle finds in those locations, posing a significant risk to the health and well-being of Council staff and the public.
- 2.8 The figures above are based on incidents where the police have recorded an incident; they do not include incidents where police officers interact with individuals and take no action or make a record in their day to day activities.
- 2.9 In view of this information, a draft of the proposed order is inserted in Appendix 1. The area of prohibition is outlined in black on the map in Appendix 2.

3.0 Report Details

Introduction to Public Spaces Protection Order

- 3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') gained Royal Assent in April 2014. The Public Spaces Protection Order provision has been in operation since 20 October 2014. The Act is designed to put victims at the heart of the response to anti-social behaviour and give professionals the flexibility needed to deal with any given situation.
- 3.2 In deciding to make a PSPO, the Antisocial Behaviour and Policing Act 2014 requires that the local authority to have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention. "Convention" has the meaning given by section 21(1) of the Human Rights Act 1998.

- 3.3 There are many PSPOs in place across the country, some have been challenged, and as yet none have been referred to the High Court. There have been a number of challenges, concerning the detail presented to members to allow an informed decision, transparent consultation and in depth equality impact assessments.
- 3.4 Therefore the relevant sections as presented to the July Executive meeting are laid out in Appendix 5.

4.0 Prohibited Behaviours

- 4.1 The Banbury Town Centre PSPO is recommended to include prohibitions on the following:

Consuming Alcohol

- 4.2 Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 specifically provides for a prohibition on the consumption of alcohol in breach of a PSPO and provides that a constable or authorised officer may, (emphasis added), subject to reasonable belief as to a breach, require a person to cease consuming alcohol and surrender the alcohol.

- 4.3 Additionally, section 62 provides that the section 63 prohibition does not apply to:

- A licensed premises and the space within its curtilage;
- A place where the sale or consumption of alcohol is permitted at the relevant time pursuant to section 115E of the Highways Act 1980 (i.e. tables and chairs outside the curtilage of a business premises for the use of customers of the business);
- Permitted temporary activities (i.e. Temporary Event Notices issued pursuant to the Licensing Act 2003 as regards the sale and consumption of alcohol at festivals, street parties etc.;
- Council-operated licensed premises.

As such the PSPO will not affect markets, festivals or temporary events.

Begging

- 4.4 Begging is a criminal offence pursuant to section 3 or 4 of the Vagrancy Act 1824. Pursuant to section 70 (1) of the Criminal Justice Act 1982 the offence of begging is fineable only. Given the extent to which begging is a considered to be problem in the town centre, it is desirable that the Order seeks to restrict begging in general.

Rough Sleeping

- 4.5 The inclusion of a prohibition on sleeping rough may prove controversial. The enforcement of a prohibition on sleeping rough will require consideration of the specifics of each case such as whether the individual concerned has been offered but declined accommodation/ assistance etc. This will be necessary to ensure that the Order is directed at those who have accommodation but choose to sleep rough, or imply that they sleep rough as a means of begging, as opposed to the genuinely homeless.

5.0 Penalties

- 5.1 Pursuant to Section 63 (6) of the Act it is an offence to fail to comply, without reasonable excuse, with the requirement of a constable or authorised officer, to cease consuming alcohol in breach of the Order; or to surrender anything which the constable or authorised officer reasonably believes to be alcohol or a container for alcohol. The penalty upon conviction is a fine not exceeding £500.
- 5.2 Pursuant to Section 67 (1) of the Act it is an offence, without reasonable excuse, to do anything prohibited by the Order, or to fail to comply with a requirement to which the person is subject under the Order. The penalty upon conviction is a fine not exceeding £1,000.

6.0 Fixed Penalty Notices

- 6.1 Section 68 of the Act provides for the issuing of a Fixed Penalty Notice (FPN) in respect of breaches of the Order under section 63 or section 67. Whilst the FPN provisions were not included in the draft Order, it is considered desirable to utilize this provision and include the same in the Order as a form of sanction – if FPNs are not included, save for cautions, warnings and less formal enforcement, the formal enforcement will be limited to prosecution with the incumbent financial and resource implications. See further ‘Enforcement’ below at 7.1.
- 6.2 Payment of a FPN discharges liability to conviction. If a FPN is not paid, a prosecution may be instituted.
- 6.3 Section 68 (7) provides for a FPN to specify two amounts and specify that if the lower amount is paid within a lesser period of time than that specified for the higher amount, the lower amount will be the amount of the penalty.
- 6.4 Pursuant to section 68 (6) the maximum amount of a FPN is £100. It is recommended that this amount is set with the lower amount of £50 for early payment.
- 6.5 Further provisions as to the requirements of a FPN are provided for by section 68 (3) to section 68 (11).

7.0 Enforcement

- 7.1 In accordance with the Council’s Enforcement Policy, the Regulators Code enforcement of the Order will usually be by way of a graduated approach. The circumstances of those to whom the Order is most likely to apply and as such those who may be most likely to breach the Order will be taken into consideration by enforcement officers. It is recognised that the Order may impact upon the homeless (be they genuine or otherwise), and others who may have mental health, substance and/ or alcohol misuse problems. The financial position of such individuals may impact upon their ability to pay Fixed Penalty Notices or, in the event of conviction, a fine imposed by the court. In the event of non-payment of a FPN, or as a result of multiple breaches of the Order, it may also be difficult to serve a summons by way of which to secure attendance at court for the purposes of prosecution. As such, the issuing of a FPN or instituting a prosecution will be measures of last resort when

attempts to ensure compliance with the Order through less formal means have repeatedly failed.

8.0 Authorised Officers

8.1 Enforcement of the Order will fall to both the Council and the police. It is recommended that the Public Protection Manager is given delegated authority to take all necessary steps to enforce the PSPO including the authorisation of individual officers to issue FPNs. FPNs issued or prosecutions brought in the absence of the requisite delegated authority are likely to be determined invalid.

9.0 Challenging the Order

9.1 Section 66 of the Act provides for an “interested person” to apply to the High Court to question the validity of the Order. An “interested person” is defined as an individual who lives in the restricted area or who regularly works in or visits the area.

9.2 An application to challenge the validity of the Order must be made to the High Court within the period of 6 weeks beginning with the date on which the Order (or a variation to the Order) is made. A challenge may only be made on the following grounds:-

- I. That the local authority did not have the power to make the Order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
- II. That a requirement under the Act was not complied with in the making or variation of the Order.

10.0 Consultation

10.1 It was agreed to use a social survey, when something is surveyed, it is ‘viewed comprehensively and in detail’. The survey which was open for 5 weeks from 18th July 2016 enabled wide coverage and the ability to take in the views of all those directly impacted upon by the issues covered by the Public Space Protection Order (PSPO). The detailed methodology can be found at Appendix 3a with the detailed results of the survey found at Appendix 3b

11.0 Timescale

11.1 If the Executive approve the proposal, the Order will need to be published on the Council’s website and by way of signage in a prominent place on the curtilage of the proposed prohibited zone.

12.0 Conclusion and Reasons for Recommendations

- 12.1 The evidence from the consultation supports the proposal for making the PSPO as laid out in Appendix 1. The full response to the consultation can be found in Annex 3b.
- 12.2 The key findings were:
- 95% of those responding had witnessed begging in the Town Centre
 - Of those, 83% believed it had become worse with 84% supporting a PSPO
 - 75% had witnessed rough sleeping
 - Of those, 78% thought it had become worse with 79% supporting a PSPO
 - 85% witnessed ASB associated with alcohol
 - Of those, 79% thought it had become worse with 90% supporting a PSPO
- 12.3 A total of 1,977 letters were sent out to residents of the Town and businesses to enable an electronic return or hard copy. In addition to this, the survey was posted on the Council's web site and social media. 378 responses were recorded on Survey Monkey
- 12.4 The inclusion of the Fixed Penalty Notice provisions is in line with the Council's Enforcement Policy and the Regulators Code. A Fixed Penalty Notice provides for an additional sanction as part of a stepped approach to enforcement and is a proportionate, cost effective means of seeking to ensure compliance with the Order.

13.0 Alternative Options and Reasons for Rejection

- 13.1 The following alternative option has been identified and rejected for the reasons as set out below.

Option 1: Not to confirm the PSPO which will mean that without a PSPO, the local authority will continue to work with the police, within current legislation.

- 13.2 Reasons for rejection

The current legislation dates to the 1824 Vagrancy Act, and is only enforceable by a police officer. The Council does not have any authority to prosecute begging, or enforce drink related disorderly behaviour. With regard to drinking, this report has previously alluded to the fact that a drink banning order is limited to irresponsible drinking only. As it is not a ban the police will only react to problematic or disorderly drinkers. In choosing to continue within current legislation, this will be a missed opportunity to address what appears to be an escalating activity

14.0 Implications

Financial and Resource Implications

- 14.1 There will be some associated costs, if adopted, appropriate signage will be required. The costs for signage would be minimal.

- 14.2 Following enforcement of the proposal, there may be associated costs with subsequent court file procedures and court attendance. However the options to ask people to a) stop what they are doing or b) remove themselves from the area are options that should reduce the number of punitive actions taken.

With regard to challenges in the higher courts, as yet it appears there have been none.

All of the above costs, if incurred, would be met out of existing budgets.

Comments checked by: Kelly Wheeler, Principal Accountant, 01327 322230, kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 14.3 A PSPO must comply with the requirements of section 59 – section 75 (Chapter 2) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act). Non-compliance with relevant sections of the Act may lead to the validity of the Order being challenged in the High Court pursuant to section 66 of the Act. Upon an application to challenge the Order, the High Court may suspend the operation of the Order or any of the prohibitions or requirements therein until such time as the proceedings have been determined. If the challenge is successful, the High Court may quash the Order or any of the prohibitions or requirements therein.
- 14.4 If the Order is approved, the delegated authority of the Public Protection Manager must include authority to enforce the provisions of the Act so that she can then authorise individual enforcement officer accordingly by sub-delegation. This would include authority to issue FPNs.
- 14.5 If authority to enforce the Act, and thereby issue a Fixed Penalty Notice is not delegated correctly, any enforcement action and/ or Fixed Penalty Notice issued are likely to be determined as invalid if challenged.
- 14.6 Section 60 of the Act provides that the Order may not have effect for a period of more than 3 years, and that the Order may be extended before expiry for a period of no more than 3 years.
- 14.7 Section 61 of the Act provides for the Order to varied and/ or discharged.
- 14.8 The extension, variation and discharge of the Order must comply with requirements of the Act.
- 14.9 If the Order is approved, it must be published in accordance with the requirements of the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Order) Regulations 2014.

Comments checked by: Matt Marsh, Solicitor, 01295 221691, matt.marsh@cherwellandsouthnorthants.gov.uk

Risk

- 14.10 Risk to Organisational reputation

There is a risk that challenge from organisations that support human rights may challenge the proposal within this document. In mitigation to such a challenge, the proposal is based on factual evidence from Thames Valley Police, Council reports of ASB, physical evidence from community wardens and social media monitoring. In carrying out a fair and equitable consultation and the results of that consultation in this document allows the Executive to make an informed decision on the further progress of this proposal.

14.11 Risk to increased legal activity in enforcing the Order.

There is a potential for the order to create additional workload for Cherwell's legal team as enforcement would inevitably lead to some Court attendance. However, if adherence to the Councils enforcement policy with requiring offenders to desist or move out of the prohibited area, this could be minimal as opposed to prosecution. There will be those offenders who wish to test the agencies resolve, which may well lead to court appearances. However it would be hoped that after an initial period such behaviour if successfully prosecuted would lessen.

14.12 The risks associated with this report will be managed as part of the services operational risk register and escalated as and when necessary to the corporate risk register.

Comments checked by: Louise Tustian, Senior Performance & Improvement Officer, 01295 221786, Louise.Tustian2@cherwellandsouthnorthants.gov.uk

Equalities

14.13 Implementation of the PSPO does not impact on the Council meeting its statutory duties under the Equality Act 2010. Monitoring of this order is built into the Council Equality Action Plan which is monitored and updated quarterly. This order will affect only those that breach the order specifically, begging which is a criminal offence, rough sleeping and drinking alcohol in the prohibited area.

14.14 The Council continues to meet its statutory duty to homeless individuals and the Council will continue to support individuals who are not owed statutory accommodation through the work of the Outreach Team. An Initial Screening Equality Impact Assessment is attached as Appendix 4.

Comments checked by: Caroline French, Corporate Policy Officer, 01295 221586, caroline.french@cherwellandsouthnorthants.gov.uk.

15.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected - Banbury Cross and Neithrop

Links to Corporate Plan and Policy Framework

Cherwell: safe, green, clean: Work with partners to help ensure the District remains a low crime area, reducing fear of crime, tackling anti- social behaviour and focusing on safeguarding our residents and businesses.

Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

Document Information

Appendix No	Title
Appendix 1	Order
Appendix 2	Map
Appendix 3a and 3b	Survey and results
Appendix 4	Equalities Impact Assessment
Appendix 5	Relevant sections of the Act in detail
Background Papers	
None	
Report Author	Mike Grant, Safer Communities Manager
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CHERWELL DISTRICT COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

Cherwell District Council being satisfied on reasonable grounds that the below detailed activities are carried on in a public space, namely, Banbury Town Centre, outlined red on the attached map ("the Restricted Area"), and that those activities:-

- Have had a detrimental effect on the quality of life of those in the locality
- Are of a persistent or continuing nature such as to make the activities unreasonable
- Justify the restrictions imposed by this Order

HEREBY MAKES the following Order:

1. CONSUMING ALCOHOL

- No person shall consume alcohol or have in their possession an open container of alcohol in the open air within the Restricted Area.

Where a constable or authorised person reasonably believes that you are or have been consuming alcohol, or intend to consume alcohol in breach of this Order a constable or authorised person may require you:-

- Not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol

The constable or authorised officer may dispose of anything surrendered in whatever way he or she thinks appropriate.

2. BEGGING

No person shall beg in the Restricted Area.

3. SLEEPING ROUGH

No person shall sleep rough in the Restricted Area. For the purpose of this Order sleeping rough is defined as sleeping in the open air or in/ under a temporary structure.

PENALTIES

Any person who without reasonable excuse consumes alcohol in breach of this Order or fails to surrender alcohol to a constable or authorised person in breach of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding £500.

Subject to the above, any person who without reasonable excuse carries on an activity which is prohibited by this Order or fails to comply with a requirement of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding £1000.

FIXED PENALTY NOTICE

A constable or authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to this Order. You will have 14 days to pay the fixed penalty of £100.00p. If you pay the fixed penalty within the 14 days you will not be prosecuted. If the fine is paid within 7 days the amount is reduced to £50.00p

THE PERIOD FOR WHICH THIS ORDER HAS EFFECT

The Order will take effect from 1 December 2016 until 31 November 2019

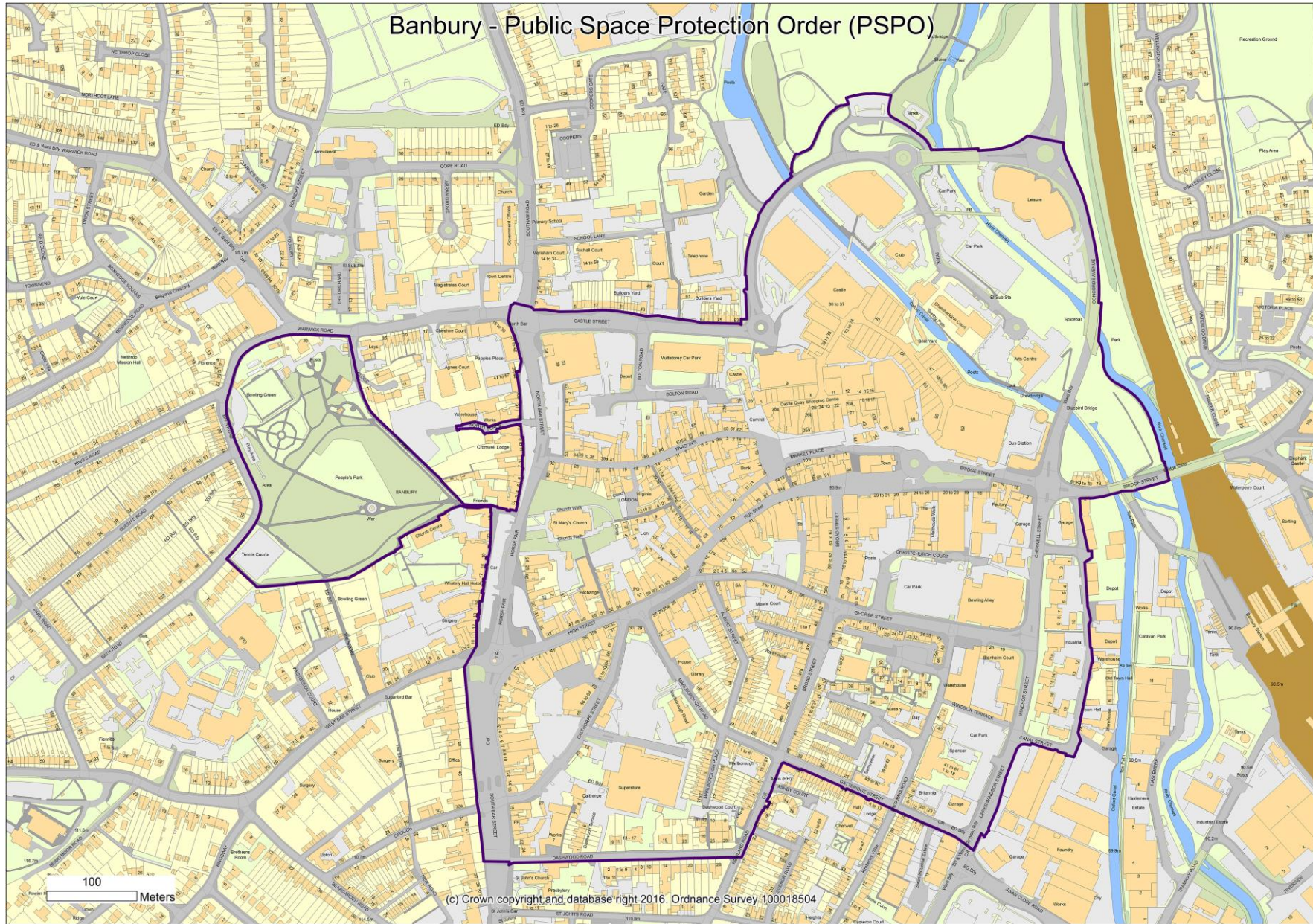
Dated.....

The Common Seal of
Cherwell District Council
was affixed in the presence of

.....

Head of Law and Governance

Banbury - Public Space Protection Order (PSPO)



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Strategy for Consultation

It was agreed to use a social survey, when something is surveyed, it is 'viewed comprehensively and in detail'. The survey enabled wide coverage and the ability to take in the views of all those directly impacted upon by the issues covered by the Public Space Protection Order (PSPO).

The survey was sent out as a web-based questionnaire where the questionnaire is a web page located on an Internet site waiting for people who visit the site to complete it. The address of the web-link was contained in a letter addressed to the business or resident. The letter set out the reasons for seeking the PSPO and the timescales; it also set out the option of receiving a postal survey.

Circulation Sample:

- All those affected directly by the Order; residential and business property owners were approached to complete survey questions. A total of 1977 letters was sent out.
- The survey was added as a live link on the CDC website; this will be promoted on the CDC site and the Thames Valley Police Communications team were informed.

Question topic:

Focused on issues of:

- Begging
- Sleeping on the streets (rough sleeping)
- Street Drinking

Each issue then was considered in turn, if the respondent answered 'no' to the first topic question (for each issue)(Yes/No/Don't Know) they would be atomically directed to the question on should the PSPO be sought by the Council. This removes pressure to consider questions that they have indicated are Not an issue for them.

Each question gives the option of answering 'don't know'.

Specific Issue Questions:

Issue Question: Have you seen Begging in Banbury Town Centre in the last 12 months?

- Yes
- No
- Don't know

Impact Question: Have you been detrimentally affected by this issue in Banbury Town Centre in the last 12 months, in any of the follow areas of your life? (tick all that apply)

- Economically (your business/work)
- Socially
- Personally
- Environmentally
- Legally

- None of the above
- Other (please specify)

Perception Question: Has the issue got better or worse in Banbury Town Centre in the last 12 months?

Approval Question: Should Cherwell District Council seek to prohibit this activity through a Town Centre Public Spaces Protection Order?

- Yes
- No
- Don't know

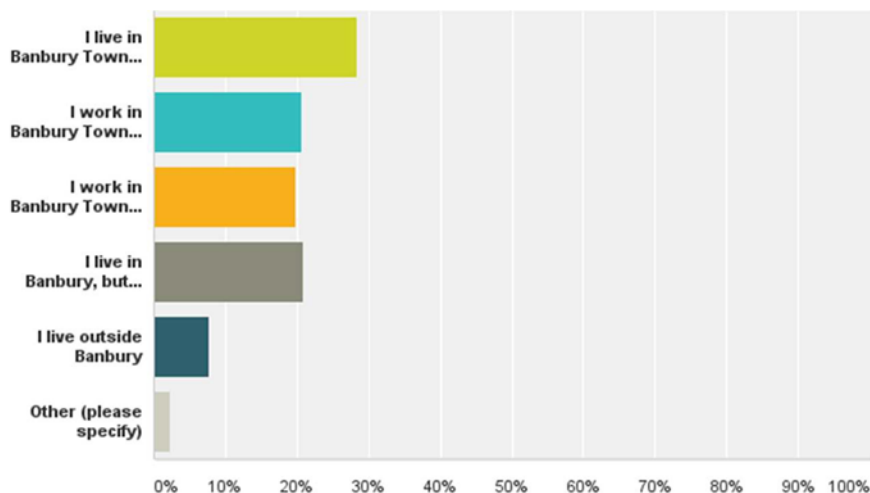
The results of the survey are as follows:

The detailed results of the survey can be found at Appendix 3b

Responses from the PSPO survey

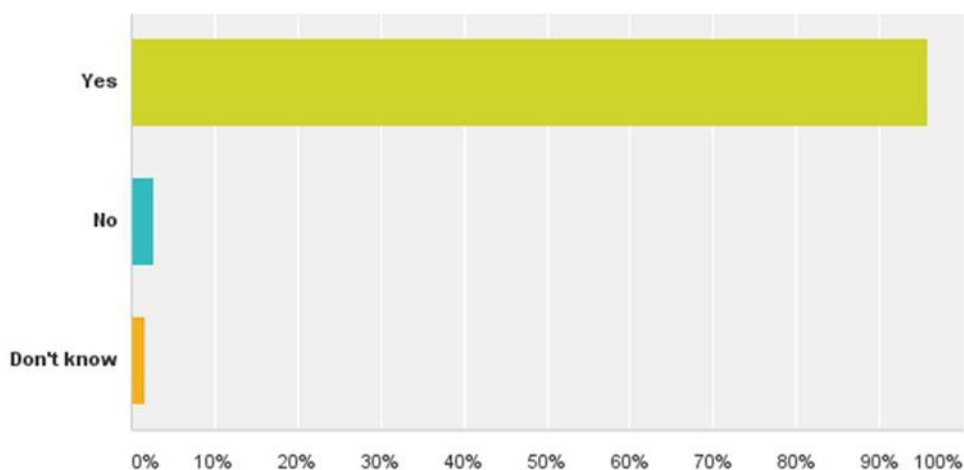
Survey was open between 18th July and 15th August 2016, online via Survey Monkey
 There were 378 responses (356 completed survey)

Q1: Please tell us where you live?



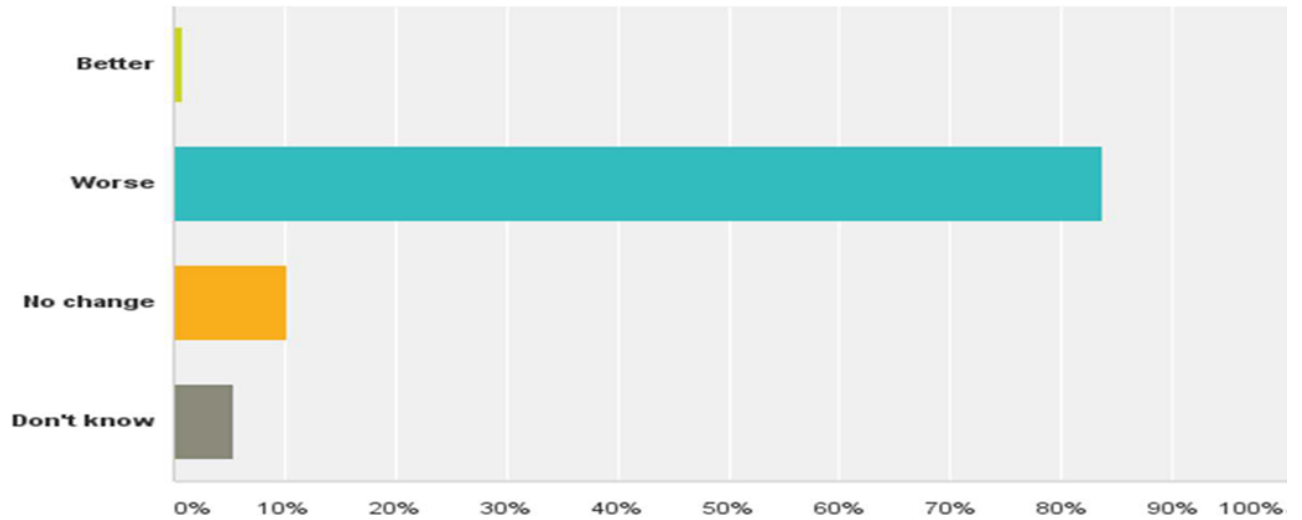
Answer Choices	Responses
I live in Banbury Town Centre	28.38% 107
I work in Banbury Town Centre, but live in Banbury	20.69% 78
I work in Banbury Town Centre, but live outside Banbury	19.89% 75
I live in Banbury, but not the Town Centre	20.95% 79
I live outside Banbury	7.69% 29
Other (please specify)	2.39% 9
Total	377

Q2: Have you seen people begging in Banbury Town Centre in the last 12 months?



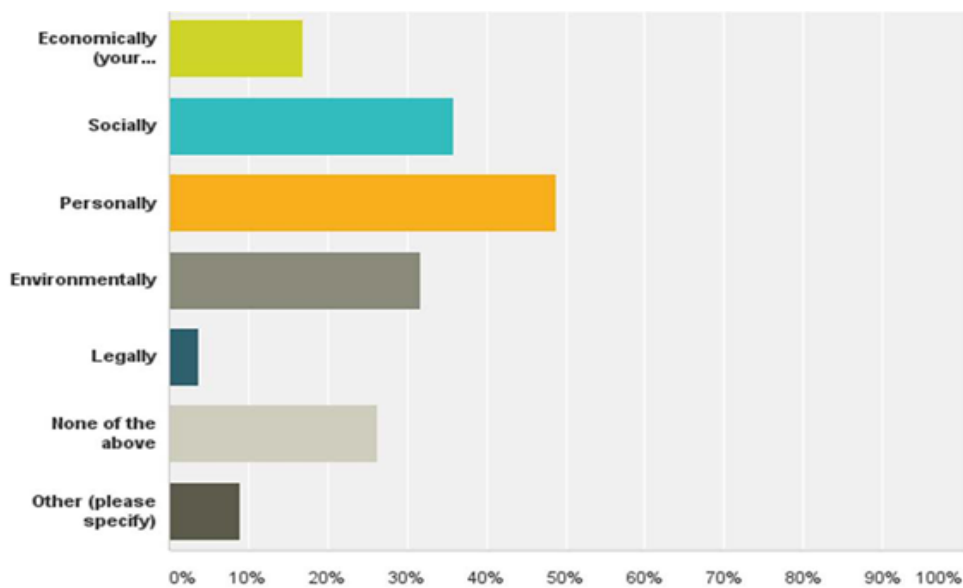
Answer Choices	Responses	
Yes	95.73%	359
No	2.67%	10
Don't know	1.60%	6
Total		375

Q3: Has this got better or worse in Banbury Town Centre in the last 12 months?



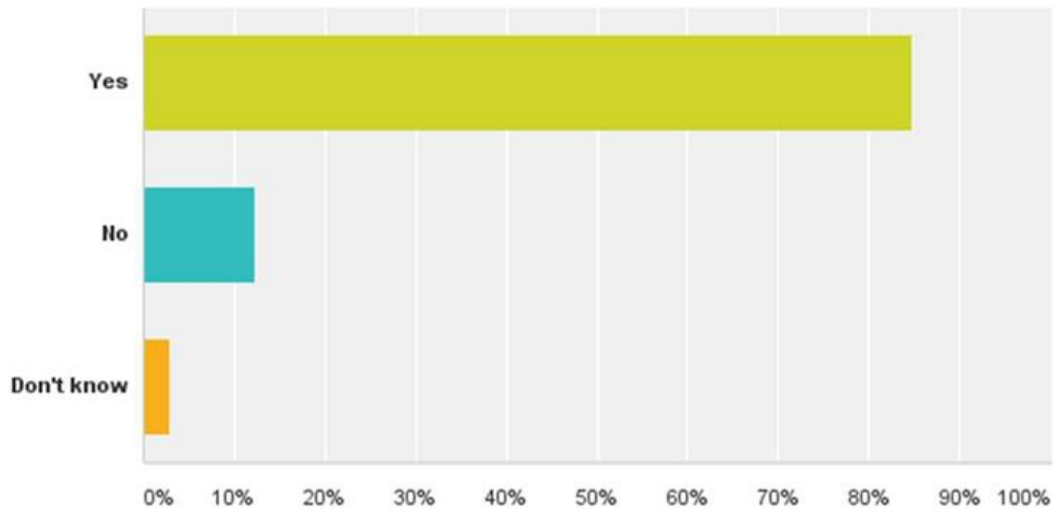
Answer Choices	Responses	
Better	0.85%	3
Worse	83.66%	297
No change	10.14%	36
Don't know	5.35%	19
Total		355

4: Have you been detrimentally affected by this issue in Banbury Town Centre in the last 12 months, in any of the follow areas of your life? (tick all that apply)



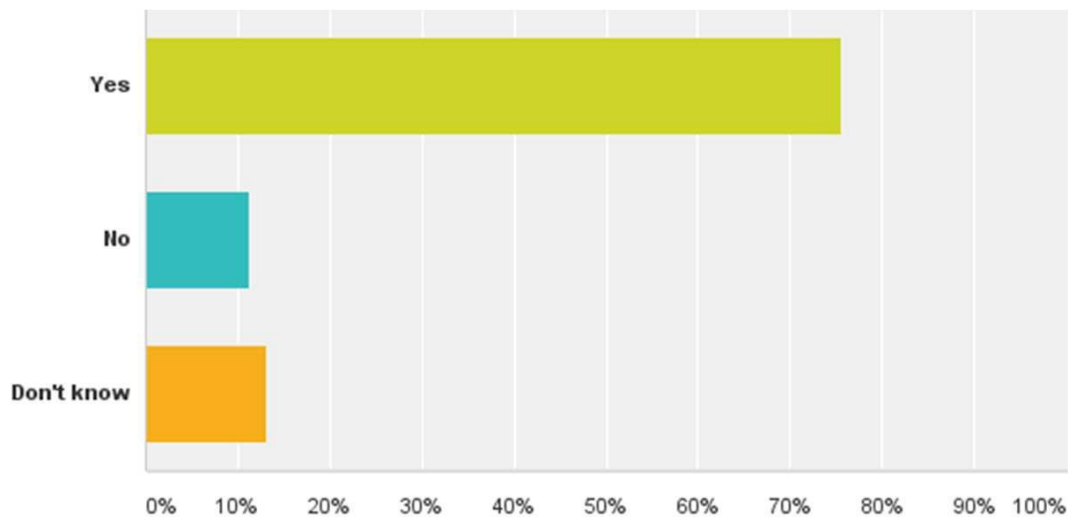
Answer Choices	Responses
Economically (your business/work)	16.95% 60
Socially	35.88% 127
Personally	48.87% 173
Environmentally	31.64% 112
Legally	3.67% 13
None of the above	26.27% 93
Other (please specify)	9.04% 32
Total Respondents: 354	

Q5: Should Cherwell District Council seek to prohibit this activity through a Town Centre Public Spaces Protection Order?



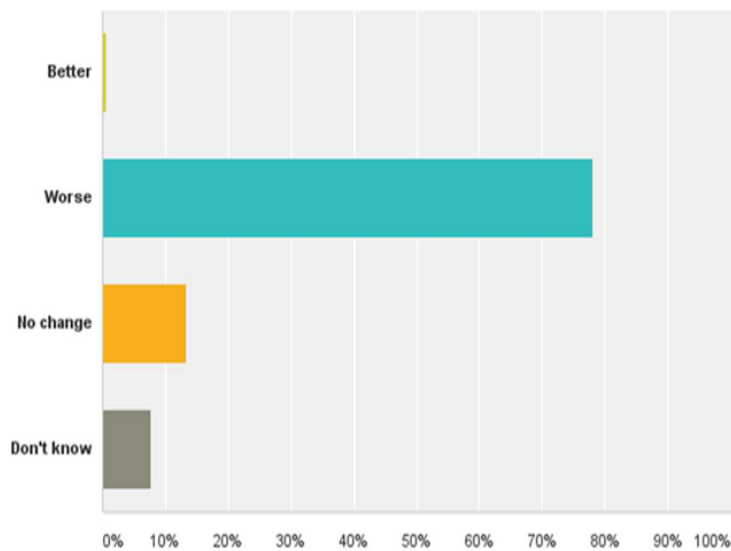
Answer Choices	Responses
Yes	84.68% 315
No	12.37% 46
Don't know	2.96% 11
Total	372

Q6: Sleeping on the Streets - have you seen this issue in Banbury Town Centre in the last 12 months?



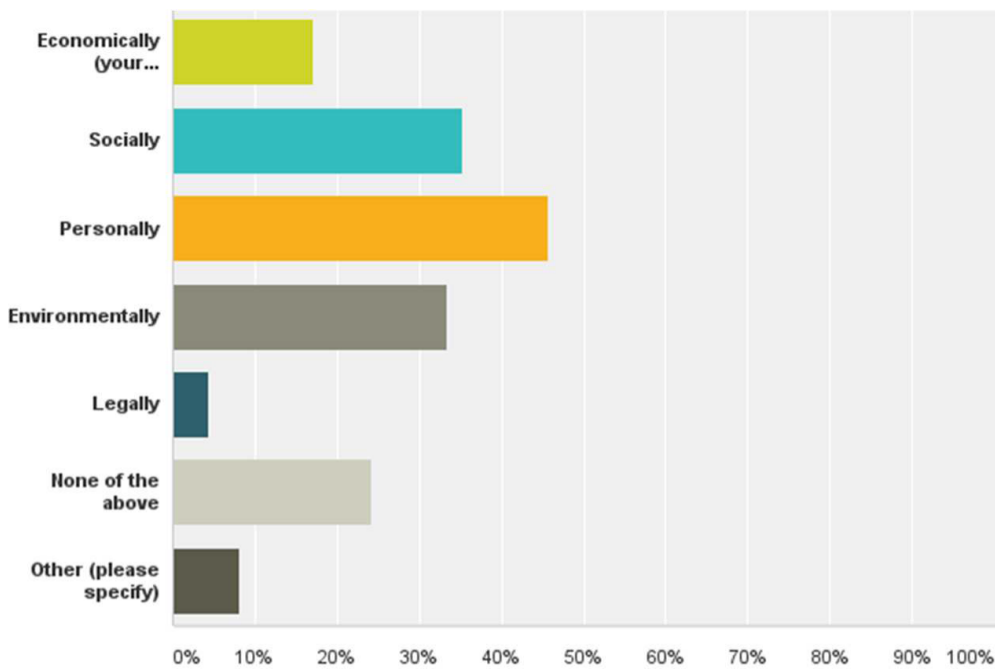
Answer Choices	Responses
Yes	75.62% 276
No	11.23% 41
Don't know	13.15% 48
Total	365

Q7: Has the issue got better or worse in Banbury Town Centre in the last 12 months?



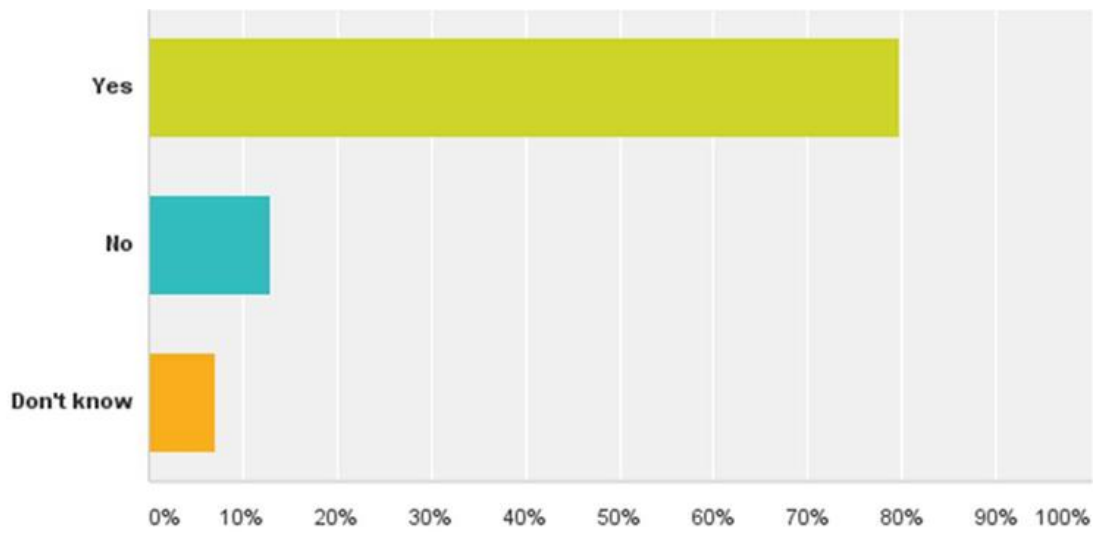
Answer Choices	Responses
Better	0.73% 2
Worse	78.18% 215
No change	13.45% 37
Don't know	7.64% 21
Total	275

Q8: Have you been detrimentally affected by this issue in Banbury Town Centre in the last 12 months, in any of the follow areas of your life? (tick all that apply)



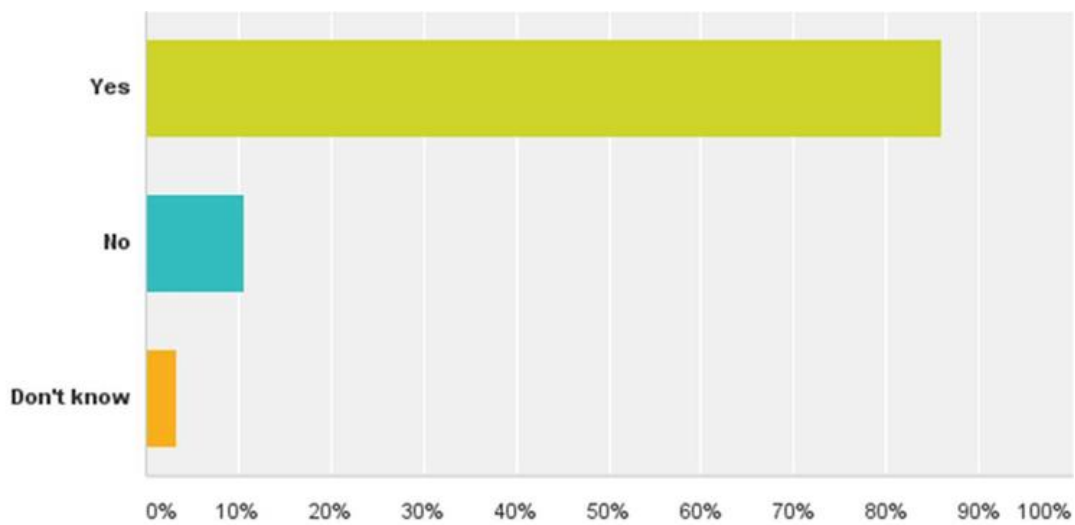
Answer Choices	Responses
Economically (your business/work)	17.10% 46
Socially	35.32% 95
Personally	45.72% 123
Environmentally	33.46% 90
Legally	4.46% 12
None of the above	24.16% 65
Other (please specify)	8.18% 22
Total Respondents: 269	

Q9: Should Cherwell District Council seek to prohibit this activity through a Town Centre Public Spaces Protection Order?



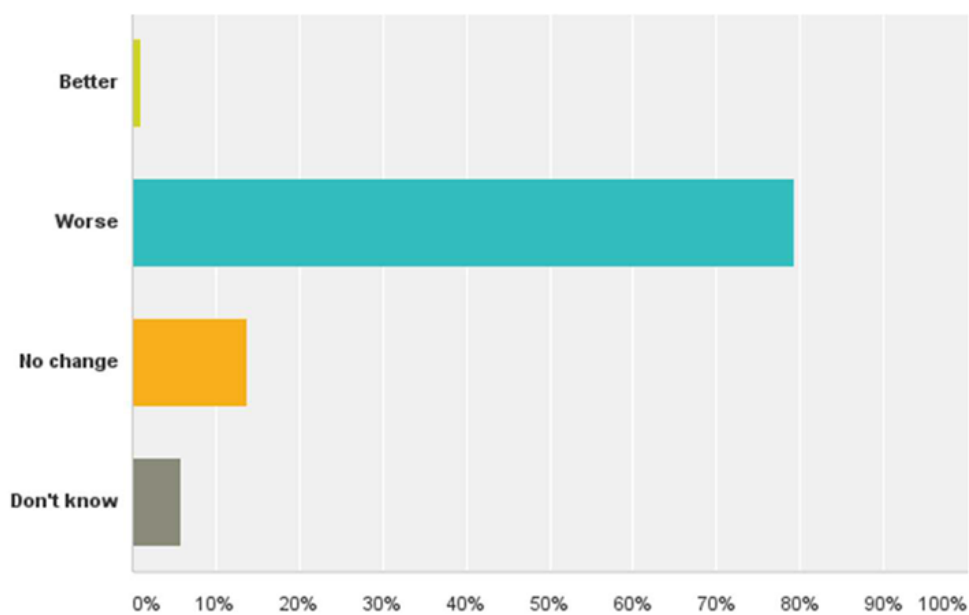
Answer Choices	Responses
Yes	79.83% 289
No	12.98% 47
Don't know	7.18% 26
Total	362

Q10: Have you seen anti-social behaviour associated with alcohol consumption in Banbury Town Centre in the last 12 months?



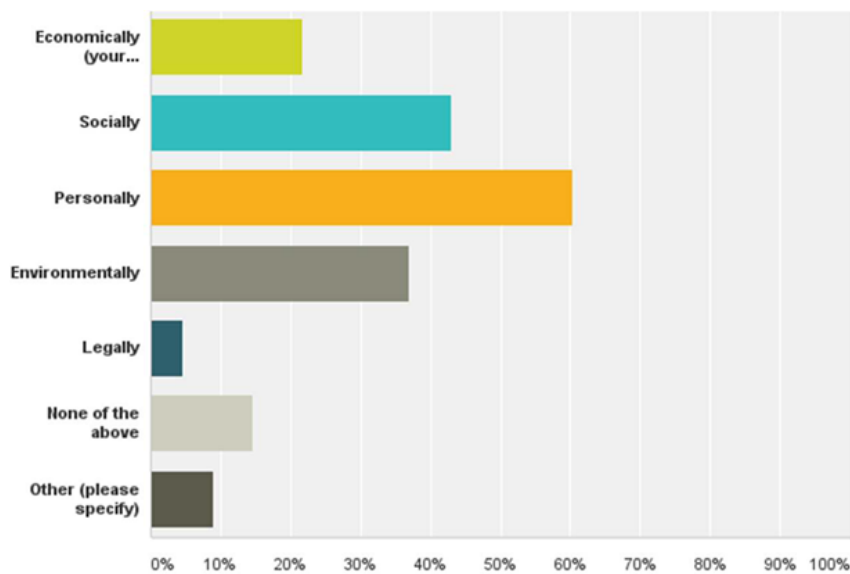
Answer Choices	Responses	Count
Yes	85.99%	307
No	10.64%	38
Don't know	3.36%	12
Total		357

Q11: Has the issue got better or worse in Banbury Town Centre in the last 12 months?



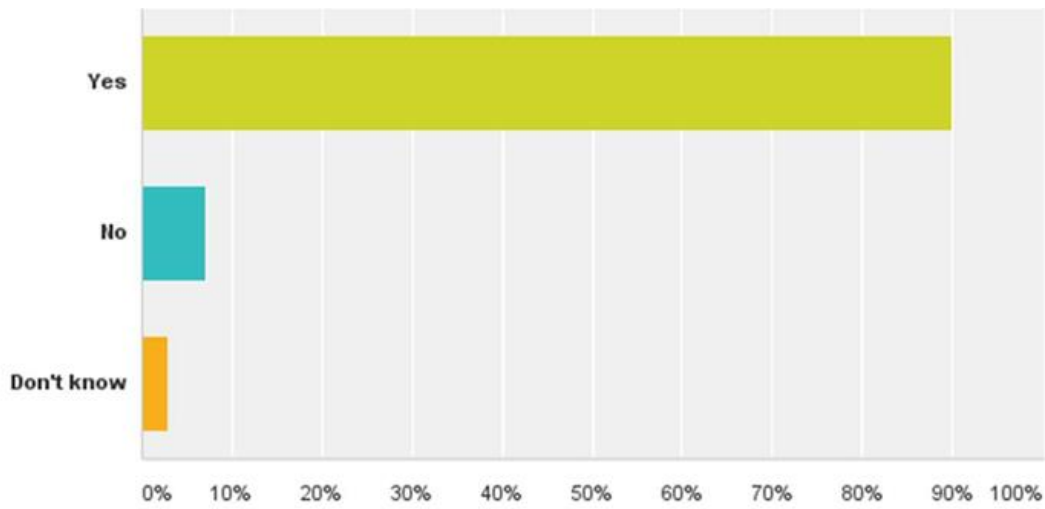
Answer Choices	Responses
Better	0.98% 3
Worse	79.41% 243
No change	13.73% 42
Don't know	5.88% 18
Total	306

Q12: Have you been detrimentally affected by this issue in Banbury Town Centre in the last 12 months, in any of the follow areas of your life? (tick all that apply)



Answer Choices	Responses
Economically (your business/work)	21.78% 66
Socially	42.90% 130
Personally	60.40% 183
Environmentally	36.96% 112
Legally	4.62% 14
None of the above	14.52% 44
Other (please specify)	8.91% 27
Total Respondents: 303	

Q13: Should Cherwell District Council seek to prohibit this activity through a Town Centre Public Spaces Protection Order?



Answer Choices	Responses	Count
Yes	90.03%	316
No	7.12%	25
Don't know	2.85%	10
Total		351



EQUALITY IMPACT ASSESSMENT

Banbury Town centre Public Spaces Protection Order (PSPO)

Executive - November 2016

Equality Impact Assessments

CONTENTS

APPENDIX 1 STAGE 1	INITIAL SCREENING DETAILS.....	3
STAGE 1 INITIAL	SCREENING ASSESSMENT.....	4
STAGE 1 NARRATIVE	QUESTION NARRATIVE.....	5

Equality Impact Assessment

APPENDIX 1 STAGE 1 - INITIAL SCREENING DETAILS ASSESSING POLICIES AND ACTIVITIES - GUIDANCE FOR STAFF

Notes:

1. As a result of this exercise, you will have checked that your policy or activity does not have adverse impact on equality groups and you will have identified relevant action that you need to take, and the likely costs/resources associated with any improvement. The equality groups covered are at present: Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Age & Marriage or Civil Partnership.

Note. This is not simply a paper exercise - it is designed to make sure that your policy or activity is delivered fairly and effectively to all sections of our local community.

2. Please note that the Council is required to publish the results of these assessments, and updates, therefore **your completed Appendices may be public documents.**

3. Appendix 1 questionnaire (**to be completed for each relevant Strategy, Policy or Service Development**) is for use regardless of whether your policy or activity is aimed at external customers or internal staff.

Please tick/delete as appropriate: Is this EIA for a,

Strategy	<input type="checkbox"/>	New/Existing	<input type="checkbox"/>
Policy	<input checked="" type="checkbox"/>	New	<input checked="" type="checkbox"/>
Service Development	<input type="checkbox"/>	New/Existing	<input type="checkbox"/>

Name of Strategy, Policy or Service Development: Banbury Town centre Public Spaces Protection Order (PSPO)

AIMS, OBJECTIVES & PURPOSE OF THE POLICY OR ACTIVITY:

To propose the making of a Public Space Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

PLEASE LIST THE MAIN STAKEHOLDERS/BENEFICIARIES IN TERMS OF THE RECIPIENTS OF THE ACTIVITY OR THE TARGET GROUP AT WHOM THE POLICY IS AIMED:

The Banbury Town Centre community, including those who work and visit the town.

IF THE ACTIVITY IS PROVIDED BY ANOTHER DEPARTMENT, ORGANISATION, PARTNERSHIP OR AGENCY ON BEHALF OF THE AUTHORITY, PLEASE GIVE THE NAMES OF THESE ORGANISATIONS/AGENCIES:

Cherwell District Council and Thames Valley Police

LEAD OFFICER: Mike Grant
SERVICE AREA: Safer Communities
ASSESSMENT DATE: 31/08/2016

TEL: 01295 227989
DIRECTORATE: Public Protection
ASSESSMENT REVIEW DATE: 31/08/2017

Equality Impact Assessment

STAGE 1 – INITIAL SCREENING ASSESSMENT

Q	Screening Questions	Y/N
1.	Does the policy or activity knowingly prevent us in anyway from meeting our statutory equality duties under the 2010 Equality Act?	N
2	Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	N
3	Is there any evidence that information about the policy or activity is not accessible to any equality groups?	N
4	Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	N
5	Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	N
6	Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	N
7	This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	N
8	Will there be a negative impact on any equality groups? If so please provide brief details below.	
	Equality Impact: Evidence:	
	Disability	N
	Gender Reassignment	N
	Pregnancy & Maternity	N
	Race	N
	Religion or Belief	N
	Sex	N
	Sexual Orientation	N
	Age	N
	Marriage & Civil Partnership	N
9	Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so please explain.	N
10	There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with: Public Consultation	N
11	Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	N
12	The Council has not paid due regard to rights of the freedom of expression and assembly as per the Human Rights Act.	N

Equality Impact Assessment

Please detail below your evidence which has determined whether you have answered either Yes or No to the initial screening questions.

Screening Questions	Screening Narrative
Does the policy or activity knowingly prevent us in anyway from meeting our statutory equality duties under the 2010 Equality Act?	No, implementation of the PSPO does not impact on the Council meeting its statutory duties under the Equality Act 2010. Monitoring of this order is built into the Council Equality Action Plan which is updated quarterly. The PSPO supports the Councils Regulatory Enforcement policy.
Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	<p>This order will affect only those that breach the order specifically, begging which is a criminal offence, rough sleeping and drinking alcohol in the prohibited area.</p> <p>This order is pertinent to the community as a whole, no specific groups are affected.</p> <p>With regard to rough sleeping and homelessness individuals have the legal right to make a formal homeless application so the local authority can assess what if any statutory duties may be owed to them. Only those who are deemed to be in 'priority need' as defined by the legislation are owed statutory emergency accommodation duties.</p> <p>For those who are not owed statutory accommodation duties the authority there is emergency provision via the Oxfordshire Homeless Pathway. Preference for access to the pathway is for those who are verified as rough sleeping and in order to comply with this Cherwell fund an Outreach Team who responds to any reports of rough sleepers. Once someone is verified they are advised of their options and the appropriate referrals are made.</p> <p>The Outreach Team also keep track of 'entrenched' rough sleepers who may previously have refused offers to enter services. Should these individuals change their minds referrals can then be made quickly?</p>
Is there any evidence that information about the policy or activity is not accessible to any equality groups?	The order will be communicated via the Cherwell District Council website and social media sites, local press, Thames Valley Police website, on street signage and physical officer presence.
Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	No, no formal complaints regarding the potential PSPO have been received.
Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	No, no recommendations regarding the potential PSPO have been received.
Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	No, the PSPO if implemented will provide the Police and the Council with the opportunity to tackle anti-social behaviour and criminality in the day and night time economies.
This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	All services within the council have been consulted. It is anticipated that the bulk of the enforcement will fall upon the local police and the Safer Communities team.
Will there be a negative impact on any equality groups?	This order will not affect those who fall within the Protected Characteristics identified within the Equality Act 2010 unless the breach the PSPO.
Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so please	No, this order will not affect those who fall within the Protected Characteristics identified within the Equality Act 2010 unless the breach the PSPO. The results of

explain.	the public consultation indicate a greater than 90% support for the order.
There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:	The council has conducted a wide public consultation for a period of 5 weeks including those who work, reside and visit the Banbury Town Centre. The consultation has also included the Police and Crime Commissioner via Thames Valley Police and the Local Diocese. The Cherwell Local Strategic Partnership made up of the public, private, voluntary, faith, community and the Town Council were invited to communicate the consultation and comment.
Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	No, the lead officer from the outset formed a working panel to discuss and inform the construction of the proposed order seeking advice from key professionals including legal, consultation, equalities, housing needs, safeguarding , community engagement and Thames Valley Police.
The Council has not paid due regard to the rights of the freedom of expression and assembly as per the Human Rights Act.	Those who wish to express their opinions in a public forum or assemble for a lawful protest will not be affected by this order.

Declaration

I am satisfied that an initial screening has been carried out on this policy or activity and an In Depth (Full) Equality Impact Assessment is not required. I understand that the EIA is required by the Council and take responsibility for the completion and quality of this assessment.

Completed by: **Mike Grant**
Countersigned by Head of Service:

Date: **31/8/2016**
Date: **11/10/2016**

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The relevant sections of the Act in detail

- 3.1 Public Spaces Protection Orders (PSPOs) are intended to provide the means of preventing individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable.
- 3.2 PSPOs also create a framework that either replaces or updates existing public space restrictions such as alcohol Designated Public Place Orders and Dog Control Orders and permits local authorities to introduce new regulations. The power to make an Order rests with local authorities, in consultation with the police and other relevant bodies who may be affected.
- 3.3 A local authority can make a PSPO in respect of any public space within its administrative boundary. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 3.4 A PSPO can be in force for any period up to a maximum of three years.
- 3.5 Appeals against a draft PSPO can be made in the High Court within six weeks of issue by anyone who lives in, or regularly works in or visits the area. Further appeal can be made if a PSPO is varied by a local authority.
- 3.6 Section 59 of the Act sets out the basis on which local authorities may make a PSPO. It provides as follows –
 - (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
 - (2) The first condition is that:
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
 - (3) The second condition is that the effect, or likely effect, of the activities:
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
 - (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) (“the restricted area”) and
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) does both of those things.

- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order:
 - (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence

- (6) A prohibition or requirement may be framed:
 - (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
 - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
 - (c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

- (7) A public spaces protection order must:
 - (a) identify the activities referred to in subsection (2);
 - (b) explain the effect of section 63 (where it applies) and section 67;
 - (c) specify the period for which the order has effect.

3.7 A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

3.8 The restrictions and requirements included in a PSPO may be comprehensive or targeted on specific behaviours by particular groups and/or at specified times.

3.9 Orders can be enforced by a police officer, a police community support officer, designated council officers and employees of other delegated organisations. The council's enforcement policy throughout describes the council's approach to enforcement stating that all cases will be addressed fairly and proportionately. For further information see link below:

[http://www.cherwell.gov.uk/media/pdf/i/r/Enforcement_policy_\(final\).pdf](http://www.cherwell.gov.uk/media/pdf/i/r/Enforcement_policy_(final).pdf)

3.10 The policy is available on the council's website.

3.11 Subject to the above a Breach of the PSPO can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, a level 3 fine of up to £1000 on conviction, or £500 upon conviction for consuming alcohol in breach of the Order.

3.12 In establishing a PSPO, appropriate signage must be displayed in accordance with the requirements of the Act.

3.13 The Council is also bound by the terms of the Human Rights Act 1998 and must not act in a way which is incompatible with a Convention right. Human rights are enforced through existing rights of review and may therefore be taken as points in any challenge to the validity of any Order made by the Authority.

3.14 If Convention rights are engaged (as they are with the making of a PSPO) any interference with them must be:

- (a) In accordance with the law (in other words the Executive must be satisfied that the statutory conditions in S59 set out above are satisfied)
- (b) In pursuit of a legitimate aim (in this instance the control of activities which, if not controlled, would have a detrimental effect on the quality of life of those in the locality) and
- (c) A proportionate means of achieving the legitimate aim.

3.15 The two issues which must therefore be addressed for every proposed restriction in the PSPO are whether the statutory criteria are met and whether the restrictions proposed are proportionate having regard to the legitimate aim of preserving the quality of life for everyone who lives or works in or who visits the Town centre.

3.16 The Executive must also have regard to the public sector equality duty at s149 of the Equality Act 2010, which is as follows:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- (2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in (1) above.
- (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

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Cherwell District Council

Executive

7 November 2016

Joint Anti-Social Behaviour Policy

Report of Public Protection Manager

This report is public

Purpose of report

To consider a draft Joint Anti-social Behaviour Policy, for Cherwell District Council and South Northamptonshire Council subject to public and stakeholder consultation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the draft Joint Anti-social Behaviour Policy (Appendix 1).
- 1.2 To delegate authority to the Public Protection Manager to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.
- 1.3 To delegate authority to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.

2.0 Introduction

- 2.1 In April 2014, the Anti-social Behaviour, Crime and Policing Act 2014 came into force. The new Act did not replace any of the previous Anti-social Behaviour Acts in their entirety but amended and updated them. Several powers from existing legislation were renamed and it introduced new concepts such as the 'Community trigger' referred to later in the Policy.

3.0 Report Details

- 3.1 The current policies as detailed on the CDC and SNC websites need updating as they do not reflect current legislation or practice. In particular, some sections of The Anti-social Behaviour, Crime and Policing Act 2014 Act require policies and procedures to be published on council websites. Therefore, it is timely that we review our policies to publish accurate information for our communities.

- 3.2 In April 2016, a new shared Public Protection Service with South Northamptonshire Council was formed including a new shared Safer Communities Team. The draft policy seeks to set out a common approach for dealing with anti-social behaviour for each local authority, so that a proportionate and consistent service is delivered in the communities of both councils. In developing the policy, regard has been given to the Regulators Code and the joint corporate Enforcement Policy.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is recommended that the joint draft Cherwell and South Northamptonshire Council Anti-Social Behaviour Policy is approved.
- 4.2 Delegated authority to the Public Protection Manager is also recommended to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.
- 4.3 In order to implement, it is proposed to delegate authority to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.

5.0 Consultation

It is proposed to publish the draft proposal if approved, on both the CDC and SNC web sites for a period of four weeks. In addition to this, consultation with all relevant statutory partners will be undertaken.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The only alternative is to reject the proposal and retain two individual updated policies, one for each Council.
- 6.2 Rejecting the new shared policy will require separate updated policies for each Council so that both Councils carry out regulatory activities in a way which is accountable, consistent, fair, proportional and transparent.

7.0 Implications

Financial and Resource Implications

- 7.1 Other than staff resource being appropriate to the threat and risk in each area, little or no financial impact is anticipated.

Comments checked by:

Kelly Wheeler, Principal Accountant, Tel: 01327 322230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 There are no specific legal implications

Comments checked by:

Matt Marsh, Solicitor, Tel: 01295 221691,
matt.marsh@cherwellandsouthnorthants.gov.uk

Risk Implications

7.3 The Council is required by the Act to carry out certain duties. Without a policy and guidance therein the Council could be vulnerable to complaints of failure to deliver the statutory obligations in the relevant Act.

7.4 As the services are shared it is highly beneficial that the Councils have the same policy to deal with any complaints of anti-social behaviour in a fair and equitable manner. All risks will be managed as per the operational risk register and escalated to the corporate risk register as and when necessary.

Comments checked by:

Louise Tustian, Senior Performance & Improvement Officer, 01295 221786,
Louise.Tustian2@cherwellandsouthnorthants.gov.uk

Equality Implications

7.4 An Equality Impact Assessment has been completed (Appendix 2) and no impacts have been identified.

Comments checked by:

Caroline French, Business Transformation Officer, 01295 221586,
Caroline.french@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, green, clean: Work with partners to help ensure the District remains a low crime area, reducing fear of crime, tackling anti-social behaviour and focusing on safeguarding our residents and businesses.

Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

Document Information

Appendix No	Title
Appendix 1	Draft Joint ASB policy
Appendix 2	Equality Impact Assessment
Background Papers	
None	
Report Author	Mike Grant, Safer Communities Manager
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Anti-Social Behaviour Policy

July 2016



Anti-Social Behaviour Policy

1. Introduction
2. Policy Statement
3. Policy Objectives
4. Definitions
5. Reports of Anti-social Behaviour
6. Complex Cases
7. Recording and Information Sharing
8. Implementation and Communication
9. Training and Awareness
10. Monitoring, Review and Evaluation
11. Relevant Acts
12. Our Role in protecting the environment
13. Complaints

Anti-social behaviour Policy

1. Introduction

Anti-social behaviour (ASB) is a broad ranging term encompassing an eclectic variety of situations and behaviours which can vary in complexity, seriousness and are deemed as Anti-social in nature.

The aim of this policy is to ensure that a systematic approach is taken by Cherwell District Council and South Northamptonshire Council in the reporting, recording, investigating and monitoring of all anti-social behaviour cases, to ensure that residents are able to enjoy living in their homes and communities without unreasonable interference from others.

2. Policy Statement

Cherwell District Council and South Northamptonshire Council is committed to responding effectively to any incident or report of Anti-social Behaviour, working with other “responsible authorities” – i.e. the relevant district or unitary council; the chief officer of police for the area; each clinical commissioning group wholly or partly in the local government area and social housing providers who provide social housing among the relevant bodies. There must be arrangements to co-opt social housing providers into the procedures provided for by the Act. This is achieved by working in partnership to ensure that the rights of the public are respected and their security ensured.

3. Policy Objectives

The main objectives of this policy are to ensure that:

- ❖ Incidents of Anti-social Behaviour are reported and that the public have, and are aware of, the ways in which they can report such incidents i.e. on line reporting form, telephone, email etc.
- ❖ All reports are treated in confidence and, in cases where the incident is reported by a third party we will only contact the victim if the third party has been given their express permission to contact the Council on their behalf.
- ❖ Early intervention is taken to prevent the escalation of the behaviour that is considered anti-social into behaviour of a more serious nature.
- ❖ Appropriate support is given to victims, their families and any other witnesses.
- ❖ Victims and witnesses are informed of the full range of services available from the Council and other appropriate agencies.
- ❖ All service requests of ASB are appropriately investigated and dealt with in a timely manner.
- ❖ Perpetrators and potential perpetrators of ASB are aware of the possible consequences of their actions.
- ❖ Appropriate legal action is taken where there is clear evidence against the perpetrators.

- ❖ All cases are dealt with fairly and in accordance with current Equalities Act 2010.

4. Definitions

Section 2(1) of the Anti-Social Behaviour, Crime and Policing Act (2014) defines Anti-Social Behaviour (ASB) as:

- “Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person”
- “Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises”
- “Conduct capable of causing housing-related nuisance or annoyance to any person”

“Housing-related” means “directly or indirectly relating to the housing management” of either a housing provider or local authority. The “housing management” functions of a “housing provider or local authority” include “functions conferred by or under an enactment” and “the powers and duties of the housing provider or local authority as the holder of an estate or interest in housing accommodation.

5. Reports Of Anti-social Behaviour

We will ensure that:

- Reports of anti-social behaviour will be treated seriously and dealt with professionally.
- All reports will be treated as confidential. Information will only be shared with other organisations with the complainant’s prior consent. This will be carried out taking into account data protection laws and information sharing agreements;
- That any criminal ASB reported to us is quickly passed on to the police.
- We register each report of ASB we receive onto our database and give it a unique case reference number which will be shared with the customer.
- We appoint a named officer to lead on each case.
- We fully investigate the complaint.
- We aim to contact the complainant within 2 working days of receipt of their complaint.
- We aim to complete our investigation within 8 weeks. This will depend on nature and complexity of the complaint and liaison with other organisations. We aim to update the complainant periodically as the complaint progresses.
- We continue to treat any reports or case received as ‘live’ until, in the opinion of the lead officer and the lead officer’s manager, where appropriate, the case can be closed;
- We notify the complainant when a case is closed.
- We explain our reasons, should we choose to take no further action on a report of ASB, and advise on other alternative courses of action whenever it is possible and appropriate to do this.
- When a complainant is dissatisfied with the way that we handle complaints we will respond promptly to complaints about our service and advise anyone not satisfied with the way in which their case was handled how to make a formal complaint, see Section 13.

6. Complex Cases

Anti-social behaviour (ASB) can very rarely be resolved by one organisation alone as it normally involves a combination of factors for which different agencies have jurisdiction. Complex or high risk cases of anti-social behaviour may be managed through a multi-agency approach, either at regular pre-planned meetings or if the seriousness of the matter befits then through a stand-alone multi-agency meeting.

A flexible approach to the management of the case will be adopted, in responding to the incident being alleged; the vulnerability of the victim and the seriousness of the issues being reported.

As well as responding to complaints from the general public we will also carry out proactive targeted activities either on our own or with the relevant partner agency.

Anonymous complaints will be recorded and assessed. Information will be shared with partner agencies, where appropriate, but may not be fully investigated if we do not have sufficient evidence to progress. We will also consider whether the complaint may be malicious in nature. All complainants will be assured that their details will not be revealed to the alleged perpetrators. They will however be advised that if formal action is required in the future then they may be asked to attend court.

7. Recording and Information Sharing

Reports of anti-social behaviour can be received by the Council in many ways:

- Personal visit to any Council Office.
- Telephone
- Email
- On-line reporting form
- Social media pages
- In writing
- Via other agencies

These reports can be about an individual; a group of people; a particular location; a residential property or a business.

It is likely that the complaint has been reported to more than one agency.

The Lead Officer should determine whether any other agency has received contact from the same complainant. All complaints should be recorded on a database and the unique reference number relayed to the complainant at the earliest possible opportunity.

Information Sharing Protocols are already in place between partner agencies, but consent to share complainants details must be sought from them.

In dealing with any report of ASB a risk assessment should be undertaken by the Lead Officer if one has not already been completed by a partnership agency.

The risk assessment is a series of questions aimed at establishing:

- how often the incidents are occurring
- if they are increasing in frequency

- whether or not it is directed at the person reporting or community wide
- is the alleged offender intimidating the victim or making them fear violence
- does the victim consider that they are targeting them because of race, sexuality or disability.

The risk assessment also establishes if the victim is vulnerable; the impact the behaviour is having on them and what support network is in place, if any, for the victim.

8. Implementation and Communication to our customers

We will ensure that our officers are familiar with the policy and will implement the procedures. The policy and procedure is available on Councils web sites.

We will ensure that a record of all communications are accurately logged on our databases and updated in a timely manner as the investigation progresses.

9. Training and Awareness

Regular communication, training and awareness are important to ensure that all relevant employees understand our commitment to reducing anti-social behaviour and understand their responsibilities and role in the process. It is the responsibility of managers to ensure that all Council employees are aware of their responsibilities. The Council has a Corporate Training and Development Plan to meet those training needs which are relevant to the delivery of its services.

10. Monitoring, Review and Evaluation

This policy will be monitored and reviewed annually taking into consideration legislative changes and developments in good practice, to ensure it meets the needs of members of the public and the requirements of the local authority. Any changes to the policy will be in consultation with the appropriate organisations and in line with the national enforcement policy and guidance.

11. Relevant Acts.

The Council will exercise its regulatory activities in a way which is accountable, consistent, fair, proportional and transparent.

In making these decisions we will have cognisance of the Human Rights Act 1998, the Council's Equality Policy and the Equalities Act 2010.

This Policy relates predominantly to the implementation of the Anti-social Behaviour, Crime and Policing Act 2014 and the sections therein;

Part 1: Putting victims first

Community Trigger: Relevant bodies and responsible authorities are under a statutory obligation to undertake a case review by way of the community trigger.

In order to initiate the community trigger a statutory threshold must be met, the criteria for this Council, is laid out below:

- 3 qualifying reports within the previous 6 months of trigger
- Each report must have been made within 1 month of the alleged incident
- Each reported incident must have caused harassment, alarm or distress, not nuisance or annoyance
- None of the reports can be anonymous
- The complaint cannot be about a specific organisation but the dealing of their case
- Also taken into account is the level of harm caused or potential harm caused by the behaviour and the adequacy of any previous responses

If a request for activation of a 'community trigger' is received we will respond within 2 working days and determine if the criteria are met within 7 working days. If the criteria are met the matter will be dealt within 28 working days.

The local authority will carry out this function and details of how to initiate the Community Trigger can be found on the Council website(s) at: <http://www.cherwell.gov.uk/index.cfm?articleid=10280> for Cherwell District Council or <http://www.southnorthants.gov.uk/1962.htm> for South Northamptonshire Council, or in writing to the Community Safety Manager.

Community Remedy: gives victims a say in the out-of-court punishment of perpetrators for low-level crime and anti-social behaviour. This function is carried out by the police. Details are available at: www.thamesvalley.police.uk or www.northants.police.uk

Part 2: More effective powers

The following are examples of powers that the local authority and other agencies can use to tackle complaints of Anti-social behaviour.

Early and informal interventions: Dealing with anti-social behaviour is rarely simple. The new powers are designed to be flexible, allowing professionals to adapt them to protect victims in a wide range of situations. However, the new powers will work best when complemented by more effective ways of working – in particular, working in partnership, sharing information and using early and informal interventions.

Verbal or written warnings can very often address the issue, if not then offering mediation or signing a perpetrator up to an Acceptable Behaviour Contract (ABC), an informal written agreement addressing their behaviour that is deemed anti-social or unacceptable, may be sufficient to resolve the matter. If these options are ineffective then escalating to something more formal should be considered.

Civil injunction: To stop or prevent individuals engaging in anti-social behaviour quickly, nipping problems in the bud before they escalate. The Council, Social Landlords and the Police can apply for these.

Criminal behaviour order: Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity. A CBO can be applied for by the prosecution, in most cases the Crown Prosecution Service (CPS), either at its own initiative or following a request from the police or council.

Dispersal power: Requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours. This power is solely available to the Police to implement and enforce.

Community protection notice: To stop a person aged 16 or over, business or organisation committing anti-social behaviour that can be seen to blight a communities' quality of life. The Council, Police and Social Landlords (If authorised by the Council) can issue these.

Public spaces protection order: Designed to stop individuals or groups committing anti-social behaviour in a public space. Council and Police Officers can enforce the conditions stated on any order passed.

Closure power: To allow the police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder such as under the misuse of drugs act. A Closure Notice can be for up to 48 hours and the Full Order can be up to 6 Months.

Absolute ground for possession: The Act introduces an absolute ground for possession of secure and assured tenancies where anti-social behaviour or criminality has already been proven in another court. This allows Social landlords or Private rented sector landlords to expedite the eviction of their most anti-social tenants and bring faster relief to victims.

12. Our role in protecting the environment.

The Council has a range of responsibilities to deal with environmental ASB, such as noise, graffiti, litter, dumped rubbish and abandoned cars. These responsibilities arise from a number of Acts, in particular the Environmental Protection Act 1990.

Whilst noise nuisance can be considered to be anti-social the vast majority of noise complaints can and will be dealt with under the Environmental Protection Act 1990 and as such will fall under the South Northamptonshire and Cherwell District Council Noise Policy, which can be found by following this link:

<http://www.cherwell.gov.uk/media.cfm?mediaid=17411>

[http://www.southnorthants.gov.uk/2014_Noise_Policy_statement\(1\).pdf](http://www.southnorthants.gov.uk/2014_Noise_Policy_statement(1).pdf)

13. Complaints:

Whilst we will always endeavour to provide the best possible level of service it is acknowledged that occasions may arise where a customer is dissatisfied with the service provided. We have a Council Complaints Policy so that customers have a mechanism to feedback on their experience.

For South Northamptonshire Council

Our Complaints procedure and online complaints form can be accessed online using the following address <http://www.southnorthants.gov.uk/complaints-and-comments.htm>

Information regarding the Council's Complaints policy can be obtained by contacting Customer Services on 01327 322322 or email customerservices@southnorthants.gov.uk

For Cherwell District Council:

Our Complaints procedure and online complaints form can be accessed online using the following address

<http://www.cherwell.gov.uk/index.cfm?articleid=1512>

Information regarding the Council's Complaints policy can be obtained by Customer Services on 01295 227001 or email customer.service@cherwell-dc.gov.uk

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**CHERWELL DISTRICT AND SOUTH NORTHAMPTONSHIRE
DISTRICT COUNCIL**

EQUALITY IMPACT ASSESSMENT

September 2016

Anti-Social Behaviour Policy

CONTENTS

APPENDIX 1 STAGE 1	INITIAL SCREENING DETAILS.....	3
STAGE 1 INITIAL	SCREENING ASSESSMENT.....	4
STAGE 1 NARRATIVE	QUESTION NARRATIVE.....	5

Equality Impact Assessment

APPENDIX 1 STAGE 1 - INITIAL SCREENING DETAILS ASSESSING POLICIES AND ACTIVITIES - GUIDANCE FOR STAFF

Notes:

1. As a result of this exercise, you will have checked that your policy or activity does not have adverse impact on equality groups and you will have identified relevant action that you need to take, and the likely costs/resources associated with any improvement. The equality groups covered are at present: Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Age and Marriage or Civil Partnership.

Note. This is not simply a paper exercise - it is designed to make sure that your policy or activity is delivered fairly and effectively to all sections of our local community.

2. Please note that both Councils will be required to publish the results of these assessments, and updates, therefore **your completed Appendices may be public documents.**

3. Appendix 1 questionnaire (**to be completed for each relevant Strategy, Policy or Service Development**) is for use regardless of whether your policy or activity is aimed at external customers or internal staff.

Please tick/delete as appropriate: Is this EIA for a,

Strategy	<input type="checkbox"/>		<input type="checkbox"/>
Policy	<input type="checkbox"/>	New (Joint)	<input type="checkbox"/>
Service Development	<input type="checkbox"/>		<input type="checkbox"/>

Name of Strategy, Policy or Service Development: **Anti-Social Behaviour Policy**

AIMS, OBJECTIVES & PURPOSE OF THE POLICY OR ACTIVITY:

Anti-social behaviour (ASB) is a broad ranging term encompassing an eclectic variety of situations and behaviours which can vary in complexity, seriousness and are deemed as Anti-social in nature.

The aim of this policy is to ensure that a systematic approach is taken by Cherwell District Council and South Northants District Council in the reporting, recording, investigating and monitoring of all anti-social behaviour cases, to ensure that residents are able to enjoy living in their homes and communities without unreasonable interference from others.

PLEASE LIST THE MAIN STAKEHOLDERS/BENEFICIARIES IN TERMS OF THE RECIPIENTS OF THE ACTIVITY OR THE TARGET GROUP AT WHOM THE POLICY IS AIMED: All Residents in Cherwell and South Northants Districts.

IF THE ACTIVITY IS PROVIDED BY ANOTHER DEPARTMENT, ORGANISATION, PARTNERSHIP OR AGENCY ON BEHALF OF THE AUTHORITIES, PLEASE GIVE THE NAMES OF THESE ORGANISATIONS/AGENCIES: CDC & SNC are solely responsible for committing to providing an ASB service for the public in partnership with Thames Valley Police and Registered Social Landlords.

LEAD OFFICER: Neil Francis, Community Safety Officer
SERVICE AREA: Safer Communities
ASSESSMENT DATE: 28/09/2016
28/09/2017

TEL: 227093
DIRECTORATE: Public Protection
ASSESSMENT REVIEW DATE:

Equality Impact Assessment

STAGE 1 – INITIAL SCREENING ASSESSMENT

Q	Screening Questions	Y/N
1.	Does the policy or activity knowingly prevent us in anyway from meeting our statutory equality duties under the 2010 Equality Act?	N
2	Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	N
3	Is there any evidence that information about the policy or activity is not accessible to any equality groups?	N
4	Have the Council's received any complaints about the policy or activity under review, in respect of equality issues?	N
5	Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	N
6	Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	N
7	This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	N
8	Will there be a negative impact on any equality groups? If so please provide brief details below.	N
	Equality Impact: Evidence:	
	Disability	
	Gender Reassignment	
	Pregnancy & Maternity	
	Race	
	Religion or Belief	
	Sex	
	Sexual Orientation	
	Age	
	Marriage & Civil Partnership	
9	Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so please explain.	N
10	There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:	Y
11	Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	N

Equality Impact Assessment

Please detail below your evidence which has determined whether you have answered either Yes or No to the initial screening questions.

Screening Questions	Screening Narrative
Does the policy or activity knowingly prevent us in anyway from meeting our statutory equality duties under the 2010 Equality Act?	No, this policy is committed to ensuring the councils duties are met by dealing with all cases fairly as per the equality act 2010.
Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	No, the Anti-Social behaviour policy is committed to ensuring the councils duties are met by dealing with all cases fairly as per the equality act 2010.
Is there any evidence that information about the policy or activity is not accessible to any equality groups?	No, the service is accessible to all residents in the communities via the council's website, customer services and face to face appointments. The Councils website is fully accessible and the councils follow a translation policy.
Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	No, the council has received 0 complaints from equality groups specific to this policy.
Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	No
Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	No, this policy has a positive impact for our partners as we are all working together to meet the Anti-Social behaviour act 2014.
This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	All other departments at the Councils have been involved with this policy and are aware of its content, this policy is re-inforcing our current working practises.
Will there be a negative impact on any equality groups?	No, this policy is committed to ensuring the councils duties are met by dealing with all cases fairly as per the equality act 2010.
Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so please explain.	This policy does not create any negative affect to our relations within the community.
There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:	This policy has not been through any consultation. This policy is re-inforcing the council's commitment to providing a safer community for all.
Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	No opportunities have been missed whilst completing this EIA.

Proceed to In Depth (Full) Assessment (complete [Appendix 2](#)) if the answer is YES to more than one of the above questions.

For any YES answers include an improvement action in your Equality Improvement Plan.

Declaration

I am satisfied that an initial screening has been carried out on this policy or activity and an In Depth (Full) Equality Impact Assessment is not required. I understand that the EIA is required by the Councils and take responsibility for the completion and quality of this assessment.

Completed by: Neil Francis

Date: 28/9/2016

A handwritten signature in black ink, appearing to be 'NF', is written above the countersigned text.

Countersigned by Head of Service:

Date: 11/10/2016

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Cherwell District Council

Executive Meeting

7 November 2016

Tenancy Strategy 2017

Report of Head of Regeneration and Housing

This report is public

Purpose of report

To provide Executive with an overview of the changes to Tenancy Strategy for approval to consult.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve wider consultation of the draft revised Tenancy Strategy (attached at Appendix 1).
- 1.2 To agree to another report being presented to Executive following consultation on the draft Tenancy Strategy.

2.0 Introduction

- 2.1 The Tenancy Strategy provides guidance for Registered Providers (RPs) operating in the Cherwell District Council area. It sets out the Council's position on the provision of affordable housing including the use of Flexible Tenancies, Affordable Rents and the use of private sector tenancies for homeless households. This policy supports the Government's aim to make best use of housing stock, focussing support on the most vulnerable people in society. It is believed this can be achieved through greater freedom to respond to local circumstances.
- 2.2 The Localism Act 2011 introduced a duty for Local Authorities to produce a Tenancy Strategy within a year of its enactment (November 2012). Since the original adoption of the Tenancy Strategy in 2012 there have been significant changes which have taken place within government housing policy, including the introduction of several key pieces of legislation such as the Welfare Act 2012, Welfare Reform and Work Act 2016, and most recently the Housing and Planning Act 2016.
- 2.3 Although this new legislation has brought about significant changes more widely, the Tenancy Strategy itself has a fairly narrow focus, which means that although it

requires updating and small changes made to reflect the changing national policy, the underlying principles of the Council's position on its various points have not fundamentally changed. The only new point which has been included is with regards to the extended or 'Voluntary Right to Buy', where the Council outlines its position with regards to the policy agreed between government and the National Housing Federation.

- 2.4 Because there have not been any large changes to the Council's position on key points in the Strategy since 2012 this has been a review and refresh of the document rather than a complete redrafting.
- 2.5 Registered Providers are required to produce their own Tenancy Policy and should have regard to the Local Authority's Tenancy Strategy when writing it. However, most Registered Providers work in a range of Local Authority areas, and may find that they are being asked to meet varying requirements. Producing a Tenancy Strategy enables the Council to be clear to its partners about its approach and position on the various points.

3.0 Report Details

3.1 The Tenancy Strategy includes the following policy areas:

- Flexible Tenancies
- Affordable Rents
- Disposals of Registered Provider properties
- The Housing Register
- Using the private sector to house homeless people
- Voluntary Right to Buy

Flexible Tenancies

- 3.2 The Localism Act allows Registered Providers to offer their tenants fixed term tenancies, rather than the lifetime tenancies which have been offered till now. The Tenancy Strategy recommends an absolute minimum term of two years in exceptional cases, with a tenancy term of at least five years being the norm.
- 3.3 The Tenancy Strategy also outlines the exceptions to Flexible Tenancy offers as follows:
- 3.4 *Properties with adaptations* – In some circumstances, Registered Providers may offer shorter term tenancies to households where a member requires an adapted property, to improve the use of adapted properties if the household no longer require the adaptations.
- 3.5 *Specialist accommodation* – Specialist accommodation covers a range of accommodation. It includes provision for older people and people with enduring conditions which mean that they and their carers need the security of knowing that a home has been offered for life.
- 3.6 It also includes accommodation which is offered with conditions about engagement in education, training and work skills, where it may be appropriate to offer a shorter term tenancy.

Affordable Rent

- 3.7 The Council is continuing to recommend that Affordable Rents are set at up to 80% market rents; but that they are capped at the Local Housing Allowance levels.
- 3.8 In order to preserve the availability of social rented properties we are still requesting that a minimum of one third of general needs properties are re-let at social rents. Although, generally this is becoming less of an issue given the rent restrictions being put in place through the new legislation, and the impact of the welfare changes. The policy aims to try and ensure that rents of new supported housing properties are set at a level where the combined rent and service charge does not exceed the Local Housing Allowance level. Although this is challenging with supported housing, it does mean that moving forward where there is less flexibility on the rent levels for this type of housing, it may help mitigate the impact.

Disposal of Registered Provider properties

- 3.9 As part of their improved asset management plans, Registered Providers will consider disposing of properties which do not meet requirements such as decent homes standards. We are asking that such decisions are taken in a context where:
- The maximum amount of social housing is preserved in the district
 - The Council has the option to purchase for its community led and self-build housing programme
 - The property is offered to other Registered Providers
 - Any investment funding realised is retained in the District
- 3.10 Registered Providers may also dispose of property to the existing occupier either as an outright sale or on a shared ownership basis, and as a result of consultation this has been included in the options for disposal.

Housing Register

- 3.11 The Council's Housing Allocations Policy was reviewed and updated in 2012 in light of the freedoms afforded in the Localism Act. There also been a subsequent review in 2015 to allow for a greater degree of emerging households access to the Council's housing register and represents the council's current allocations policy.

Using the Private Sector for offers to Homeless Households

- 3.12 The Localism Act has provided the opportunity for Local Authorities to discharge their duty to households which have been accepted as homeless and to whom a duty is owed, via an offer of suitable accommodation in the private sector. The council will continue to use this valuable resource in discharging its homeless duties.

Voluntary Right to Buy

- 3.13 In October 2015, the National Housing Federation on behalf of Registered Provider members put forward a proposal to the Government to deliver its commitment to extend the Right to Buy to housing association tenants by way of voluntary agreement rather than legislation.
- 3.14 This agreement is based on four key principles:
- **Right to Buy discounts for housing association tenants:** Housing Association tenants would have the right to purchase a home at Right to Buy level discounts.

- **Board control over which homes to sell:** Housing Associations will have the final decision about whether to sell an individual property, with the presumption that they will sell a tenant their current home where they can.
- **Full compensation:** Housing Associations will get the full market value of the properties sold, with the value of the discount funded by the Government.
- **Flexible one for one replacement:** Nationally, for every home sold under the agreement, a new affordable property would be built thereby increasing overall supply. The type and location will be flexible to their needs.

3.15 Since this agreement was reached the Government has put in place five VRTB pilot schemes to test how the process might work, understand demand and prepare for the wider role out.

The five housing associations invited to take part in this pilot were;

- L&Q
- Riverside
- Saffron
- Sovereign
- Thames Valley Housing

Eligible tenants living in these housing associations properties can start the process of buying their own home with a discount paid by the Government.

3.16 Following this pilot there is still a great deal of clarity and guidance needed before the scheme can roll out in a more comprehensive way nationally, however Cherwell District Council have outlined its position within the redrafted Tenancy Strategy to ensure that its position on this matter is clear.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Tenancy Strategy forms an important part of the Council's vision for the provision of Affordable Housing in the District and it complements the objectives within the Housing Strategy. It provides an overview to Registered Providers the expectations on its partners in delivering affordable housing as well as the Council's willingness to work positively with new ways of delivery, while safeguarding the interests of some of the District's more vulnerable residents.
- 4.2 To a large extent the fundamental principles which the Council approved in its Tenancy Strategy in 2012 are still relevant and there is no proposal within this review and redraft to change any of those positions. Therefore this is more a refresh of the 2012 Strategy rather than a change in position.
- 4.3 Given the fast changing environment in housing and related policy, the Strategy will be reviewed on an annual basis to ensure it remains relevant and in line with the Council's requirements.

5.0 Consultation

All Registered Providers who hold social housing stock in the district.

Not yet gone out for consultation to all Registered Providers who hold social housing stock in the district.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: To agree for officers to consult on the draft Tenancy Strategy

Option 2: Not to consult on the Tenancy Strategy

Option 3: Not to proceed with review of the current Tenancy Strategy and instead continue with the existing one.

7.0 Implications

Financial and Resource Implications

7.1 The Tenancy Strategy sets out the framework to encourage inward investment into the Cherwell district by making use of affordable rent products. The policy supports the approach proposed in the Cherwell Housing Strategy of providing an environment in which the District is “investment ready” for new housing development; together with supporting residents to be “housing ready” by understanding their rights and responsibilities as tenants able to sustain a tenancy and to utilise their housing as a springboard to life and career opportunities. The provision of new Affordable Housing contributes to the avoidance of homelessness and the consequent expenditure on temporary accommodation.

Comments checked by:

Paul Sutton, Chief Finance Officer, 01295 221634,
paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 The Council is required through the Localism Act to produce a Tenancy Strategy; the purpose of this report is to ensure that the council’s strategy is up to date and able to be used by Register Providers and others as appropriate. This report approves the draft document for consultation and the adoption of a revised strategy will be subject to a further decision of the Executive.

Comments checked by:

James Doble, Assistant Director – Transformational Governance, 01295 221587
james.doble@cherwellandsouthnorthants.gov.uk

Risk Management

- 7.3 By not having an up to date Tenancy Strategy there is a risk that current CDC policy will fall behind that which is set nationally and therefore not present a current and proactive approach to affordable housing within the district. This is a time of policy change in the areas of Affordable Housing and Welfare Benefits and it is important that the Strategy is frequently monitored to judge its effects. This will be managed as part of the operational risk register and escalated as and when necessary to the corporate risk register.

Comments checked by:

Louise Tustian, Senior Performance & Improvement Officer, 01295 221786
louise.tustian@cherwellandsouthnorthants.gov.uk

Equalities

- 7.4 This policy has benefitted from an Equality Impact Assessment, which is available on request from the Investment and Growth Team. There are positive implications for older people and people who require supported housing where the council is recommending that Lifetime Tenancies continue to be offered. There are concerns over future affordability for households with large numbers of children and this has been addressed through the policy with a continued requirement for some social rented properties.

Comments checked by:

Louise Tustian, Senior Performance & Improvement Officer, 01295 221786
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8.0 Decision Information

Key Decision

Financial Threshold Met:	No
Community Impact Threshold Met:	Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

A District of Opportunity
An Accessible, Value for Money Council
A Safe and Healthy Cherwell

Lead Councillor

Councillor John Donaldson – Lead Member for Housing

Document Information

Appendix No	Title
1	Tenancy Strategy 2017 Consultation Draft
Background Papers	
None	
Report Author	Gary Owens – Investment & Growth Team Leader
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TENANCY STRATEGY 2017 CONSULTATION DRAFT

DRAFT

Cherwell District Council 2017

Tenancy Strategy		
1.	Introduction to the Tenancy Strategy.....	2
2.	Vision and Objectives.....	2
3.	Background to Cherwell District Council’s housing situation.....	3
	○ Population.....	3
	○ Housing Need.....	4
4.	Housing Policy Background.....	4
	○ Key National Policies.....	4
	○ Key Local.....	5
5.	Providing new affordable homes.....	5
	○ Delivery.....	5
6.	Tenure Options – flexible tenancies.....	6
	○ Specialist housing.....	7
7.	Tenancy review.....	8
	○ At the end of a tenancy.....	8
	○ Throughout the tenancy.....	8
8.	Affordable Rents.....	9
	○ Affordability.....	9
	○ Setting the level of a market rent.....	9
	○ Capping the level of Affordable Rent.....	9
	○ Exceptions to Affordable Rents.....	10
	○ Conversions of relet properties to Affordable Rent.....	10
	○ Monitoring effects of Affordable Rent.....	11
9.	Disposals.....	11
10	Mobility.....	12
	○ Moving for employment/social and welfare reasons.....	12
	○ Downsizing.....	12
11.	Housing Register.....	12
12.	Discharge of homelessness duty through a private sector tenancy offer	12
13.	Succession.....	12
14.	Voluntary Right To Buy	13
15.	Governance – monitoring and reviewing	13
16.	Risk.....	14
17.	Equalities.....	14

1. Introduction to the Tenancy Strategy

Tenancy Strategy

The Tenancy Strategy continues to provide guidance for Registered Providers (RPs) operating in the Cherwell District Council area. It sets out the Council's position on the provision of affordable housing including the use of Flexible Tenancies, Affordable Rents and the use of private sector tenancies for homeless households.

The Localism Act (2011) introduced a duty for Local Authorities to produce a Tenancy Strategy which outlines both the Council's and Registered Provider's approach to issues which affect tenants living in Cherwell. Further legislation since then has also had impacts upon some of these same issues, affecting them in different ways. This Tenancy Strategy is an updated version of the document which ran between 2012 – 2015, and also incorporates the applicable changes of the more recent legislation.

The Council supports the Government's aim to make best use of housing stock, focussing support on the most vulnerable people in society. We believe this can be achieved through greater freedom to respond to local circumstances. The Tenancy Strategy sets out the role of affordable homes as part of the broader housing market in Cherwell.

2. Vision and Objectives

Our **vision** is for good quality housing provision where successful tenancies can be sustained. This vision is at the heart of Cherwell District Council's aims to support vibrant, mixed communities and to achieve a district of opportunity.

The Tenancy Strategy is intended to promote clarity and fairness, and to offer a guide to Registered Providers who may manage stock on a wide geographical basis as to what Cherwell District Council's vision for its residents encompasses. Cherwell District Council no longer owns much stock, having transferred its stock to two Housing Associations now both part of the Sanctuary Housing Group.

The **objectives** of this Tenancy Strategy are:

- To provide access to decent accommodation that people can afford
- To stimulate a diverse and resilient economy
- To provide opportunities for all the community

These objectives reflect thinking within the Cherwell Housing Strategy 2012-17 and the Cherwell Sustainable Community Strategy "Our District, Our Future"¹ as well as reflecting the Council's approach in its Allocation Policy and the its Homeless Action Plan. These aims and objectives will also act as a thread running through future policies and strategies.

¹ www.cherwell.gov.uk/media/pdf/s/t/Sustainable_Community_Strategy.pdf

Appendix 1

Scope of Cherwell's Tenancy Strategy

This Tenancy Strategy mainly covers the following areas, as required by Section 150 of the Localism Act (2011), but also:

- Flexible Tenancies
- Affordable Rents
- The Housing Register
- Using the private sector to house homeless people
- Disposals of social housing stock

Although the Voluntary Right To Buy does not fall into the category of prescribed policies in the Localism Act, it is included in this Tenancy Strategy update as it relates closely to the other subjects covered.

3. Background to Cherwell District Council's housing situation

Cherwell District Council covers a large geographic area within north Oxfordshire and is one of five district councils in Oxfordshire. As of September 2016, there are 8210 social properties in the district, split between the twenty two Registered Providers currently operating in the district who are managing stock, many of whom are also actively developing new affordable housing.

Population

○ Distribution

There are approximately 144,500 people living in Cherwell district, according to mid-2014 estimates. Cherwell's main settlements are Banbury, Bicester and Kidlington which together account for 64% of the population of the entire district. The majority of the growth in population between 2001 and 2011 was in Banbury and Bicester.

The district has fewer mid-sized settlements than other rural districts in Oxfordshire. The rural make-up of the district is unusual, with a higher number than average of small settlements – 59% of parishes have fewer than 500 residents. Small settlements are considered less sustainable in planning terms and are less likely to have identified land supply for development.

○ Ethnicity

The latest Office of National Statistics (ONS) results for ethnicity in Cherwell show that the area remains predominantly White British (83.6%), with the largest minorities being Other White (6.2%), Indian (1.3%), Pakistani (1.2%), Other Asian (1.2%), African (1%) and Irish (1%).

○ Religion

The ONS also provided data showing that the most popular religions in Cherwell were Christianity (63.4%), Islam (2.3%) then Buddhism and Hinduism (both 0.4%).

Appendix 1

Housing Need

Cherwell has high levels of housing need and demand. The Council's Housing Register had over 1,000 applicants as of September 2016.

The annual number of lets, including supported properties, in the last five years are:-

2011/2012	415
2012/2013	396
2013/2014	541
2014/2015	493
2015/2016	585

There is a high demand for private rented accommodation, partly fuelled by many residents being unable to buy on the open market due to inability to access mortgage finance (including the need for large deposits) and because of the high house prices in the district, which is especially stark when compared to average earnings in the district. The average house price in Cherwell for July 2016 was £292,251 (Source: Land Registry)

4. Housing Policy Background

Key National Policies

The Localism Act 2011:

- All Local Authorities to have a Tenancy Strategy
- New Fixed Term Tenancy introduction
- New rent model (Affordable Rent)
- Housing Register eligibility criteria delegated to Local Authorities
- Discharging of homelessness duties into the private sector
- Social housing succession rights changes

Welfare Reform Act 2012:

- Universal Credit roll out
- Benefit Cap introduction
- Spare Room Subsidy removal
- Local Housing Allowance rate introduction

Welfare Reform and Work Act 2016:

- Lowering of the Benefit Cap
- 1% annual social housing rent reduction

Housing and Planning Act 2016:

- Starter Homes
- Self-build and custom house building
- Voluntary Right To Buy
- Vacant higher value Local Authority housing to be sold
- Rents for higher income social tenants

Appendix 1

- Secure tenancies abolished
- Disposals of social housing amended

All of the above legislation can be accessed independently at www.legislation.gov.uk

Key Local Policy

Housing Strategy

Cherwell District Council produced a Housing Strategy to meet the needs of the District's residents between 2012 – 2017, and will be updated to reflect the changing needs of the district in the future accordingly. It contains the following strategic priorities:

- Strategic Priority One: Increase the supply and access to housing
- Strategic Priority Two: Develop financially inclusive, sustainable communities
- Strategic Priority Three: House our most vulnerable residents
- Strategic Priority Four: Ensure homes are safe, warm and well managed
- Strategic Priority Five: Prevent Homelessness (Cherwell's Homelessness Action Plan)
- Strategic Priority Six: Maximise resources and be an investment-ready district

5. Providing new affordable homes

Cherwell District Council sets itself a target for the number of new affordable homes it expects to be delivered. Between 2012 - 2016 that target was set out in the Housing Strategy as being 150 homes each year. This number has since increased to provide 190 affordable properties per year from 2016/2017 onwards. Over the last five years delivery has been as follows:

Year	Delivery
2011/2012	213
2012/2013	113
2013/2014	145
2014/2015	195
2015/2016	322

Delivery

There are four main streams for the delivery of the planned affordable housing, which are:

- **Through Registered Provider led sites**

The Homes and Communities Agency (HCA) signs agreements with Registered Providers to provide homes under the 2015 – 2018 Affordable Homes Programme and now the SOAHP 2016 – 2021, and makes it clear that new homes should be provided with a minimum of public subsidy. Registered Providers are expected by the HCA to use their income generation facility through the use of affordable rent model together with their own resources to fund the building of new homes.

- **Through s106 planning gain**

Appendix 1

Homes provided on market developments as part of s106 planning agreements should normally be provided without subsidy. Cherwell's Affordable Housing Viability Study 2010² recommends that this is achievable on sites if they do not have additional factors affecting viability.

- **Build!® project**

Cherwell District Council has created its Build!® programme (community led and self-build / self-finish housing) to deliver housing on sites which might otherwise be unviable for other Registered Providers to develop. The properties are partially built to pre-agreed levels, and then the tenants/purchasers are expected to complete the properties themselves. Proportional financial discounts are awarded to tenants on the basis that they are not buying a finished product, and are putting in time rather than money. The number of opportunities delivered through this scheme in the last 3 years is:

Year	Delivery
2013/2014	34
2014/2015	22
2015/2016	37

- **Self-build properties**

Following on from the success of the Build!® programme the Council wanted to ensure that it was helping to lead on the self-build initiative and offer this opportunity on a large scale to provide a different style of opportunity in the district, and so has established The Graven Hill Village Development Company to provide 1,900 self-build plots in Bicester.

6. Tenancy options – flexible tenancies

- **Aim of flexible tenure**

The Localism Act gave Registered Providers the ability to offer flexible tenancies with the aim of making better use of existing homes in a diminishing market and encouraging tenants to use Affordable Housing opportunities as a springboard to other more aspirational tenures. The existing agreements between Registered Providers and their tenants are not affected and it is possible for Registered Providers to offer fixed term tenancies at social rent levels as well as at affordable rent levels. The affordable rent model is usually reserved for new build properties and a limited number of conversions.

The minimum recommended term for fixed term tenancies is two years, with five years as the norm, although the Housing and Planning Act (2016) gave an additional option of offering ten year fixed term tenancies, if the household has a child under the age of 9 years. The Housing and Planning Act also eliminating the use of lifetime tenancies in all but the exceptional circumstances detailed below.

Cherwell District Council wants to continue to see a balance of available tenancies which shows an effective use of stock and the wish to create sustainable communities where affordable housing tenancies can provide an opportunity for households to build a stable

² <http://www.cherwell.gov.uk/index.cfm?articleid=3244>

Appendix 1

future, with children settled in school and where other community links can be developed. We want to continue to see a minimum of five year tenancies with the ten year tenancy option used where applicable, as this gives the option to review rents and keep them in line with any changes in the market. Very occasionally, for example on properties which are linked to employment or educational opportunities, a two year tenancy could be agreed.

We also believe that the use of fixed term tenancies can help ensure that properties adapted for use by disabled occupants can continue to be made available for those who need them; so ensuring that best value is obtained from limited adaptation budgets.

- **Making a clear offer to applicants**

A variety of tenancies are available to new social tenants in Cherwell:

- Fixed term tenancies at Social Rent (50% of market level rent)
- Fixed term tenancies at Affordable Rent (80% of market level rent)
- Starter tenancies (which has the option to convert to a fixed term tenancy after 1 year)
- Introductory tenancies (which has the option to convert to a fixed term tenancy after 1 year)

Cherwell District Council wants tenants to be able to make informed choices about their housing options and will work with our Registered Provider partners to make the process of offering tenancies through the Choice Based Lettings system as clear and transparent as possible, so that applicants can understand and choose the option which is right for them, and we see this as an important part of the Registered Providers pre-tenancy work in explaining tenants' rights and responsibilities.

- **Exceptions where lifetime tenancies should be offered**

Cherwell District Council believes that for some residents the offer should still be a lifetime tenancy and would expect this to apply to long term supported housing for people with enduring mental health needs, learning disability, some types of physical disability and for older people in supported accommodation (but in most cases, not in adapted properties). This is because for these groups of people, social housing is likely to fill the need for a secure home; rather than act as a springboard to other tenures. A lifetime tenancy gives security to these tenants and their carers and families.

Cherwell District Council also wishes to follow the HCA recommendation of offering lifetime tenancies to tenants who have been involved in self building or self finishing their homes as recognition of the engagement they have made in providing their own housing solution.

Specialist housing

- **Properties with adaptations**

Cherwell District Council expects that homes which have been purpose built or adapted to accommodate people with physical disabilities will be let on Flexible Tenancies. Adaptations are made to make it easier for people with physical disabilities to occupy their homes. Such adaptations can be expensive and it is important that as part of the best use of stock, homes are let to people who need them. Cherwell District Council believes that where there is a

Appendix 1

change of circumstances and the adaptations are no longer needed, the household should be re-housed. Flexible tenancies facilitate using stock in the most flexible way.

- **Older peoples' housing**

We would usually expect that lifetime tenancies are offered to people moving into specialist older people's housing, especially for downsizers who are giving up a larger home and lifetime tenancy, and who might be put off from moving if a less secure tenancy is offered.

- **Supported housing**

We expect lifetime tenancies will usually be issued to tenants in specialist supported housing as homes for life, where health conditions mean that they require long term support or who have permanent disabilities. Where support is being delivered in these circumstances it may be more appropriate for support providers to assess whether residents have an improved level of independence which would enable them to move on as circumstances change rather than at a fixed point of tenancy review.

7. Tenancy review

At the end of a tenancy

The government guidance requires that the end of the tenancy period should be accompanied by a tenancy review, conducted in good time. Cherwell District Council believes that this should take place between 6 – 9 months from the date the tenancy is due to end. Registered Providers need robust arrangements in order to be aware of when tenancies are due for review.

We do not anticipate that homelessness will be an outcome for Registered Providers' tenants; but that a variety of options will be considered. Where the decision is made to not extend a tenancy, Registered Providers should be confident that tenants have received all the advice and support necessary to provide a new housing solution which better meets their needs and prevents homelessness. Where tenants who are over working age do not have their tenancy renewed we expect that the Registered Provider will make an offer of alternative accommodation that meets the needs of the tenants, using the stock allocation over which they have nomination rights.

Throughout the tenancy

The use of a flexible tenancy is to fulfil its aim for social housing to be a springboard to other opportunities it gives tenants the opportunity to take stock of their situation and to access relevant information about education, training, skills and work opportunities. Cherwell District Council expects that Registered Providers will be providing this support throughout a tenancy and not simply as an 'add on' at the time of tenancy review. The role of the Registered Provider can range from signposting existing provision to offering apprenticeships and other training opportunities.

8. Affordable Rents

Affordability

Appendix 1

- **Aim**

Affordable Rent was introduced in order to raise funds to build further Affordable Homes. Registered Providers can charge up to 80% market rent levels – higher than the social rents previously charged. Affordable rents can be charged in new properties and on a proportion of re-let homes.

- **Ability to afford**

The government promotes work to reduce levels of benefit dependency, so it is important that rent levels do not deter tenants from entering employment.

In addition, the proposed introduction of Universal Credit (UC) is likely to have an effect on the ability to pay for those residents who are dependent on benefit payments to meet their rental responsibilities.

Cherwell District Council intends to review this approach and will take into account any further information that has been confirmed about the operation of Universal Credit.

The latest development on this front is the transitioning of single claimants from the previous system to Universal Credit, as part of one of the initial pilot schemes. As the roll-out continues to progress, more categories of applicants will be switched over from current system. Couples and family claimants are expected to be switched over to UC soon, as part of the overall national roll-out between now and 2021.

- **Setting the level of a market rent**

Registered Providers use the RICS User Guide “Market Rent” which was produced in association with the Homes and Communities Agency to assess market rents.

- **Capping the level of Affordable Rent**

Cherwell District Council continue to support the use of Affordable Rents because we want to see development in the district to meet the housing need of our residents whilst also understanding that Registered Providers have a need to generate income through higher rents to replace public subsidy, which has been lost in current grant programmes.

However, in order that the housing provided still meets local need, we believe that Affordable Rents should be capped at a level to match Local Housing Allowance. We want to avoid a situation where high rents prove a disincentive for people to take up employment or make tenancies which are unsustainable. The Cherwell district falls into two Broad Market Rental Areas for housing benefit purposes, Cherwell Valley and Oxford, of which the rents nearer to Oxford are considerably higher.

We expect Registered Providers to discuss with us the level of rent it will be reasonable to charge as Affordable Rent. Where Cherwell District Council has invested Capital Funding in a building or acquisition project, the Council will have a greater say in the negotiation of rent levels, although we would expect all Registered Providers to charge rents that do not fall outside of the Local Housing Allowance rates for the local area.

Appendix 1

Registered Providers should take into account the availability of property and the demographics of the district when setting rents. For example, in areas such as Kidlington where the availability of market and affordable properties is comparatively low, it will be important to retain a proportion of social rented properties. Market rents in rural areas can be extremely high while wages can be lower than average. We expect to discuss this with Registered Providers who are building in our villages. In these cases we anticipate rents may need to be set lower than 80% and we will work jointly with Registered Providers to assess information on local incomes. We will expect Registered Providers to take account of this information when setting rents. Where rents appear to be unduly high the Council will reserve the right to see and challenge the valuation. If necessary the Council will refer rents to the Rent Officer service for adjudication.

○ **Exceptions to Affordable rents**

The provision of supported housing is an important tool in preventing homelessness and improving the quality of life of many of Cherwell's vulnerable residents.

We require that supported housing properties are an affordable option for residents who need housing options with support. The levels of rent/service charge should not act as a deterrent to those service users who are in a position to seek or continue with employment while receiving housing related support.

To achieve this we require that the total sum of rent and service charge is still within the local housing allowance rates. This may mean that rents are set below 80% market rents, even if they are not set at social rent levels. Where new developments of supported housing are proposed we will work with Registered Providers to determine the rent levels required to offer a suitable product to our residents. We will scrutinise the affordability of combined rents and housing benefit charges where these do exceed local housing.

○ **Conversions of relet properties to Affordable Rent**

As a Local Authority, Cherwell District Council seeks to ensure that housing provision is good value for money and minimises public funding through Housing Benefit payments and we are concerned that a lack of properties set solely at the maximum affordable rent levels (80% of market levels) may lead to residents being placed in a "benefit trap", where they are discouraged from taking up employment because they would be unable to pay an Affordable Rent. The issue is particularly important in the south of the District, where private rents are comparatively higher than the rest of the district. However, Cherwell District Council understands that there may still need to be a level of re-let properties converted to Affordable Rent in order to support new development. Therefore, Cherwell will support Registered Providers in converting up to one third of their relet vacancies (excluding supported housing) to Affordable Rents, although affordability should still be monitored and is of the utmost importance to Cherwell District Council.

We require our Registered Provider partners to do the following:

- Spread the number of conversions as evenly as possible throughout the year, so that a variety of rental levels are available
- Select properties for conversion with an even distribution over the district (as far as possible)

Appendix 1

- Select properties for conversion predominantly from one and two bedroomed stock, allowing larger properties to be re-let at proportionately lower rent levels

We will monitor the number and proportion of conversions to ensure that:

- no more than one third of rents are converted on relet from social rent to affordable rent
- a reasonable distribution of social rented opportunities exists across the district
- rents and service charges do not exceed the Local Housing Allowance

Cherwell District Council expects that properties subject to existing s106 agreements will not be converted to Affordable Rent where a Social Rent is specified.

- **Monitoring the effect of Affordable Rents**

We will work with Registered Providers to monitor the effect of lettings at Affordable Rents, through the use of the RP Management Forums. We will monitor the bidding levels through Choice Based Lettings so that they can be compared to bids of all let properties, and will ask Registered Providers to supply information on the sustainability of Affordable Rent tenancies. This information will then be used to review the policy where appropriate.

9. Disposals

Cherwell District Council is not generally in favour of the disposal of social housing stock but it is understood that at times the best solution may be for a Registered Provider to dispose of stock that has become surplus to requirements or is too costly to bring up to the required housing standards. We expect that particularly where a property has been given in trust to a Registered Provider, or where Cherwell District Council has invested in the property, any gain should be reinvested back into the Cherwell district.

Cherwell District Council maintains a close relationship with Registered Providers through the RP Development and RP Management Forums, through regular one-to-one meetings and through the annual Registered Provider appraisal processes and expects that part of the asset management decision making process by the owning Registered Provider will be a meaningful dialogue with the Local Authority. This dialogue is to ensure that adequate notice is given to the Council of a proposal to dispose of a property in good time before any disposal occurs, to which the Council will consider the variety of options available to it.

10. Mobility

Moving for employment/social and welfare reasons

Cherwell District Council supports the government's aim to make it easier for tenants who wish to move for employment or social and welfare reasons and expects that Registered Providers will offer assistance to their residents in these circumstances from the stock available to them through the nominations agreements.

Appendix 1

Downsizing

Cherwell District Council expects all Registered Providers operating in its area to be open to their tenants wanting to downsize. Whilst the Spare Room Subsidy penalises Housing Benefit claimants who under-occupy social properties, downsizing also offers advantages of smaller, more accessible properties being easier and cheaper to run and also frees up much needed family accommodation for those that require it. Registered Providers should continue to be looking to see whether tenants who are in properties of a size they don't require would consider moving to smaller properties within their own stock, especially vulnerable tenants and older people, and offer a support service where necessary to facilitate a move. The Council will also continue to work with Registered Providers to aid in this activity.

11. Housing Register

Cherwell undertook a review of its Housing Register in 2012, and then made amendments to it in both 2013 and 2015. The changes were in line with the freedoms granted in the Localism Act.

These changes were made in order to ensure that emerging households were being considered and to ensure the sustainability of new and existing communities.

The Council will continue to monitor and review its Allocation Policy in light of the changing housing policy environment to ensure the policy remains both relevant and deliverable.

12. Discharge of homelessness duty through a private sector tenancy offer

Previously Local Authorities had the option of offering a private sector tenancy to households who have been found to be statutorily homeless, but the households did not have to accept the offer. The Localism Act has given Local Authorities powers to discharge their homelessness duty with a suitable private sector offer.

Cherwell District Council believes in a strong flourishing private sector, and seeks to build good relationships with effective private landlords through its Landlords' Forum and education work. We continue to promote the use of private sector tenancies as a valuable Housing Option where applicants can exercise choice, and control their own housing solutions. Where properties of suitable standard can be found at the right cost, Cherwell District Council will make offers of private sector accommodation.

13. Succession

The Localism Act provides for a right of succession for spouses and civil partners in fixed term assured tenancies provided that:

- (i) the tenancy is for a term of not less than two years;
- (ii) the landlord is a private registered provider of social housing; and,
- (iii) the tenancy agreement contains an express term allowing for succession. The intention is to ensure that affordable rent tenants enjoy similar rights of succession to those enjoyed by periodic tenants.

Where an assured shorthold tenancy becomes a family intervention tenancy and a new tenancy is then granted, that tenancy will also be a family intervention tenancy.

Appendix 1

Under the Localism Act, the statutory right of succession to a secure tenancy for family members was abolished. Accordingly, succession will be limited to spouses, civil partners and those in equivalent relationships. This will not, however, affect existing secure tenancies.

Cherwell expects that its Registered Providers will act according to the provisions of the appropriate legislation.

14. Voluntary Right To Buy

As a local authority, we are supportive of creating new opportunities for those who wish to get onto the property ladder and own their own home. However we are also acutely aware that the need to maintain the availability of affordable rented accommodation in Cherwell District is also paramount, with needs only increasing.

Cherwell District Council support RPs offering the opportunity for tenants to purchase their homes where eligibility and availability avail themselves, however we ask that the following criteria be considered for creating an exemption for specific properties;

- Properties in rural locations, which have less than 3000 persons
- Designated elderly person accommodation
- Specialist or supported forms of housing
- Disabled adapted properties – secured through planning obligations
- Shared accommodation

We also request that Cherwell District Council be kept informed of any proposed Right to Buy purchases, similar to how the Council is currently informed of any disposals which are proposed by Registered Providers. This is to ensure that the Council maintains a robust and up to date understanding of the affordable housing stock which it has in the district.

15. Governance – monitoring and reviewing

Cherwell District Council monitors and reviews the Tenancy Strategy in co-operation with individual Registered Providers. This includes reviewing Registered Providers records of tenancy sustainment. The RP Management Forum will support the Council in assessing the effectiveness of the strategy, by analysing trends in housing need and homelessness.

Registered Providers will be expected by their regulator to have their own set of tenancy policies and Cherwell District Council will support them in monitoring and reviewing their success through the appraisal process.

16. Risk

Cherwell District Council has a strong, preventative approach to homelessness, which is covered by Cherwell's Homeless Prevention Action Plan. Through our Housing Strategy we want to create an environment which enables people to be part of their own housing solutions and see the support offered during a social housing tenancy and at the end of the tenancy as a contributory factor.

Appendix 1

We aim to mitigate risk through careful discussion with Registered Providers about rent levels, tenancies and affordability on both new properties and conversions; through partnership working to improve tenants' financial circumstances and by continuing our successful prevention work offered through the Housing Options team's Early Intervention Protocol.

17. Equalities

This policy is subject to an Equality Impact Assessment.

Cherwell District Council expects Registered Providers to carry out Equality Impact Assessments when devising their own tenancy policies.

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Cherwell District Council

Executive

7 November 2016

Local Development Company

Report of Commercial Director and Head of Regeneration and Housing

This report is public.

Purpose of report

To seek approval in principle for the establishment of a local development company with South Northamptonshire Council to:

- Act as an investment vehicle for the councils;
- Provide housing which meets housing need not met by the current market.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree in principle to the establishment of a local development company with South Northamptonshire Council;
- 1.2 To give approval to officers to complete further work to prepare a full business case for the local development company to be considered by SNC Cabinet and by CDC Executive in due course.

2.0 Introduction

- 2.1 In December 2015 South Northamptonshire's Cabinet considered a report regarding the potential to establish a local development company. In September 2016, South Northamptonshire's Cabinet agreed in principle to the establishment of a Local Development Company with Cherwell District Council and agreed to the development of a full business case including an initial pipeline of projects for South Northamptonshire.
- 2.2 While the initial pipeline of projects is for South Northamptonshire, there is an opportunity for Cherwell District Council to jointly own the Local Development Company which would provide a vehicle for the Council to utilise should it wish to progress its own pipeline of projects.

3.0 Report Details

Strategic Context – National Level

- 3.1 Local housing companies have emerged in the last couple of years, following the introduction of the General Power of Competence in the Localism Act 2011. They are seen as alternative delivery vehicles for new housing, giving strategic housing authorities another tool with which to proactively shape the housing market. Initially developed with some of the London boroughs primarily to offer housing for rent, local housing companies were recognised in the Elphicke-House report (January 2015) to government as having a wider role to play. In March 2015, the Housing Minister wrote to local authorities to say that government supports the setting up of local housing companies where they are taking on a wider role. The proposal to set up a local development company fits with central government expectation that local authorities will play a more active role in housing delivery and in shaping the local housing market.
- 3.2 Numerous local authorities have set up or are in the process of setting up local housing companies. The purpose and remit of these local housing companies is wide ranging including:
- Acquisition of properties on the open market;
 - Developing/building properties;
 - Delivery of additional affordable housing (social/affordable rent);
 - Delivery of homes for market rent;
 - Delivery of homes for open market sale;
 - To buy high-value council owned stock in an attempt to prevent them being sold off to fund Right to Buy;
 - Development of sites in council ownership.

Examples of local housing companies established to deliver homes for market rent and act as “ethical commercial landlords” are Red Door Ventures (London Borough of Newham) and Ermine Street Housing (South Cambridgeshire District Council).

- 3.3 The Housing and Planning Act 2016 – The Act received Royal Assent on 12 May 2016 and included a number of new housing policies including: starter homes; the sale of higher value local authority homes; pay to stay; extension of right to buy to housing associations; and a new deregulated regime of social landlords. Further information regarding the Act is outlined in Appendix A.

Strategic Context – Local Level

- 3.4 The local development company has two drivers:
- To act as an investment vehicle for the Councils, providing a return on investment commensurate with other investment opportunities in the market, bearing in mind the level of risk.
 - To provide housing which meets housing need not currently met by the current market. The company will not provide social housing but will focus on the provision of housing for rent at market levels, housing for sale at market levels and low cost homeownership initiatives.
- 3.5 Both South Northamptonshire Council and Cherwell District Council need to generate income to contribute towards closing the financial gap in the Councils’ medium term financial plan revenue projections.

- 3.6 This proposal represents a different opportunity for CDC compared to the existing Cherwell Community Build (CCB) local housing company and the Graven Hill companies. The Graven Hill companies have been set up for a specific purpose to deliver a large self-build development at Graven Hill, near Bicester. The CCB has also been established for a specific purpose as a not for profit company, registered with the Financial Services Authority and an intention to register with the Homes Community Agency (HCA) as a registered provider. CCB is essentially a vehicle to hold housing units that have been made available through utilising council and HCA funding it is focused on affordable homes and community projects. As CCB is a community benefit society an asset lock applies in that the council cannot receive any future income on assets transferred to it or take assets back, therefore CCB whilst providing community benefits cannot provide a financial return to the council and does not assist with closing the medium term financial gap. Additionally the council cannot exercise control over CCB and council representation on the board is likely to be reduced or entirely removed due to new government legislation. The proposed Local Development Company would allow CDC to identify and invest in other housing or commercial development opportunities in order to return a profit to the Council.

Proposed Delivery Programme and Timescales - SNC

- 3.7 The current pipeline of projects is solely based on South Northamptonshire and proposes that the company would acquire and/or develop properties.
- *Short Term* – In order to ensure a speedy delivery of the first properties, and provide a return on investment in a timely manner, it is proposed that initially the local development company will purchase new build properties from a developer(s). An initial assessment of sites has been carried out and some opportunities identified. The local development company's focus would be on 2 and 3 bed accommodation as this reflects both demand and the size of units which are likely to be available.
 - *Medium Term* – The local development company would also develop new homes, with an initial focus on sites in council ownership. Some appropriate sites have been identified. On these sites the local development company would develop a mixture of market rent and sale as well as meeting the requirements of the Council's planning policy and/or national legislation (social housing or starter homes).
 - *Longer Term* – In the longer term, the local development company could acquire land/sites for development.

Governance

- 3.8 Although the development of the proposal has been led by South Northamptonshire Council, it is proposed that the local development company would be set up as a jointly owned company with Cherwell District Council.
- 3.9 The local development company would be a company limited by shares with both South Northamptonshire Council and Cherwell District Council owning shares. Shares in the company would be split into ownership shares and dividend shares. Dividend shares would be divided according to the Council that funds the projects and may vary over time. Further tax advice to inform the company structure has been commissioned from KPMG.

- 3.10 The local development company would have a Board of Directors. The nomination of directors to the board would reflect the proportion of shares owned by each council. The councils would have the ability to appoint Non-Executive directors.
- 3.11 The relationship with the Councils would be managed through the Joint Commissioning Committee.

Financial Modelling

- 3.12 Specialist housing finance consultants have been appointed to carry out high level financial modelling in order to help assess the feasibility of the proposal based on the SNC pipeline of projects.
- 3.13 There is currently no pipeline of CDC projects to model, however any future investment by CDC would need to be based on a business case including the required financial modelling.
- 3.14 Project Timetable
The proposed project timetable is outlined below:

Date	Meeting	Action
10/10/16	South Northamptonshire Council Cabinet Meeting	<i>Approved in principle</i>
07/11/16	Cherwell District Council Executive Meeting	In principle decision (subject to SNC decision/approval)
TBC	South Northamptonshire Council Cabinet Meeting	Approval of full business case and Referral to Full Council
TBC	Cherwell District Council Executive Meeting	Approval of full business case
TBC	South Northamptonshire Council Full Council	Approval of full business case and budget approval for 17/18.

4.0 Conclusion and Reasons for Recommendations

- 4.1 This report is requesting Executive members to agree in principle to establishing a local development company with South Northamptonshire Council, such an approval is being sought as the local development company offers a future opportunity to:
- Generate income for the Council to contribute towards closing the financial gap in the Council's medium term financial plan;
 - Provide housing which meets housing need not currently met by the current market.

5.0 Consultation

Commercial Panel

High level presentation of the Local Development Company proposal. This is a joint CDC and SNC presentation and the decision is given in principle further

consultation with CDC Members in relation to the ownership shares will be required.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to support the establishment of a local development company but this would reduce the opportunities available to the Council to generate income and to address gaps in the current local housing market.

7.0 Implications

Financial and Resource Implications

7.1 There are no direct financial implications from approving in principle the establishment of the Local Development Company.

7.2 There may be some implementation costs that the Council as an owner of the company would need to contribute to.

7.3 Any future investment by the Council into the company would require a separate business case and decision.

Comments checked by:

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Legal Implications

7.6 The full legal implications and associated governance issues will need to be set out as part of the full business case. Officers from Legal Services will continue to provide support to the proposal; however some external support/verification will be required.

Comments checked by:

James Doble, Interim Assistant Director – Transformational Governance

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Risk Implications

7.7 There are no material risk implications from progressing to the development a full business case; however the full business case will need to set out the risk implications for the final proposal and how they will be mitigated.

Comments checked by: Claire Taylor, Interim Assistant Director – Commercial Development and Innovation, 0300 0030113

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8.0 Decision Information

Key Decision

Financial Threshold Met: **No**

Community Impact Threshold Met: **No**

Wards Affected

No wards will be affected in the progression to the next stage of work.

Links to Corporate Plan and Policy Framework

Cherwell: a district of opportunity;
Cherwell: sound budgets and customer focused council.

Lead Councillors

Councillor Ken Attack, Lead Member for Financial Management;
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT;
Councillor John Donaldson, Lead Member for Housing.

Document Information

Appendix No	Title
None	
Background Papers	
None	
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Cherwell District Council

Executive

7 November 2016

Results of the Customer Satisfaction Survey 2016

Report of Director – Strategy & Commissioning

This report is public

Purpose of report

This report provides a summary of the key messages from the Annual Customer Satisfaction Survey which was undertaken in July 2016. Full details from the survey are contained in Appendix 1 which is the full report delivered by the company who ran the survey independently on behalf of Cherwell District Council (CDC), Marketing Means. This report will also outline some recommended actions to develop the Annual Customer Satisfaction Survey as an integral part of CDC's consultation with residents.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Note the contents of the report and appendices.
- 1.2 Use appropriate results in the setting of Business Plan and Service Plan objectives and targets.
- 1.3 Agree that the 2016 results are used as a baseline for future target setting and benchmarking (given the change in methodology for identifying and receiving information from respondents).
- 1.4 Agree the action plan for reviewing and developing the survey content for 2017/18.

2.0 Introduction

- 2.1 This is the first time that the company Marketing Means has run the annual satisfaction survey for CDC following a re-tender of the contract. A summary of the re-tender is at Appendix 3.
- 2.2 The question base was kept the same as previous years although the method of contacting respondents has changed significantly. Households are now contacted

directly via a postal survey rather than individuals being chosen from the Citizens' Panel.

- 2.3 The resident survey was sent to a sample of households across the authority area to gauge satisfaction with Council services and the local area, as well as asking about service priorities.
- 2.4 The survey was sent out to a geographically stratified sample of **3,500** households on 13 June 2016 with a further reminder mailing issued to those respondents who had not replied on 4 July 2016. The survey closed on 20 July 2016.
- 2.5 A total of **1,034** valid surveys were returned, giving a response rate of **31%** of the 3,500 surveyed. This is a large increase on last year's respondent base of **437**, who responded via the Citizens' Panel. Part of the reasoning for re-tendering of the contract was to improve the response rate and use a more statistically significant proportion of the district's population.
- 2.6 All households in the sample received a postal survey with an opportunity to complete the survey online. 36 online surveys were completed (which are included in the response rate above).
- 2.7 The final respondent profile was 'weighted' by age and gender in order to be reflective of Cherwell's population as a whole. All charts and data in this report are based on 'weighted' data.
- 2.8 For key questions, respondents were asked for a particular statement whether they were:
 - Very Satisfied
 - Fairly Satisfied
 - Neither satisfied nor dissatisfied
 - Fairly dissatisfied
 - Very dissatisfied

For the purpose of the key messages below and the full report (Appendix 1), 'Fairly satisfied' and 'Very satisfied' have been combined to 'satisfied' and 'Fairly dissatisfied' and 'Very dissatisfied' have been combined to 'Dissatisfied'.

- 2.9 More specific questions asked the respondent for a rating between 1 and 10, where 1 is very satisfied and 10 is very dissatisfied.

For the purpose of the key messages below and the full report (Appendix 1), the following groupings have been applied to these ratings:

- Very Satisfied (1,2)
 - Fairly Satisfied (3,4)
 - Neither satisfied nor dissatisfied (5,6)
 - Fairly dissatisfied (7,8)
 - Very dissatisfied (9,10)
- 2.10 Where people have not answered a question, they have not been included in calculating the percentage satisfied/dissatisfied answers.

3.0 Report Details

Overarching key messages

- 3.1 Satisfaction with the services provided by Cherwell District Council overall is 69%, a fall from 79% in 2015's survey. Those answering that they were dissatisfied rose from 9% to 11%
- 3.2 80% were satisfied with their local area as a place to live.
 - 3.2.1 Among the factors providing greatest levels of dissatisfaction were issues around the town centres and access to jobs: 'the town centres attract people to shop' (42% dissatisfied); 'the availability of good quality jobs' (31% dissatisfied); 'the location of jobs' (26% dissatisfied) and 'the look and feel of town centres' (24% dissatisfied).
 - 3.2.2 That said however, town centre development ranked very low on the priority areas for which the Council should maintain the current level of service provision.
- 3.3 Large proportions of respondents **did not feel very or fairly well informed** about the benefits and services the Council provides (40%) nor what it spends money on (51%).
- 3.4 Just over a third (35%) **agreed** CDC provides value for money (23% **disagreed**). This is a drop of 20% from 2015's result of 55%.
- 3.5 There is a high level of concern overall with the nation's current budget deficit (77% concerned). Around a third (32%) **agreed** that their household has been affected by public spending cuts.
- 3.6 In terms of the Council, 42% **agreed** they trust CDC will do what is right for residents in the current economic climate (27% **disagreed**).
- 3.7 Respondents were very much of the opinion that there were efficiency savings to made in the Council to avoid cutting services (53% **agreed**) and respondents were against paying more council tax to maintain current services (54%).

Reason for drops in results

- 3.8 These results (and indeed all the results in this covering report and the full results set in Appendix 1) should be read in the context that the survey was sent to a geographically stratified sample of households rather than just those people who had volunteered to give feedback and would possibly be more positive towards the council to start with.
 - 3.8.1 The membership of the Citizens' panel used for last year's results had also been declining year on year meaning the results were based on an increasingly smaller proportion of the overall Cherwell district population.
 - 3.8.2 There was also a small financial incentive for people to be involved in the Citizens' Panel which may have led to more positive answers being submitted. Members of the panel were paid for completing initial training to take part in the panel and there was a randomly selected prize winner from those that did complete the survey.

- 3.8.3 By sending a postal survey to a cross-section of the district we have seen nearly a 150% increase in the number of respondents giving us a broader range of opinions and more statistically significant proportion of the population giving their views. The response of 1,034 out of the 3,500 surveys sent out provides an overall confidence level of +/-3% at the 95% level. (More details on how the confidence interval is worked out are on page 8 of Appendix 1).
- 3.8.4 The change in methodology was agreed as part of the re-tendering of the contract to provide the Annual Customer Satisfaction survey. This was undertaken in response to dwindling numbers of respondents and increasing costs of the previous contract.
- 3.8.5 The final report style (Appendix 1) is significantly different from the previously provided information packs with more emphasis on pulling out the key messages from each question set.
- 3.8.6 The re-tender and subsequent award of the contract to Marketing Means saw a reduction in annual costs of £21,807 from an annual fee last year of £30,000 to £8,913 this year. Depending on changes to the survey's question bank, there may be further savings to be made next year. Appendix 3 has details of the cost comparison and brief details of the re-tender process.

Service prioritisation

- 3.9 Question 41 of the survey asked respondents to compare services and rate which they felt was more important. Conjoint analysis was applied to these results to rank services. This allows us to examine the relative 'importance' a number of factors have relative to each other.

The output from conjoint analysis is a hierarchy of importance, giving a clear indication of the relative importance of individual factors to respondents.

- 3.10 The top three key services to be maintained by the Council were identified as:
- Household recycling collection and food/garden waste collections
 - Household waste collection
 - Providing affordable housing

This is consistent with the top three results last year although the priority order of these three has changed.

These services are all currently reflected in the CDC business plan. A full list of ranked priorities is shown in Appendix 2, also showing the change in position over time.

- 3.11 The full service prioritisation information will be used as part of the evidence base to inform the business planning process for 2017/18.

Service specific satisfaction highlights

Environmental Services

- 3.12 There are high levels of satisfaction with the Council's household waste collection service (82%), household recycling collection service (80%) and household food and garden waste collection service (83%). These services have seen excellent results continue with only slight drops, probably due to the change in respondent base.
- 3.12.1 All three of these services were highlighted as the main priority areas for the Council to maintain the current level of service provision.

Leisure Services

- 3.13 Overall satisfaction with leisure facilities was 63%, which climbed to 69% for those who have used them in the past 12 months.
- 3.13.1 Satisfaction with various aspects of the local leisure facilities: 64% for the range of facilities available; 61% for the cleanliness and condition; 59% with staff, 51% for refreshment/catering at venues and 49% for the cost of using them.
- 3.13.2 Over a quarter (27%) of respondents were dissatisfied with the cost of using the local leisure facilities.

Community Safety

- 3.14 Although there were high levels of residents feeling safe in their homes and local communities, 40% of respondents outlined they felt fairly or very unsafe when walking alone in the town centre after dark.

Car parking

- 3.15 Overall 62% were satisfied with local car parking facilities, 21% were dissatisfied.
- 3.15.1 The main area of dissatisfaction revolved around price of parking where 40% were fairly or very dissatisfied.

Contacting the council and interaction with officers

- 3.16 74% of respondents were satisfied (score 1-4) with information about how to contact the council, only 9% were dissatisfied (score 7-10).
- 3.16.1 Just over three quarters (76%) were satisfied (score 1-4) with being respected/listened to by staff, 10% were dissatisfied (score 7-10).
- 3.16.2 Just under three quarters (74%) were satisfied (score 1-4) with staff knowledge, 11% were dissatisfied (score 7-10).
- 3.16.3 81% were satisfied (score 1-4) staff used plain English and did not speak in jargon, 9% were dissatisfied (score 7-10).

Summary Table

- 3.17 The table below shows the results of several of the key service satisfaction measures with a comparison to the results from the survey last year. As explained above in section 3.8, a change in who makes up the respondent base is the likely cause for the reduction across all results.
- 3.18 Despite the significant change in respondent base, some services show a negligible change in satisfaction. Waste collection for example has only dropped 1%.
- 3.19 While there are more marked drops in other service areas (and with the overall satisfaction rate), the figures for 2016 form a far more representative baseline to enable the tracking of satisfaction performance going forward.

	2015	2016	% Change since 2015
Overall Satisfaction	79	69	-10
Recycling centres	91	77	-14
Household recycling collection service	87	80	-7
Waste collection service	83	82	-1
Food and garden waste collection	84	83	-1
Street cleansing service	69	62	-7
Local car parking facilities	66	62	-4
Local parks and open spaces	79	69	-10
Leisure facilities	68	63	-5
Leisure activities	64	54	-10
Local area as a place to live	88	80	-8
Council's approach to dealing with environmental crime	50	40	-10
Dealing with anti-social behaviour/ nuisance	53	42	-11

Lessons learnt and proposed changes to the Annual Survey

- 3.20 The Annual Customer Satisfaction Survey gives us a consistent method of gathering feedback from the public and should therefore form a critical part of the consultation CDC undertakes. There are however, several recommendations below for future surveys to help streamline and focus the survey. (These recommendations have come from both Cherwell District officers and also Marketing Means).
- Retain a small set of core comparable questions to enable the tracking of progress over time.
 - Introduce target questions relating to services that we need to change or understand more regarding the requirements.
 - Focus more on the priorities of our customers as opposed to assessing support to our actions/policies.

- Remove the high density of questions on Waste and Leisure that could be completed by a more targeted approach to consultation (i.e. ask users of the relevant service rather than ask several questions in the generic survey about services that the respondent may not have utilised).
- Take the opportunity to ask questions that link with partners (e.g. Police, Fire and Health services) and secure a contribution towards the running costs, thereby gaining shared information (ASB/Community Safety) as well as making savings on the annual cost.
- Investigate options for selecting the sample of residents to be contacted. Large numbers of surveys were returned by Royal Mail as they were selected from a property database which didn't include information about occupancy (e.g. the house was a new build with no-one living there).
- Review the timetable for the survey so that it doesn't clash with major elections and also fits into the Business Planning cycle at an earlier stage. Initial discussions around priorities and objectives for the Cherwell Business Plan have taken place prior to the results being available.

3.21 Appendix 4 sets out a draft Action Plan for reviewing and revising the contents of the Annual Survey.

4.0 Conclusion and Reasons for Recommendations

4.1 While key results have shown a dip in performance when compared to the performance last year, it is critical to consider the improvement in the number and range of respondents we now are using. Instead of asking a very small sample of people who have volunteered to respond, we are posing the questions to a far broader set of respondents and getting a more representative view of satisfaction from Cherwell residents.

4.2 The annual satisfaction survey is a core method of getting feedback from our residents. By reviewing the question base to align it with key service requirements for customer opinion and also the aims and priorities of the Corporate Business Plan, we will improve the quality of information we receive and the decisions that are made based on feedback and satisfaction data. A more concise survey may also improve response rates.

5.0 Consultation

5.1 Consultation will need to take place with officers and members before any changes to the question set can be introduced to make sure that key questions are retained and additional questions have the correct focus.

6.0 Alternative Options and Reasons for Rejection

- 6.1 Retaining the current survey will mean that we don't utilise the survey fully as a source of customer feedback information
- 6.2 Using the wider respondent base has meant a dip in results this year but provides a more accurate reflection of opinion in the district. Reverting to a more select group of respondents could potentially mask issues.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising from this report

Comments checked by:

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Legal Implications

- 7.2 There are no legal issues arising from this report.

Comments checked by:

Kevin Lane - Head of Law and Governance, 0300 003 0107

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Risk Implications

- 7.3 There are no risk implications arising from this report

Comments checked by:

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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

The satisfaction survey results link to many different services, contributing to all Corporate Aims. In future, there is an opportunity to align these links more strongly so that the satisfaction survey can both help provide evidence that local priorities are being addressed and also highlight issues which may need.

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
1	Full report
2	Service Prioritisation
3	Re-tendering of Annual Satisfaction Survey contract: Summary
4	Action plan for review of the next Annual Survey
Background Papers	
None	
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Cherwell District Council

Cherwell District Council Residents' Survey 2016

Draft Report_vFINAL

8th August 2016



Executive Summary

Background and Method

This report represents the findings of a resident survey which was conducted by Marketing Means on behalf of Cherwell District Council during May/June 2016.

The resident survey was sent to a sample of households across the authority area to gauge satisfaction with the Council services and the local area, as well as asking about service priorities.

The survey was sent out to a random sample of **3,500** households and one further reminder mailing was issued to non respondents.

A total of **1,034** valid surveys were returned, giving a response rate of **31%**.

All households in the sample received a postal survey with an opportunity to complete the survey online. 36 online surveys were completed (which are included in the response rate above).

The final respondent profile was 'weighted' by age and gender in order to be reflective of Cherwell's population as a whole. All charts and data in this report are based on 'weighted' data.

Local area as a place to live

80% were **satisfied** with their local area as a place to live.

Among the factors providing **greatest levels of dissatisfaction** were issues around the **town centres and access to jobs**: 'the town centres attract people to shop' (42% dissatisfied); 'the availability of good quality jobs' (31% dissatisfied); 'the location of jobs' (26% dissatisfied) and 'the look and feel of town centres' (24% dissatisfied).

That said however, town centre development ranked very low on the priority areas for which the Council should maintain the current level of service provision.

Overall views of Cherwell District Council

Over two thirds (69%) were **satisfied** with the services provided by Cherwell District Council overall (12% **dissatisfied**).

However, large proportions of respondents **did not feel very or fairly well informed** about the benefits and services the Council provides (40%) nor what it spends money on (51%).

Just over a third (35%) **agreed** Cherwell District Council provides value for money (23% **disagreed**).

Environmental services

High levels of **satisfaction** with: the Council's household waste collection service (82%); the Council's household recycling collection service (80%) and the Council's household food and garden waste collection service (83%).

All three of these services were highlighted as the main priority areas for the Council to maintain the current level of service provision.

Relatively high levels of **satisfaction** reported with each of the following aspects of the collection services: the range of service; the friendliness and helpfulness of waste collection staff and the general execution of the actual service collections.

The aspect yielding the **lowest level of satisfaction** was the frequency of collection, with around 70% **satisfied** with the frequency of each of the three services.

62% were **satisfied** with the **street cleaning service**, 18% were **dissatisfied**. Aspects generating greatest levels of **dissatisfaction** were issues around: the control of dog waste; the issuing of fines for littering and dog fouling; information around littering and littering campaigns/neighbourhood blitzes.

There were **high levels of satisfaction** with recycling centres overall (77%); the location of them (75%) and the items you can recycle (77%), however only 60% were satisfied with how clean and tidy the facilities were (20% dissatisfied).

40% were **satisfied** with the Council's approach to dealing with environmental crime, 22% were **dissatisfied**.

Leisure and recreation

69% were **satisfied** with the way **parks and play areas** are looked after (12% were **dissatisfied**).

A third (33%) of those who responded felt there were 'too few' parks/open spaces and play areas.

Overall satisfaction with leisure facilities was 63%, which climbed to 69% for those who have used them in the past 12 months

Satisfaction with various aspects of the local leisure facilities: 64% for the range of facilities available; 61% for the cleanliness and condition; 59% with staff, 51% for refreshment/catering at venues and 49% for the cost of using them.

Over a quarter (27%) were **dissatisfied** with the **cost** of using the local leisure facilities.

Under a third (30%) of respondents had **used or participated** in **leisure activities** provided by Cherwell District Council in the past 12 months.

Overall satisfaction with leisure activities was 54%, which climbed to 68% for those who have used them in the past 12 months

Sports and leisure facilities/activities ranked very low on the priority areas for which the Council should maintain the current level of service provision.

Community safety

Less than half (42%) were **satisfied** with the Council's approach to dealing with anti-social behaviour and nuisance (23% **dissatisfied**).

Only 36% **agreed** the Police and Local Council are dealing with anti-social behaviour and nuisance in the area, 26% **disagreed**.

Aspects highlighted as the **greatest issues** were around visual presence of the police and community wardens (43% and 52% dissatisfied respectively); how vandalism/graffiti is dealt with (46% dissatisfied) and how youths hanging around on the streets is dealt with (53% dissatisfied).

Although there were high levels of residents **feeling safe** in their homes and local communities, **40%** of respondents outlined they felt **fairly or very unsafe** when walking alone in the town centre after dark.

Car parking

Overall 62% were **satisfied** with local car parking facilities, 21% were **dissatisfied**.

The main area of dissatisfaction revolved around **price of parking** where **40%** were **fairly or very dissatisfied**.

Local economy

A high level of concern overall with the nation's current budget deficit (77% concerned).

Around a third (32%) **agreed** that their household has been affected by public spending cuts.

In terms of the Council, 42% **agreed** they trust Cherwell Council will do what is right for residents in the current economic climate (27% **disagreed**).

Respondents were very much of the opinion that there were efficiency savings to made in the Council to avoid cutting services (53% **agreed**) and respondents were against paying more council tax to maintain current services (54%).

Contact and information

High levels of **satisfaction** with: the information about contacting the council; and the Staff.

However, levels of **satisfaction** fell away a little in the areas of; being directed to the right person/department (68%); speed of response (65%); the Council keeping to promises (60%) and the final outcome of queries/complaints (64%).

Most common sources of information about the Council were the Cherwell Link magazine and the Council's website, for which 69% were **satisfied** with the Cherwell Link magazine and 72% were **satisfied** with the Council's website.

Table of contents

Introduction Error! Bookmark not defined.

Background and objectives	Error! Bookmark not defined.
Method	Error! Bookmark not defined.
Cherwell District Council Residents' Survey	Error! Bookmark not defined.
Acknowledgements	Error! Bookmark not defined.
Author and publication.....	Error! Bookmark not defined.

Response..... Error! Bookmark not defined.

Respondent profiles	Error! Bookmark not defined.
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Section 1.0 Your local area as a place to live Error! Bookmark not defined.

1.1 Satisfaction with your local area as a place to live.....	Error! Bookmark not defined.
1.2 Satisfaction with aspects of the district	Error! Bookmark not defined.

Section 2.0: Environmental Services Error! Bookmark not defined.

2.1 Street Cleaning Service	Error! Bookmark not defined.
2.1.1 Satisfaction with street cleaning service	Error! Bookmark not defined.
2.1.2 Satisfaction with aspects of street cleaning service.....	Error! Bookmark not defined.
2.2 Environmental Crime and Enforcement	Error! Bookmark not defined.
2.2.1 Satisfaction with the Council's approach	Error! Bookmark not defined.
2.2.2 Fixed Penalty Notices	Error! Bookmark not defined.
2.2.3 Street Offences	Error! Bookmark not defined.
2.3 Household Waste Collection	Error! Bookmark not defined.
2.3.1 Satisfaction with waste collection.....	Error! Bookmark not defined.
2.3.2 Satisfaction with aspects of waste collection	Error! Bookmark not defined.
2.4 Household Recycling Collections.....	Error! Bookmark not defined.
2.4.1 Satisfaction with household recycling collection service.....	Error! Bookmark not defined.
2.4.2 Satisfaction with aspects of the household recycling collection service.....	Error! Bookmark not defined.
2.5 Household Food and Garden Waste Collections.....	Error! Bookmark not defined.
2.5.1 Satisfaction with food and garden waste collection service.....	Error! Bookmark not defined.
2.5.2 Satisfaction with aspects of the food and garden waste collection service.....	Error! Bookmark not defined.
2.6 Information on waste, recycling, food and garden waste collection service.....	Error! Bookmark not defined.
2.7 Waste following collections	Error! Bookmark not defined.
2.8 Recycling Centres	Error! Bookmark not defined.
2.8.1 Frequency of use.....	Error! Bookmark not defined.
2.8.2 Satisfaction with recycling centres	Error! Bookmark not defined.
2.8.3 Satisfaction with aspects of local recycling centres	Error! Bookmark not defined.

Section 3.0 Leisure and Recreation Error! Bookmark not defined.

3.1 Parks/open spaces and play areas	Error! Bookmark not defined.
3.1.1 Visited parks/open spaces and play areas	Error! Bookmark not defined.
3.1.2 Frequency of visit to parks/open spaces and play areas.....	Error! Bookmark not defined.
3.1.3 Satisfaction with parks and play areas.....	Error! Bookmark not defined.
3.1.4 Satisfaction with aspects of the local parks/open spaces and play areas.....	Error! Bookmark not defined.
3.1.5 Number of parks/open spaces and play areas	Error! Bookmark not defined.
3.2 Leisure Facilities.....	Error! Bookmark not defined.
3.2.1 Leisure facilities used.....	Error! Bookmark not defined.
3.2.2 Satisfaction with leisure facilities provided by Cherwell District Council.....	Error! Bookmark not defined.
3.2.3 Satisfaction with aspects of local leisure facilities.....	Error! Bookmark not defined.

3.3 Leisure Activities	Error! Bookmark not defined.
3.3.1 Leisure Activities - Participation	Error! Bookmark not defined.
3.3.2 Satisfaction with Leisure Activities	Error! Bookmark not defined.

Section 4.0 Community Safety..... Error! Bookmark not defined.

4.1 Satisfaction with Council's approach to dealing with anti-social behaviour and nuisance.....	Error! Bookmark not defined.
4.2 Incidents of anti-social behaviour and nuisance	Error! Bookmark not defined.
4.3 Satisfaction with aspects of the way the Council and Partners deal with anti-social behaviour and nuisance	Error! Bookmark not defined.
4.4 Police and Local Council dealing with anti-social behaviour and nuisance in this area.....	Error! Bookmark not defined.
4.5 Safe / Unsafe.....	Error! Bookmark not defined.

Section 5.0 Car Parks Error! Bookmark not defined.

5.1 Car park usage.....	Error! Bookmark not defined.
5.2 Season ticket or blue badge.....	Error! Bookmark not defined.
5.3 Satisfaction with local car parking facilities	Error! Bookmark not defined.
5.4 Satisfaction with aspects of local car parking facilities.....	Error! Bookmark not defined.

Section 6.0 Overall views of Cherwell District Council Error! Bookmark not defined.

6.1 Overall views	Error! Bookmark not defined.
6.1.1 Satisfaction with services provided by Cherwell Council	Error! Bookmark not defined.
6.1.2 Informed about benefits and services	Error! Bookmark not defined.
6.1.3 Informed about what the Council spends money on.....	Error! Bookmark not defined.
6.1.4 Value for money	Error! Bookmark not defined.

Section 7.0 The local economy and council budget prioritiesError! Bookmark not defined.

7.1 Views of the current economic climate	Error! Bookmark not defined.
7.2 Priorities	Error! Bookmark not defined.

Section 8.0 Contacting the Council..... Error! Bookmark not defined.

8.1 Last contact.....	Error! Bookmark not defined.
8.2 Satisfaction when contacting the Council	Error! Bookmark not defined.
8.3 Information from Cherwell Council	Error! Bookmark not defined.
8.4 Information sources.....	Error! Bookmark not defined.
8.5 Satisfaction with information sources.....	Error! Bookmark not defined.

Appendix 1: Cherwell District Council Residents SurveyError! Bookmark not defined.

Introduction

Background and objectives

Cherwell District Council commissioned Marketing Means to undertake a resident survey to gauge satisfaction with the Council's services and the area where they live, as well as asking about service priorities.

Objective was to reach a target of 1,060 responses overall to ensure statistical robustness of the results.

Method

The resident survey was undertaken using a postal survey supported by an online survey.

Cherwell District Council provided a postal address file of all households in the authority area. Marketing Means stratified this file by ward area and randomly selected a sample of **3,500** households.

The reason for stratifying the sample by ward in the first instance was to assist with achieving a geographically representative response to the survey.

Marketing Means sent out a paper questionnaire, along with a covering letter and a C5 freepost reply envelope to all households in the sample. Marketing Means also provided a free phone helpline number facility for residents to use in case of any queries about the survey or requests for different formats.

Each survey carried a unique ID number for identification purposes, to ensure any subsequent reminder mailings were only sent to non-respondents.

All residents in the sample were also provided with the alternative option of completing the survey online if they wished, using their unique login details which were included in the covering letter along with a link to the online survey.

The survey was initially sent to all the households in the sample during the week commencing **13th June 2016**. Those who had not responded were sent a full pack reminder during the week commencing **4th July 2016**. The closing date for returns was the **20th July 2016**.

Marketing Means inputted all survey data electronically using Conformit scanning software. 10% of all responses were verified to check the accuracy of the data held.

The analysis contained in this report was conducted using the SPSS statistical software package.

Note Cherwell District Council also made an additional open online survey available for any resident to complete and this was publicised directly by the Council. The question set was exactly the same; however the results from this open survey have not been incorporated within this report.

Cherwell District Council Residents' Survey

Confidence

A target was set to achieve 1,060 completed surveys in order to meet the recommended confidence level of +/-3%.

A confidence level or interval is a measure of how reliable the results from the sample are in relation to the wider population.

Example: A confidence interval of +/- 3% at a 95% confidence interval, means that any proportion given has a 95% likelihood of being no more than 3% higher or lower in the wider population; e.g. if the satisfaction level with a particular service is 65% for the sample (i.e. all respondents), the true figure for the entire population will be between 62% and 68%, 95% of the time.

The calculation for this is:

$$\sqrt{\frac{(\% \text{ Satisfied} \times \% \text{ Dissatisfied})}{\text{Number who answered the question}}} \times 1.96$$

Weighting data

In order to provide a representative view of the population of Cherwell as a whole the data achieved was weighted with consideration for the following factors: age and gender to reduce any bias of over or under represented groups.

**Please note the survey was open to any household member who was 18yrs or over.*

All data in this report is based on weighted data.

Rounding

Figures for charts and tables have been rounded and may not total 100%.

Further notes

- *'Don't knows', 'not applicables' and 'no replies' have been omitted from the data and charts in this report unless stated.*

Acknowledgements

Marketing Means would like to thank Tracie Darke and Ed Bailey at Cherwell District Council for their help with this project.

Author and publication

Marketing Means wrote this report in August 2016.

Any press release or publication of the findings of this survey requires the approval of the author/Marketing Means. Approval would only be refused if it were felt that the intended use would present inaccurate or misrepresented information.

Response

Overall

Cherwell District Council provided a postal address file, which Marketing Means stratified by ward area before taking a sample using a random sample facility. The size of the sample (3,500) was chosen with the aim of generating a response of 1,060 responses overall (at least a 30% response rate).

A total of **1,034** valid surveys were returned. Unfortunately 112 surveys were returned by Royal Mail as undelivered, which would suggest a relatively high proportion of 'deadwood' in the sample file provided by Cherwell District Council. To calculate the response rate, the following formula was used:

$$\frac{\text{(Number of questionnaires returned)}}{\text{(Number of people in the sample less undelivered)}}$$

The response rate is, therefore, 1,034 / (3,500-112) = 31%.

As a result although the target of at least 30% was achieved, the response just fell short of the 1,060 response target.

However, a response of 1,034 still provides an overall confidence level of +/-3% at the 95% level.

Ward analysis

Throughout this report reference has been made to data at a Ward level, however, **caution** needs to be given when interpreting the results at this level because of the relatively small base numbers involved. Number of responses achieved at ward level ranged from 46 in Banbury Ruscote to 78 in Bicester East.

As a result confidence with data on a Ward level is likely to be **+/- 11-15%** at the 95% level. Although differences at this area level may **not** be significant, it may allow the Council to highlight possible issues in different areas and maybe concentrate resources on further work in these areas to follow them up.

Respondent profiles

The final respondent profile was weighted by age and gender in order to be more reflective of Cherwell's population as a whole. The respondent profiles below show the unweighted and weighted data achieved.

Note: The data and charts in this report are based on weighted data.

Age (Q48) Base: 1,003

Age category	Weighted	Unweighted
18-24yrs	2%	1%
25-34yrs	18%	8%
35-44yrs	23%	13%
45-54yrs	19%	19%
55-64yrs	15%	22%
65-74yrs	13%	22%
75+yrs	10%	15%

Gender (Q49) Base: 976

	Weighted	Unweighted
Male	49%	41%
Female	51%	59%
Transgender	0%	0%

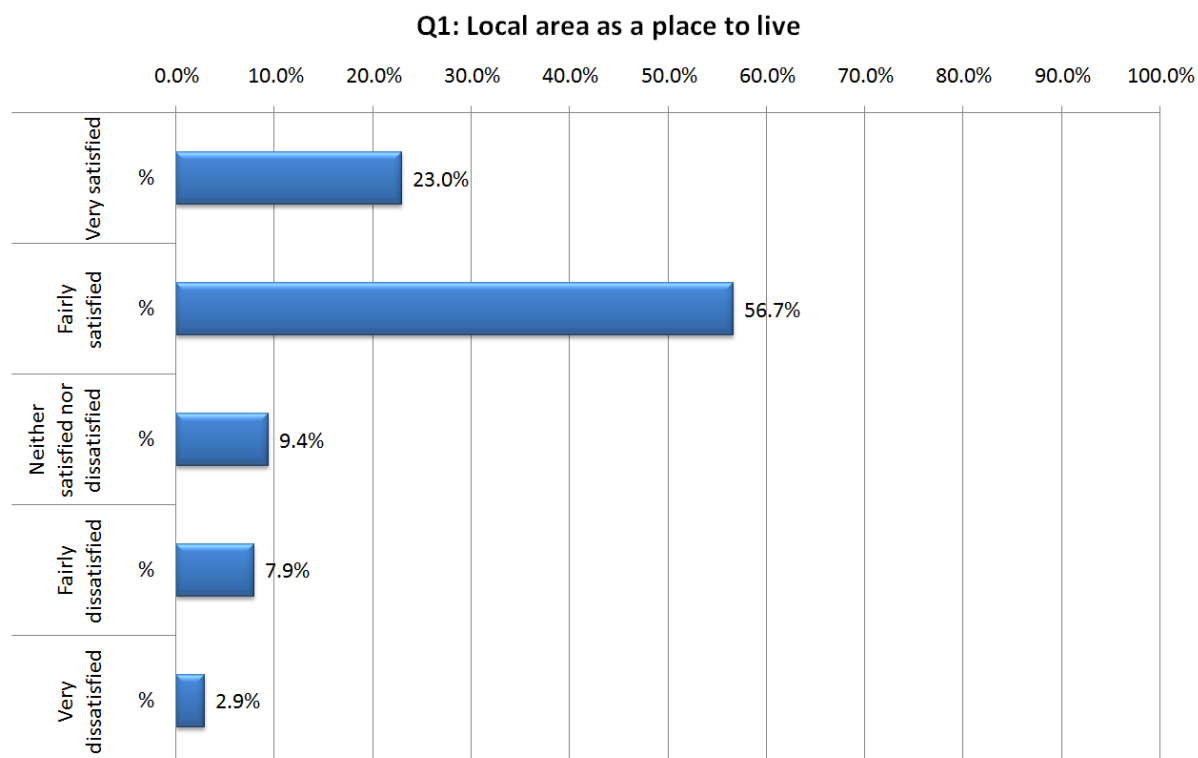
Section 1.0 Your local area as a place to live

1.1 Satisfaction with your local area as a place to live

‘Overall, how satisfied or dissatisfied are you with your local area as a place to live?’ Base: 1,001

Overall satisfaction with the local area as a place to live was 80% with a confidence interval of +/-2.5% at the 95% level.

Chart 1:



Differences

- A third (33%) of those respondents aged 65yrs+ were **very satisfied** with their local area as a place to live which was significantly higher than those aged 35-44yrs at only 17%.
- Females were significantly more satisfied with their local area as a place to live, with 84% **very or fairly satisfied** compared with 75% of Males.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 91% in Launton & Otmoor to 55% in Banbury Ruscote.

Other research

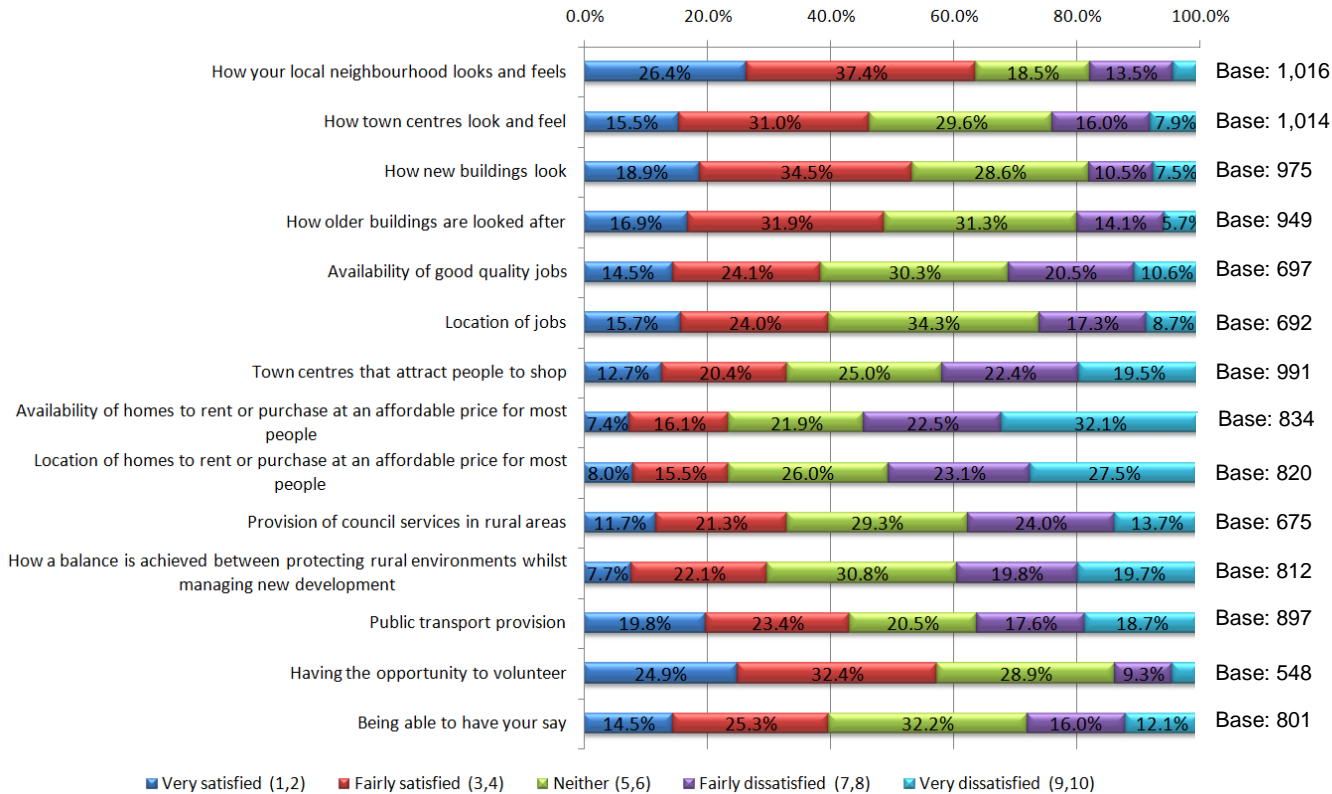
We can make some observations from other research which has taken place although these are **not directly comparable**, with the data achieved for this survey.

- The LGA have been undertaking a quarterly **telephone** poll on resident satisfaction with a **national** sample since September 2012, this has shown levels of satisfaction with ‘the local area’ between 80-85% (June 2016 – 82%).

1.2 Satisfaction with aspects of the district

‘And, how satisfied or dissatisfied are you with the following across the district, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 2:



Nearly two thirds (64%) were **satisfied** (score 1-4) with the way their neighbourhood looks and feels, 18% were **dissatisfied** (score 7-10).

Just under half (46%) were **satisfied** (score 1-4) with the look and feel of town centres, just under a quarter (24%) were **dissatisfied** (score 7-10).

Just over half (53%) were **satisfied** (score 1-4) with how new buildings look, 18% were **dissatisfied** (score 7-10).

Just under half (49%) were **satisfied** (score 1-4) with how older buildings are looked after, a fifth (20%) were **dissatisfied** (score 7-10).

39% were **satisfied** (score 1-4) with the availability of good quality jobs, 31% were **dissatisfied** (score 7-10).

40% were **satisfied** (score 1-4) with the location of jobs, just over a quarter 26% were **dissatisfied** (score 7-10).

A third (33%) were **satisfied** (score 1-4) that the town centres attract people to shop, 42% were **dissatisfied** (score 7-10).

Just under a quarter (24%) were **satisfied** (score 1-4) with the availability of homes to rent or purchase at an affordable price for most people, however over half (55%) were **dissatisfied** (score 7-10).

Just under a quarter (23%) were **satisfied** (score 1-4) with the location of homes to rent or purchase at an affordable price for most people, however over half (51%) were **dissatisfied** (score 7-10).

A third (33%) were **satisfied** (score 1-4) with the provision of council services in rural areas, 38% were **dissatisfied** (score 7-10).

- Those **dissatisfied** across wards varied from 18% in Kidlington East to 59% in Cropredy, Sibfords & Wroxton

30% were **satisfied** (score 1-4) with how a balance is achieved between protecting rural environments whilst managing new development however, 39% were **dissatisfied** (score 7-10).

43% were **satisfied** (score 1-4) with public transport provision, 36% were **dissatisfied** (score 7-10).

- Those **dissatisfied** across wards varied from 13% in Kidlington East to 75% in Cropredy, Sibfords & Wroxton

Over half (57%) were **satisfied** (score 1-4) that they have the opportunity to volunteer, 14% were **dissatisfied** (score 7-10).

40% were **satisfied** (score 1-4) that they able to have their say, just over a quarter (28%) were **dissatisfied** (score 7-10).

Section 2.0: Environmental Services

2.1 Street Cleaning Service

2.1.1 Satisfaction with street cleaning service

'Overall, how satisfied or dissatisfied are you with the street cleaning service?'

Base: 972

Overall satisfaction with the street cleaning service was 62% with a confidence interval of +/-3.0% at the 95% level, 19% dissatisfied.

Chart 3:



Differences

- No significant differences across age categories.
- Females were significantly more satisfied with the street cleaning service, with 68% **very or fairly satisfied** compared with 56% of Males. Males were significantly more **dissatisfied** with the service compared to Females (24% compared with 15%).
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 74% in Bicester North & Caversfield to 45% in Fringford & Heyfords.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 11% in Bicester East and Bicester North & Caversfield to 29% in Banbury Cross & Neithrop.

Other research

We can make some observations from other research which has taken place although these are **not directly comparable**, with the data achieved for this survey.

- The LGA have been undertaking a quarterly **telephone** poll on resident satisfaction with a **national** sample since September 2012, this has shown levels of satisfaction with 'street cleaning' service between 69-76% (June 2016 – 69%).

2.1.2 Satisfaction with aspects of street cleaning service

'How satisfied or dissatisfied are you with the following aspects of the street cleaning service, where 1 is very satisfied and 10 is very dissatisfied?'

Chart 4:



Nearly two thirds (63%) were **satisfied** (score 1-4) with the cleanliness of their local areas, 18% were **dissatisfied** (score 7-10).

- Those **satisfied** across wards varied from 75% in Deddington to 49% in Banbury Cross & Neithrop.
- Those **dissatisfied** across wards varied from 10% in Deddington to 30% in Banbury, Grimsbury & Hightown.

59% were **satisfied** (score 1-4) with the cleanliness of local town/urban centre (Banbury, Bicester or Kidlington), 16% were **dissatisfied** (score 7-10).

Just over half (52%) were **satisfied** (score 1-4) with the frequency with which the streets are cleaned, 23% were **dissatisfied** (score 7-10).

Just over half (54%) were **satisfied** (score 1-4) with the number of litter bins in public places, 23% were **dissatisfied** (score 7-10).

Just under half (47%) were **satisfied** (score 1-4) with the number of dog waste bins in public places, nearly a third (32%) were **dissatisfied** (score 7-10).

Just over half (53%) were **satisfied** (score 1-4) with on street recycling bins, located in urban areas next to litter bins, a quarter (25%) were **dissatisfied** (score 7-10).

44% were **satisfied** (score 1-4) that the street cleaning service was limiting the amount of dog waste in public places, 30% were **dissatisfied** (score 7-10).

39% were **satisfied** (score 1-4) with the issuing of fines for littering and dog fouling however, 44% were **dissatisfied** (score 7-10).

34% were **satisfied** (score 1-4) with littering campaigns and information regarding littering however, 38% were **dissatisfied** (score 7-10).

42% were **satisfied** (score 1-4) with neighbourhood litter blitzes, a third (33%) were **dissatisfied** (score 7-10).

- Those **satisfied** across wards varied from 59% in Bicester North & Caversfield to 29% in Bicester East.
- Those **dissatisfied** across wards varied from 13% in Banbury Hardwick to 45% in Banbury Calthorpe & Easington.

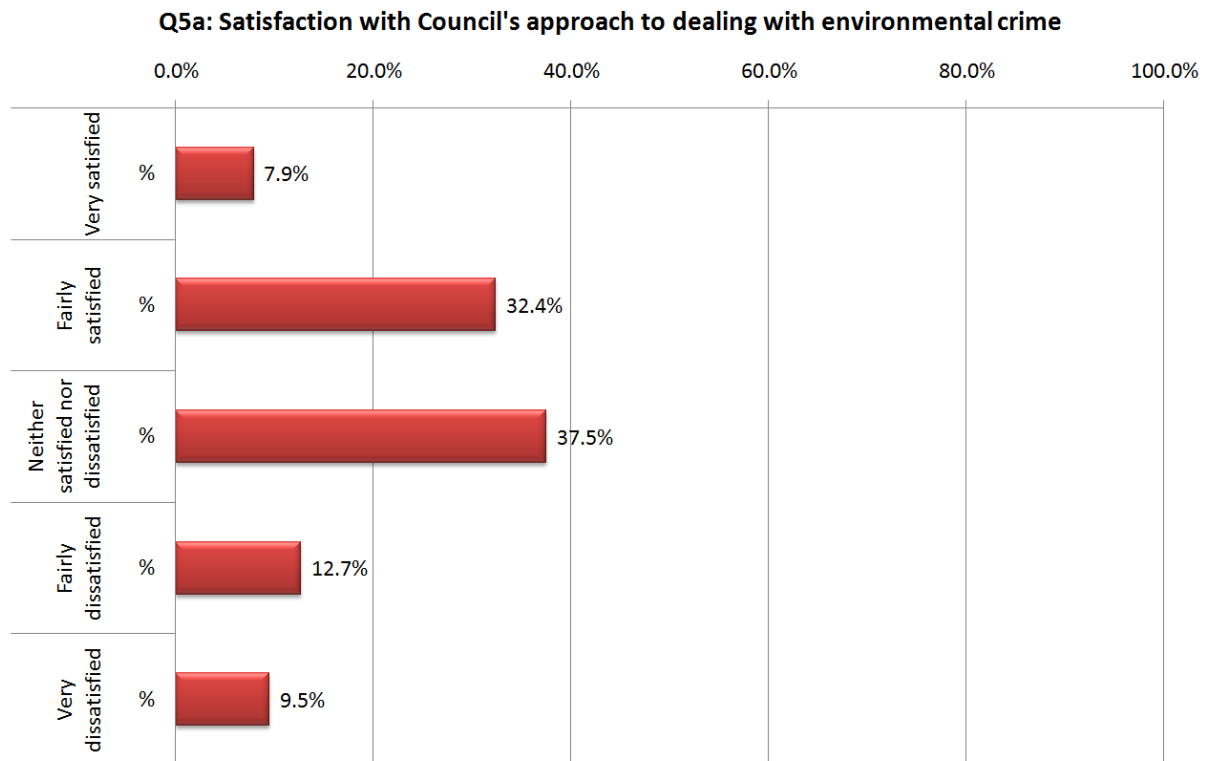
2.2 Environmental Crime and Enforcement

2.2.1 Satisfaction with the Council's approach

'Overall, how satisfied or dissatisfied are you with the Council's approach to dealing with environmental crime?' Base: 794

Overall satisfaction with the Council's approach to dealing with environmental crime was 40%, 22% were dissatisfied.

Chart 5a:



Differences

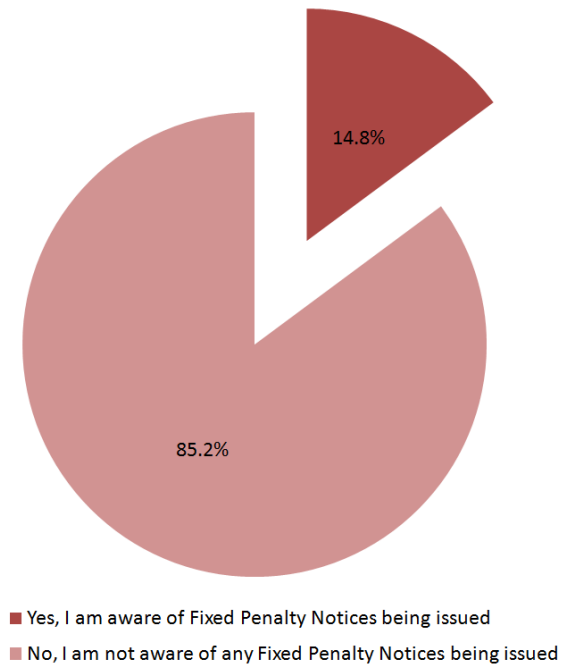
- 60% of respondents aged 75yrs+ were **very or fairly satisfied** with the Council's approach to dealing with environmental crime which was significantly higher than those aged 25-34yrs and 35-44yrs (30% and 35% respectively).
- Females were significantly more satisfied with the Council' approach to dealing with environmental crime, with 47% **very or fairly satisfied** compared with a third (33%) of Males. Males were significantly more **dissatisfied** with the service compared to Females (26% compared with 17%).
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 57% in Kidlington West to 26% in Fringford & Heyfords.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 12% in Kidlington East to 36% in Fringford & Heyfords.

2.2.2 Fixed Penalty Notices

'Are you aware of any fixed penalty notices being issued by Cherwell District Council Environmental Officers in your local area?' *Base: 1,017*

Chart 5b:

Q5b: Aware of fixed penalty notices being issued in local area

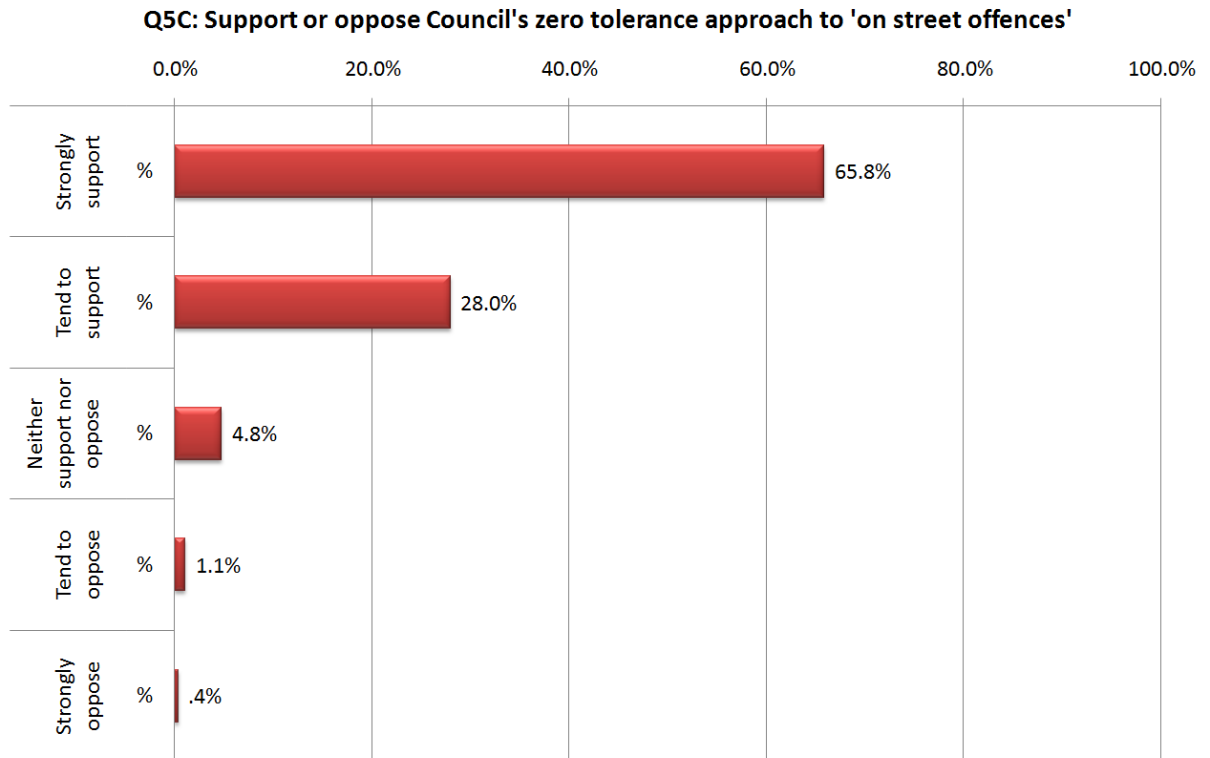


Only 15% were aware of fixed penalty notices being issued by Cherwell District Council Environmental Enforcement Officers in their local area, 85% were not.

2.2.3 Street Offences

'To what extent do you support or oppose the Council's policy of a zero tolerance approach to 'on street offences' (i.e. giving a fine to those people issued with a fixed penalty notice for littering, dog fouling or abandoned vehicles?' Base: 985

Chart 5c:



94% **support** the Council's zero tolerance approach to 'on street offences', only 1% **oppose** the policy.

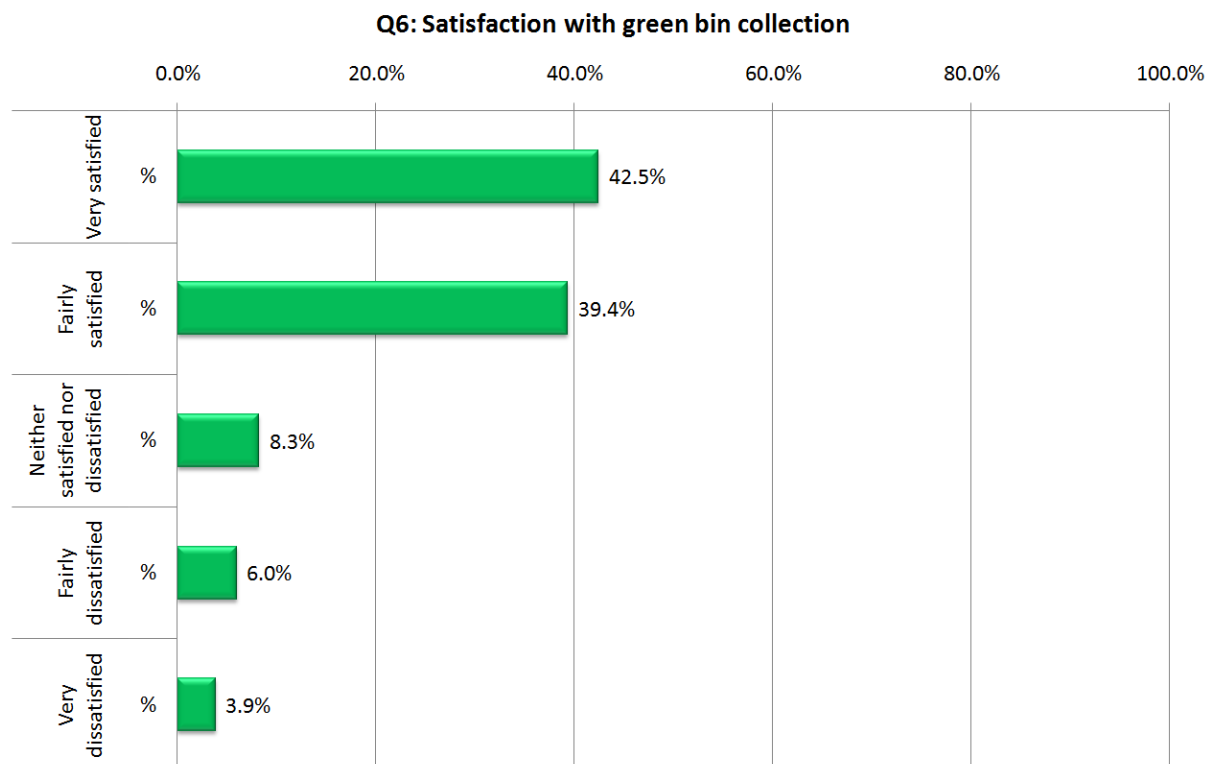
2.3 Household Waste Collection

2.3.1 Satisfaction with waste collection

‘Overall, how satisfied or dissatisfied are you with the green bin collection service?’ Base: 1,016

Overall satisfaction with the green bin collection service was 82% with a confidence interval of +/-2.4% at the 95% level, 10% were dissatisfied.

Chart 6:



Differences

- 94% those respondents aged 75yrs+ were **very or fairly satisfied** with the green bin collection service which was significantly higher than some of the other age categories most notable 35-44yrs (73%) and 55-64yrs (79%).
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 93% in Kidlington West to 70% in Banbury, Grimsbury & Hightown.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 1% in Bicester East to 20% in Banbury Ruscote.

Other research

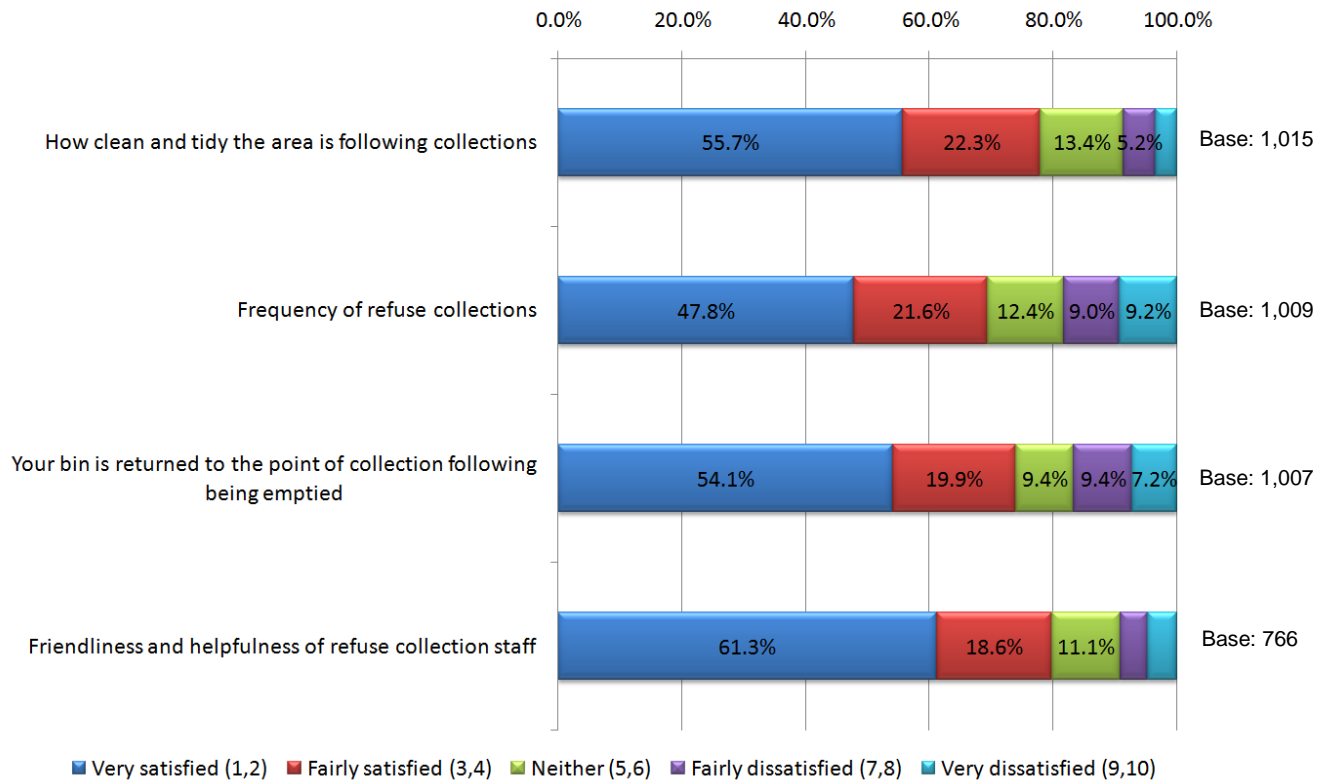
We can make some observations from other research which has taken place although these are **not directly comparable**, with the data achieved for this survey.

- The LGA have been undertaking a quarterly **telephone** poll on resident satisfaction with a **national** sample since September 2012, this has shown levels of satisfaction with ‘waste collection’ service between 77-86% (June 2016 – 80%).

2.3.2 Satisfaction with aspects of waste collection

‘And how satisfied or dissatisfied are you with the following aspects of the green bin collection service, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 7:



Over three quarters (78%) were **satisfied** (score 1-4) with how clean and tidy the area is following collections, only 9% were **dissatisfied** (score 7-10).

69% were **satisfied** (score 1-4) with the frequency of refuse collections, 18% were **dissatisfied** (score 7-10).

74% were **satisfied** (score 1-4) that their bin is returned to the point of collection following being emptied, 17% were **dissatisfied** (score 7-10).

80% were **satisfied** (score 1-4) with the friendliness and helpfulness of refuse collection staff, only 9% were **dissatisfied** (score 7-10).

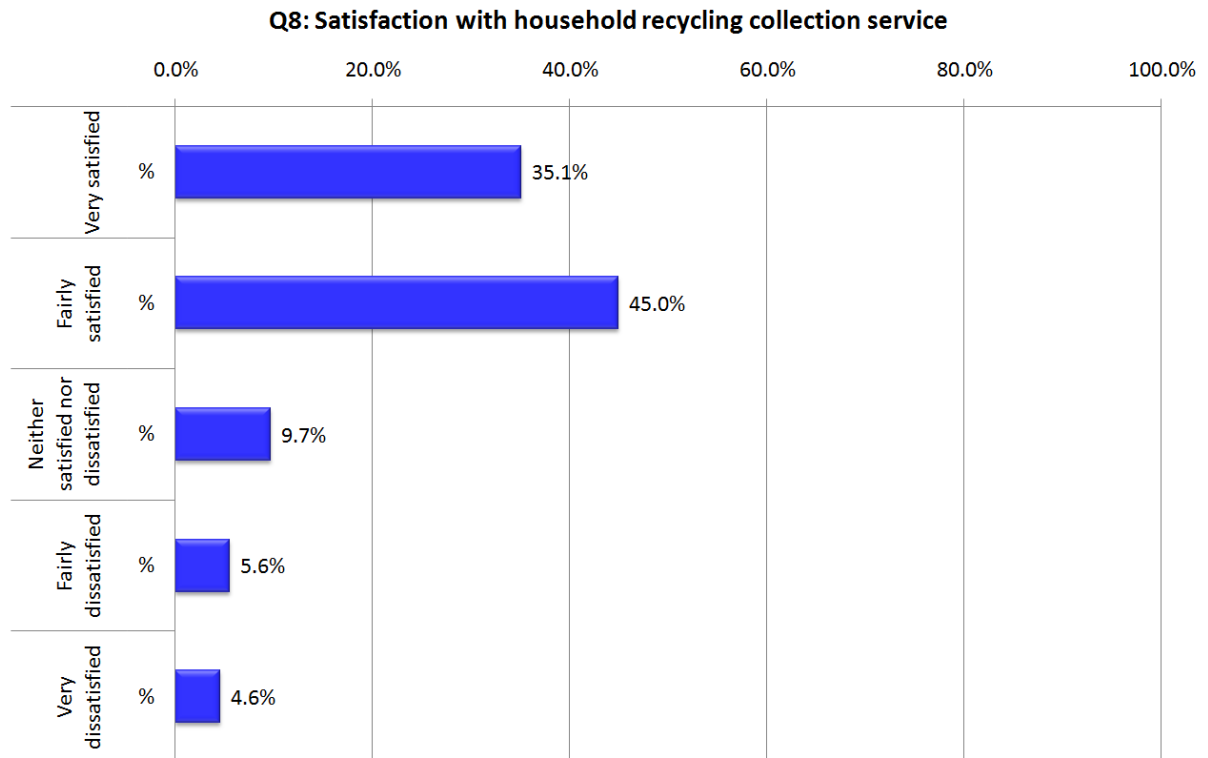
2.4 Household Recycling Collections

2.4.1 Satisfaction with household recycling collection service

‘Overall, how satisfied or dissatisfied are you with the household recycling collection service?’ (*Blue bin*) Base: 1,006

Overall satisfaction with the household recycling collection service was 80% with a confidence interval of +/-2.5% at the 95% level, 10% were dissatisfied.

Chart 8:



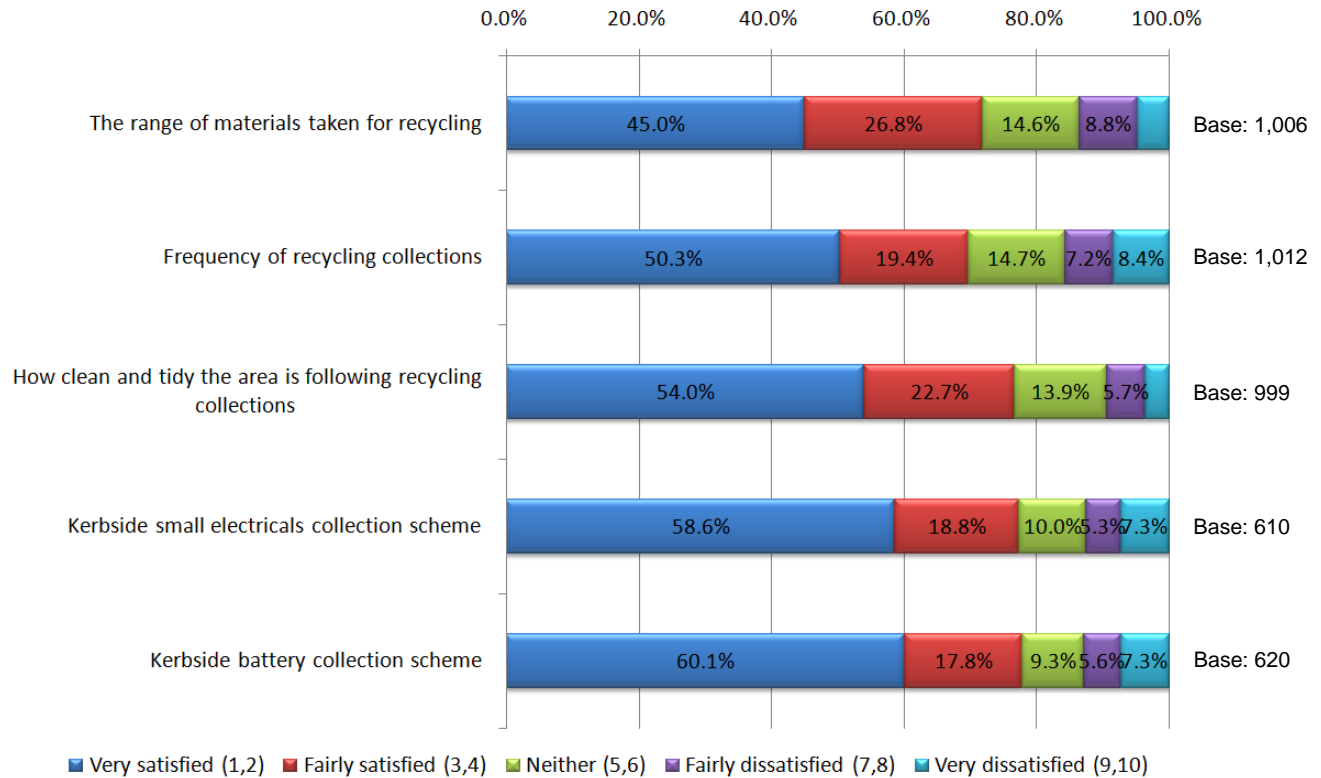
Differences

- 92% those respondents aged 75yrs+ were **very or fairly satisfied** with the household recycling collection service which was significantly higher than some of the other age categories most notable 25-34yrs (77%) and 35-44yrs (73%).
- Females were significantly more satisfied with the household recycling collection service, with 85% **very or fairly satisfied** compared with 75% of Males.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 90% in Bicester North & Caversfield to 58% in Banbury Ruscite.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 4% in Banbury Calthorpe & Easington to 21% in Banbury Ruscite.

2.4.2 Satisfaction with aspects of the household recycling collection service

‘And how satisfied or dissatisfied are you with the following aspects of the household recycling collection service, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 9:



72% were **satisfied** (score 1-4) with the range of materials taken for recycling, 14% were **dissatisfied** (score 7-10).

70% were **satisfied** (score 1-4) with the frequency of recycling collections, 16% were **dissatisfied** (score 7-10).

77% were **satisfied** (score 1-4) with how clean and tidy the area is following recycling collections, only 9% were **dissatisfied** (score 7-10).

77% were **satisfied** (score 1-4) with kerbside small electricals collection scheme, 13% were **dissatisfied** (score 7-10).

78% were **satisfied** (score 1-4) with kerbside battery collection scheme, 13% were **dissatisfied** (score 7-10).

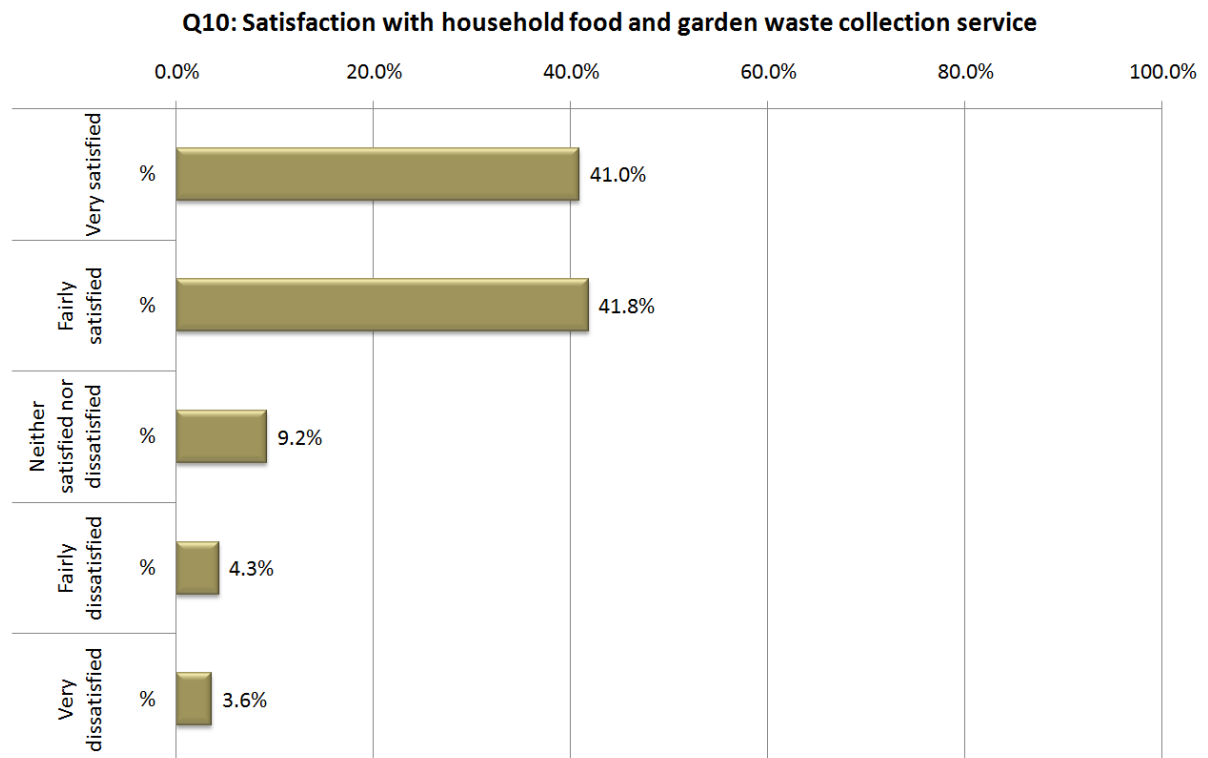
2.5 Household Food and Garden Waste Collections

2.5.1 Satisfaction with food and garden waste collection service

‘Overall, how satisfied or dissatisfied are you with the household food and garden waste collection service?’ (*Brown bin*) Base: 982

Overall satisfaction with the food and garden waste collection service is 83% with a confidence interval of +/-2.3% at the 95% level, 8% dissatisfied.

Chart 8:



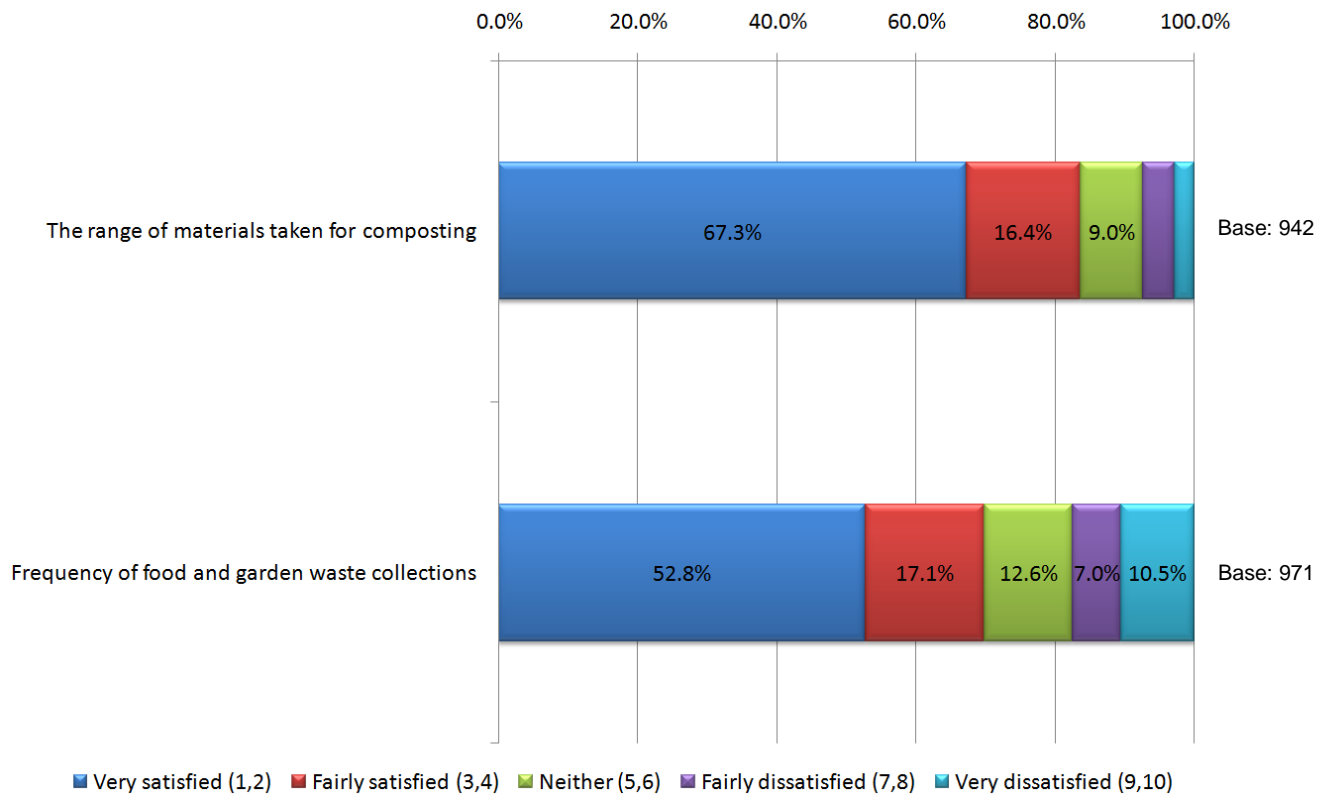
Differences

- No significant differences across age categories when comparing those who were satisfied or dissatisfied.
- Females were significantly more satisfied with the household food and garden waste collection service, with 87% **very or fairly satisfied** compared with 80% of Males.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 90% in Bicester North & Caversfield and Banbury Hardwick to 71% in Banbury Ruscote.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 2% in Banbury Calthorpe & Easington and Bicester North & Caversfield to 19% in Banbury Cross & Neithrop.

2.5.2 Satisfaction with aspects of the food and garden waste collection service

‘And how satisfied or dissatisfied are you with the following aspects of the food and garden waste collection service, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 11:



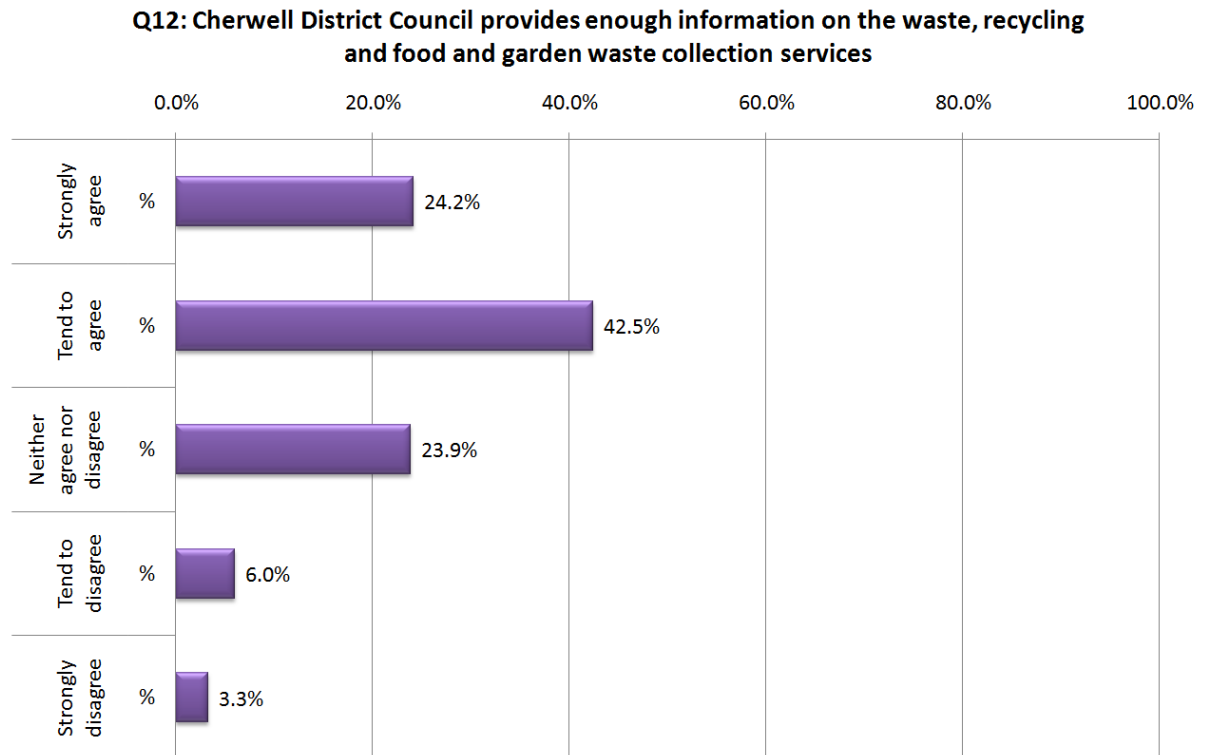
84% were **satisfied** (score 1-4) with the range of materials taken for composting, only 7% were **dissatisfied** (score 7-10).

70% were **satisfied** (score 1-4) with the frequency of food and garden waste collections, 18% were **dissatisfied** (score 7-10).

2.6 Information on waste, recycling, food and garden waste collection service

‘To what extent do you agree or disagree that Cherwell District Council provides you with enough information on the waste, recycling and food and garden waste collection services?’ Base: 989

Chart 12:



Around two thirds (67%) agreed that they are provided with enough information on the waste, recycling and food and garden waste collection services, only 9% disagreed.

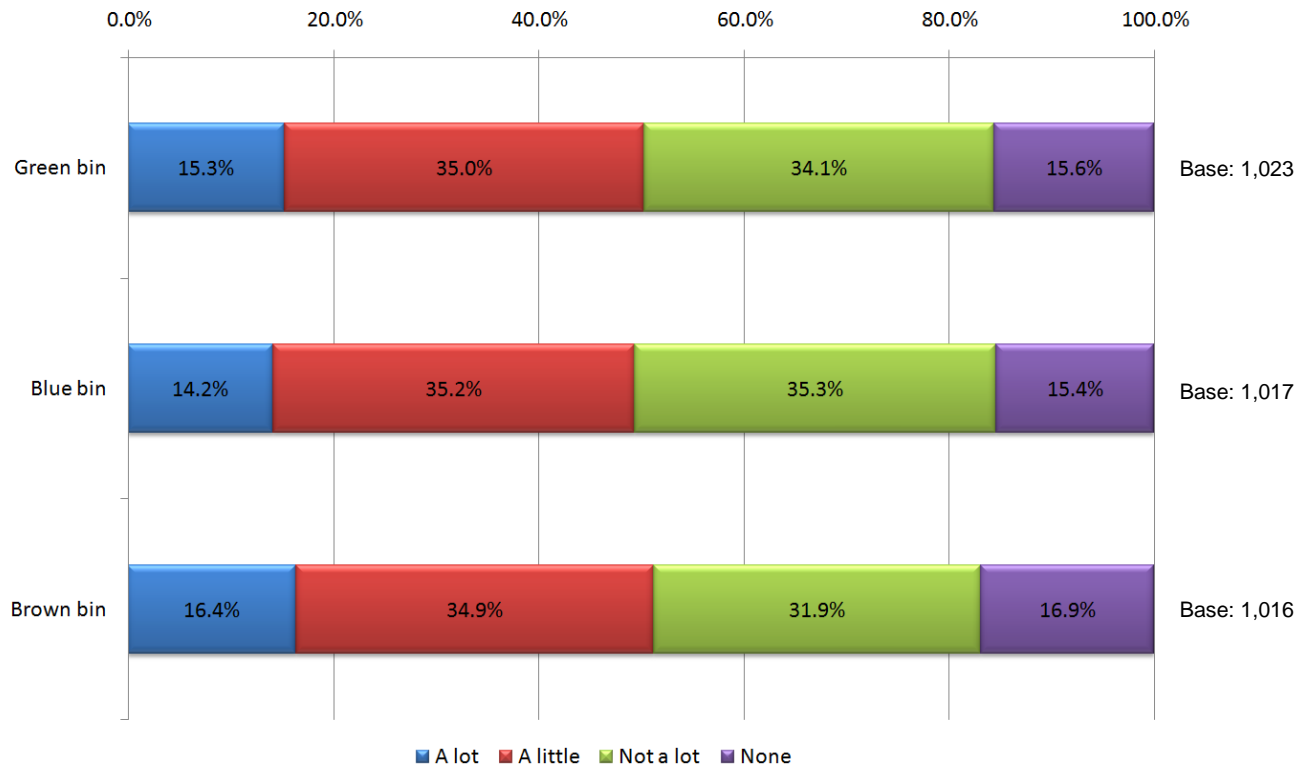
Differences

- No significant differences across age categories when comparing those who agreed or disagreed.
- Females were significantly more likely to agree that they are provided with enough information (74%) compared with 60% of Males.

2.7 Waste following collections

'How much do you know about what happens to your waste after collections?'

Chart 13:



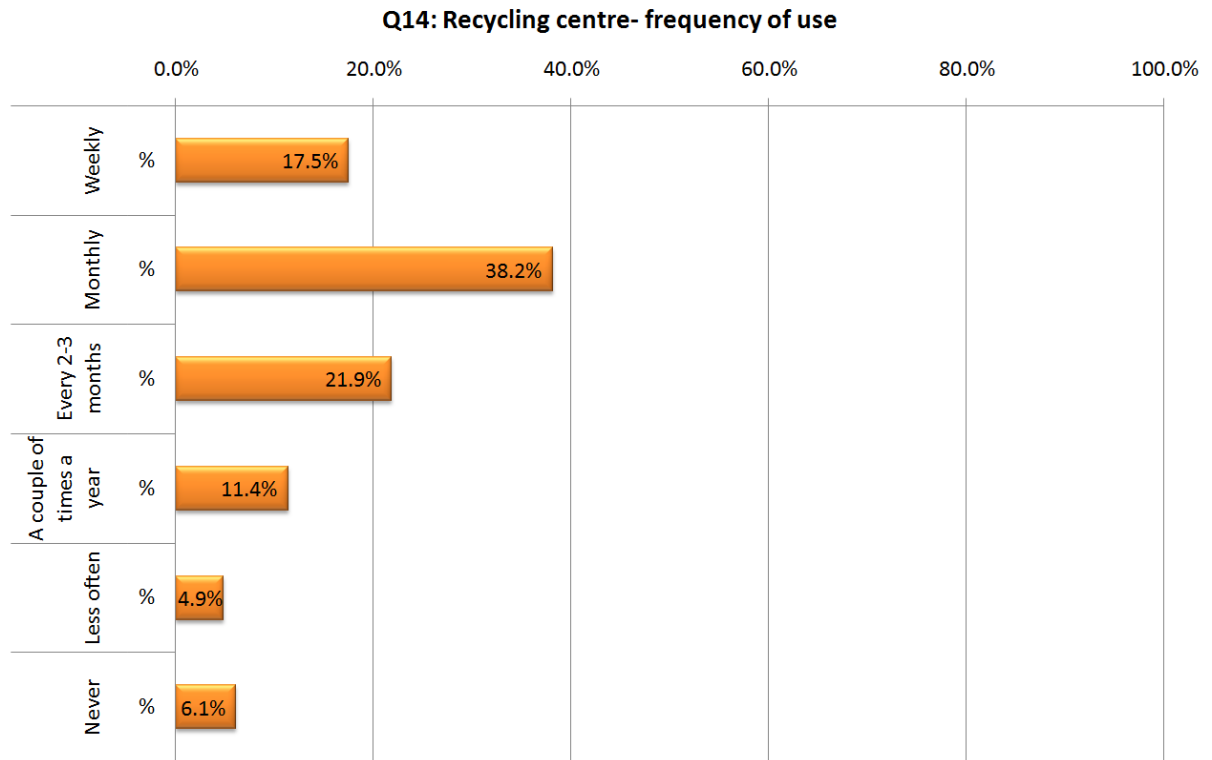
Around half knew 'a lot' or 'a little' about what happens with the waste from the green bin (50%), blue bin (49%) and brown bin (51%) after collection.

2.8 Recycling Centres

2.8.1 Frequency of use

'How often do you use a recycling centre?' Base: 1,027

Chart 14:



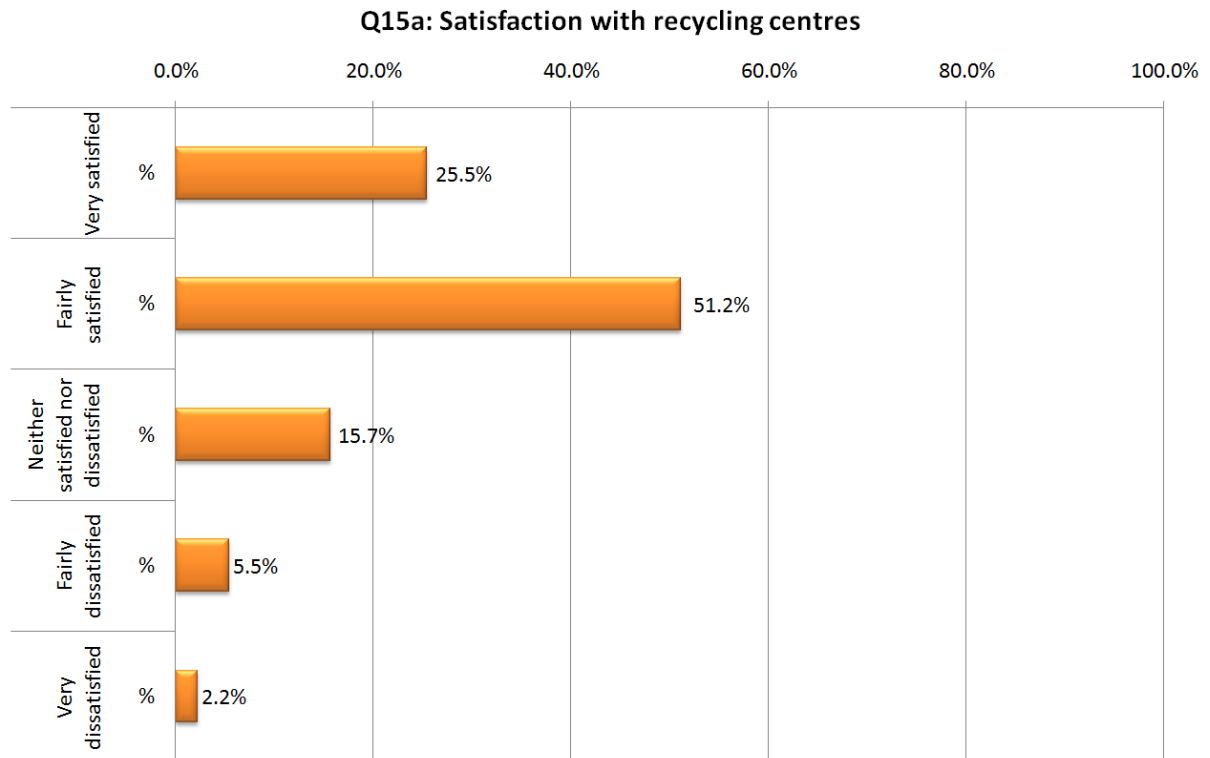
56% of respondents use recycling centres at least on a monthly basis, only 6% have never used them.

2.8.2 Satisfaction with recycling centres

'Overall, how satisfied or dissatisfied are you with the recycling centres?' Base: 963

Overall satisfaction with recycling centres was 77% with a confidence interval of +/-2.7% at the 95% level, 8% dissatisfied.

Chart 15a:



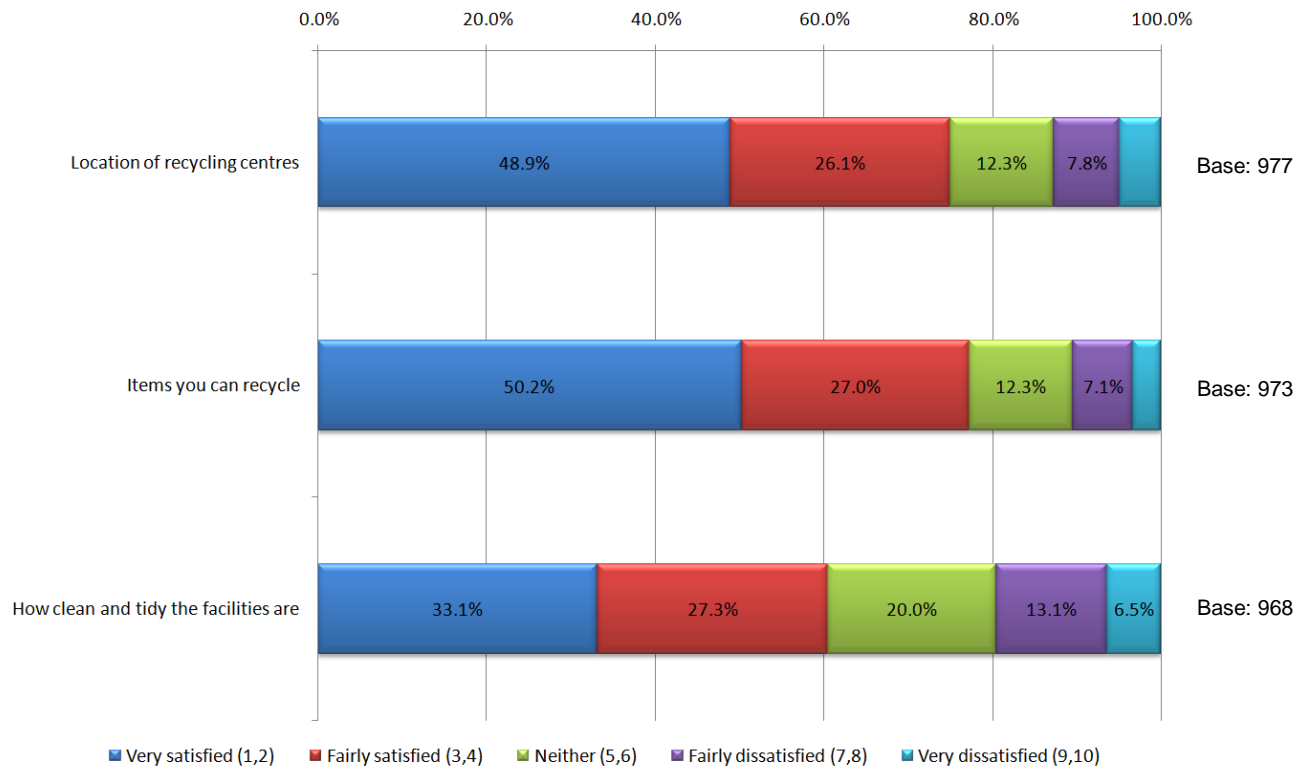
Differences

- No significant differences across age or gender when comparing those satisfied or dissatisfied.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 85% in Bicester East and Bicester South & Ambrosden to 57% in Banbury Grimsbury & Hightown.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 2% in Bicester East and Fringford & Heyfords to 18% in Banbury Cross & Neithrop.

2.8.3 Satisfaction with aspects of local recycling centres

‘And how satisfied or dissatisfied are you with the following aspects of the local recycling centres, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 15b:



Three quarters (75%) were **satisfied** (score 1-4) with the location of recycling centres, 13% were **dissatisfied** (score 7-10).

Just over three quarters (77%) were **satisfied** (score 1-4) with the items you can recycle, 10% were **dissatisfied** (score 7-10).

60% were **satisfied** (score 1-4) with how clean and tidy the facilities were, 20% were **dissatisfied** (score 7-10).

Section 3.0 Leisure and Recreation

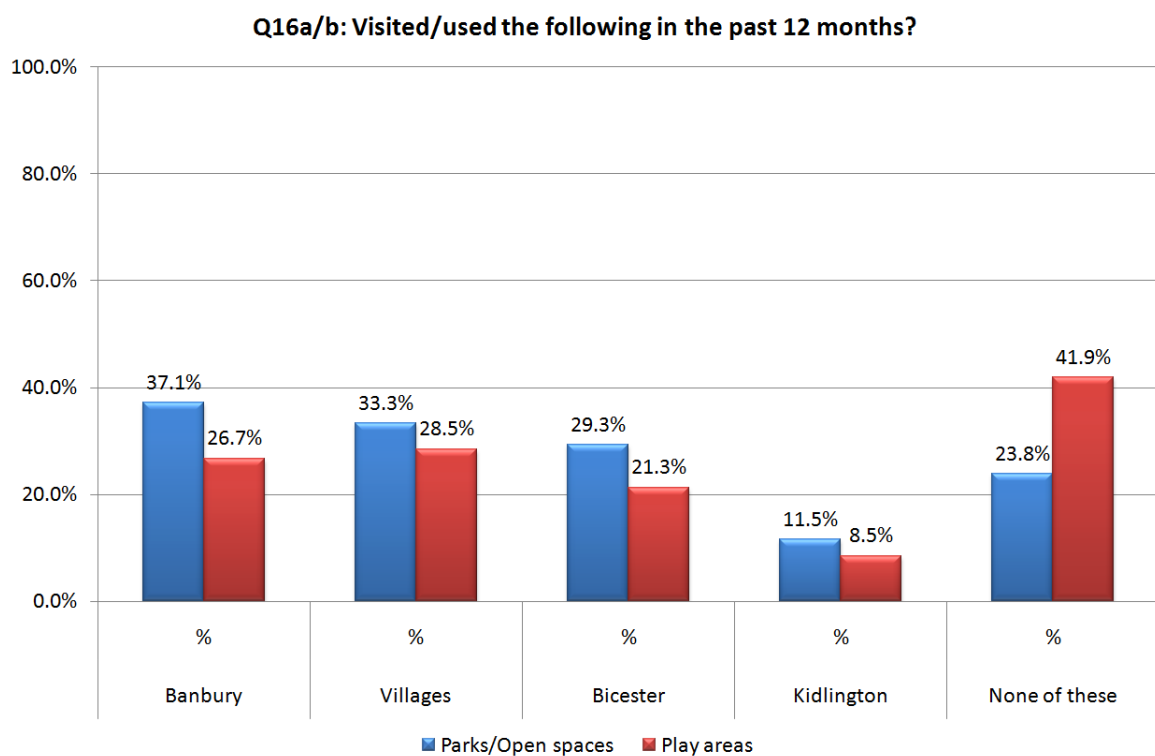
3.1 Parks/open spaces and play areas

3.1.1 Visited parks/open spaces and play areas

'In which if any of the following locations have you visited/used PARKS/OPEN SPACES in the past 12 months?' Base: 956 - MULTI

'In which if any of the following locations have you visited/used PLAY AREAS in the past 12 months?' Base: 803 - MULTI

Chart 16a/b:

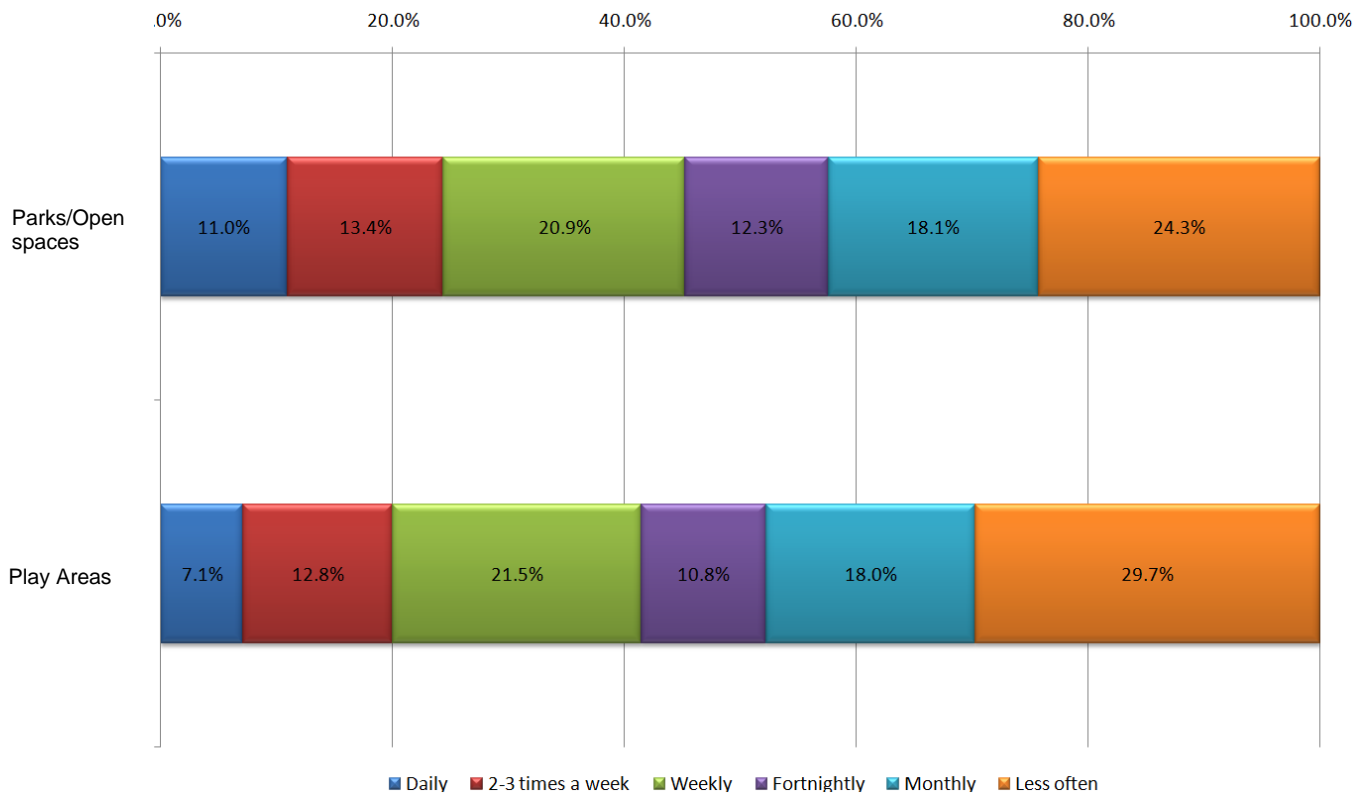


3.1.2 Frequency of visit to parks/open spaces and play areas

‘Roughly, how often do you visit the PARKS/OPEN SPACES?’ Base: 717

‘Roughly, how often do you visit the PLAY AREAS?’ Base: 474

Chart 17a/b:



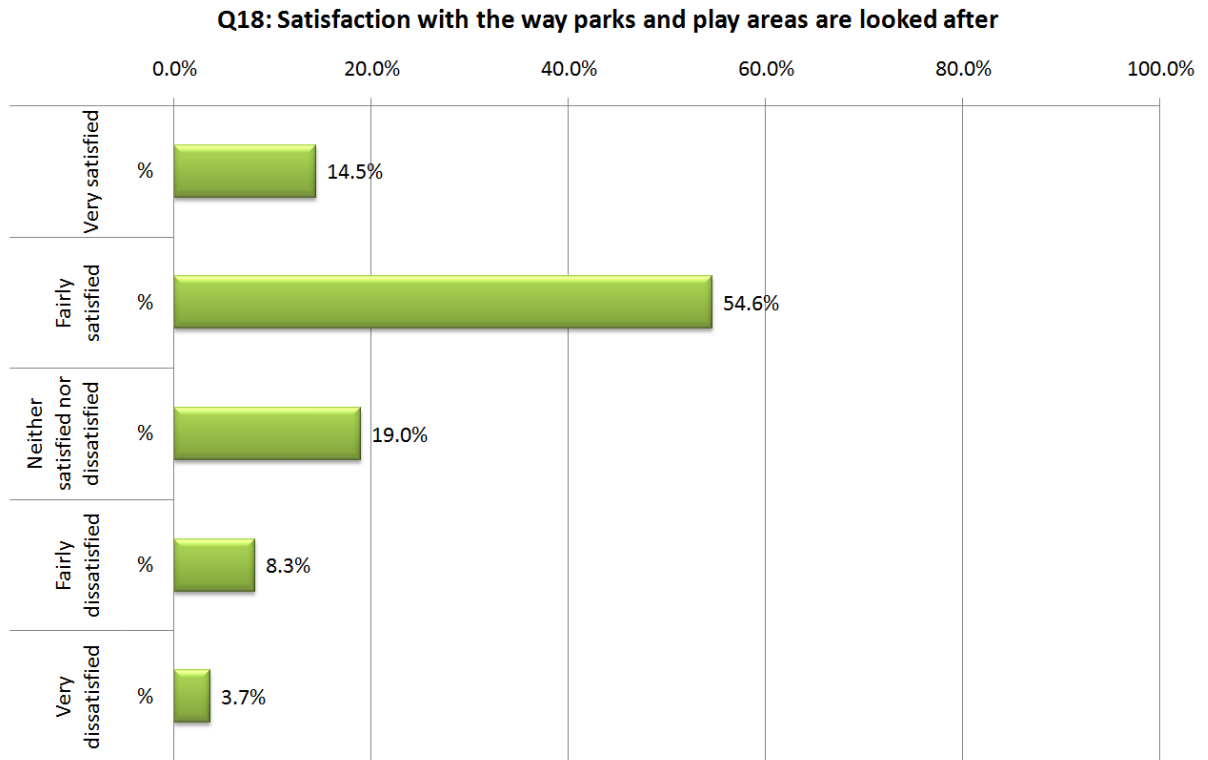
Of those who have used the parks/open spaces in the past 12 months, 45% have done so at least on a weekly basis.

Of those who have used the play areas in the past 12 months, 41% have done so at least on a weekly basis.

3.1.3 Satisfaction with parks and play areas

‘Overall, how satisfied or dissatisfied are you with the way parks and play areas are looked after?’ Base: 825

Chart 18:



Overall satisfaction with the way parks and play areas are looked after was 69%, 12% were dissatisfied.

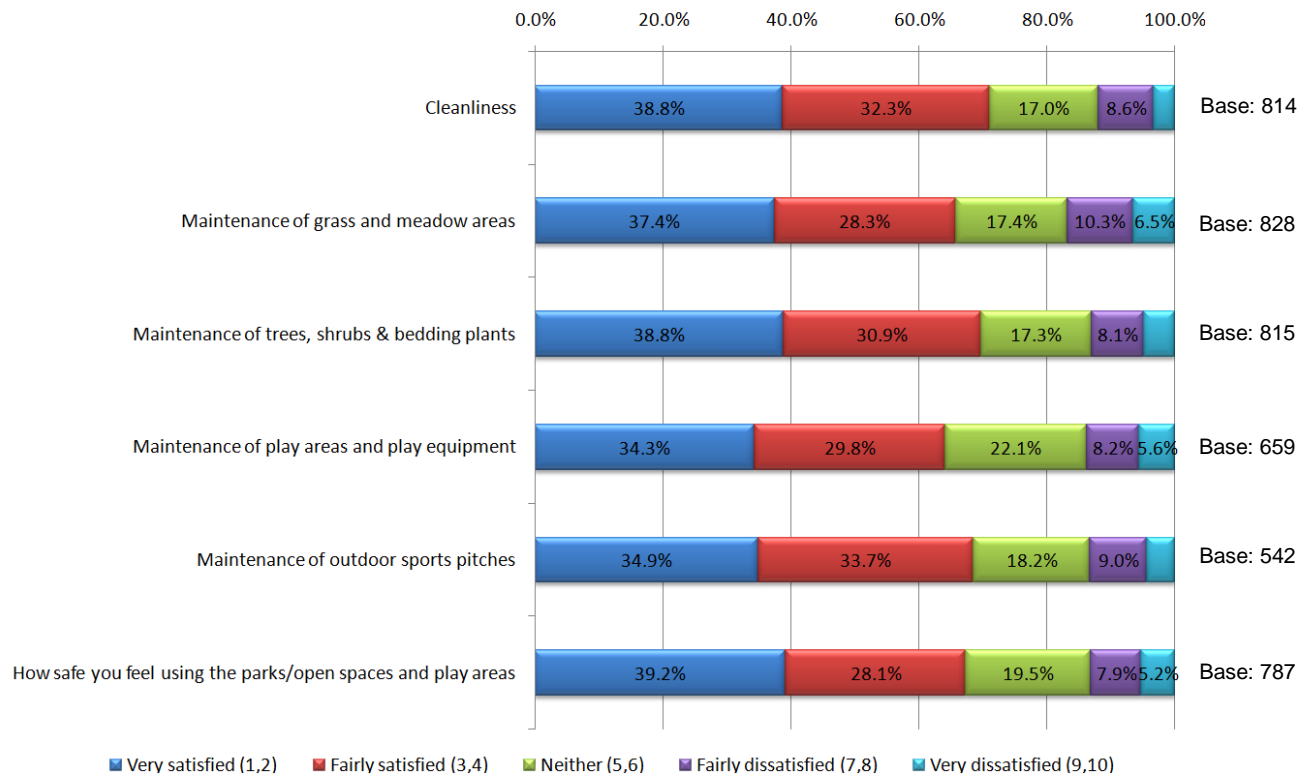
Differences

- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 85% in Deddington to 52% in Banbury Ruscott.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 2% in Deddington to 21% in Banbury Ruscott and Bicester West.

3.1.4 Satisfaction with aspects of the local parks/open spaces and play areas

‘And how satisfied or dissatisfied are you with the following aspects of the local parks/open spaces and play areas, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 19:



71% were **satisfied** (score 1-4) with the cleanliness, 12% were **dissatisfied** (score 7-10).

Two thirds (66%) were **satisfied** (score 1-4) with the maintenance of grass and meadow areas, 17% were **dissatisfied** (score 7-10).

70% were **satisfied** (score 1-4) with the maintenance of trees, shrubs & bedding plants, 13% were **dissatisfied** (score 7-10).

64% were **satisfied** (score 1-4) with the maintenance of play areas and play equipment, 14% were **dissatisfied** (score 7-10).

69% were **satisfied** (score 1-4) with the maintenance of outdoor sports pitches, 13% were **dissatisfied** (score 7-10).

67% were **satisfied** (score 1-4) with how safe they feel using the parks/open spaces and play areas, 13% were **dissatisfied** (score 7-10).

3.1.5 Number of parks/open spaces and play areas

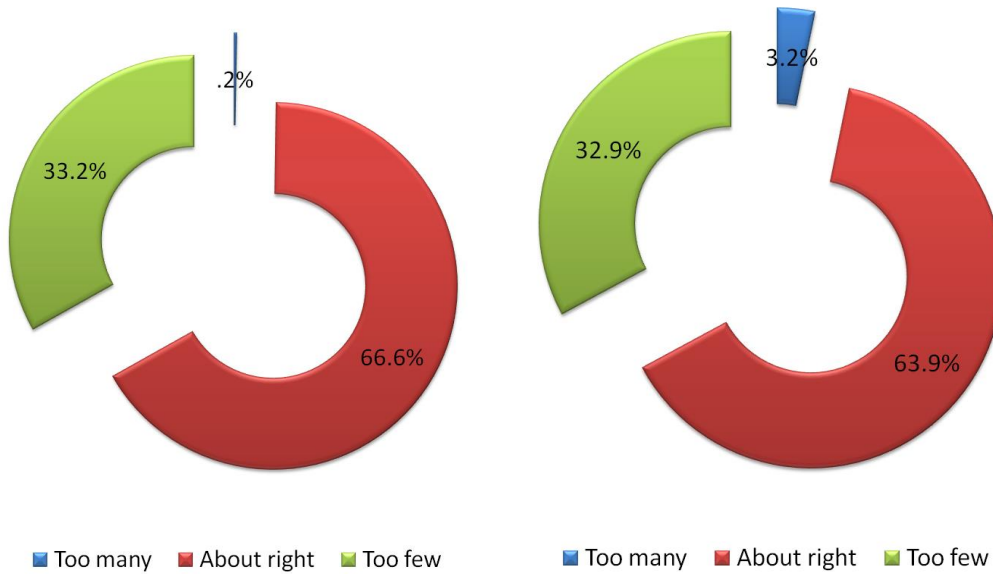
'Do you think the number of PARKS/OPEN SPACES available is about right, too few or too many?' Base: 776

'Do you think the number of PARKS/OPEN SPACES available is about right, too few or too many?' Base: 590

Charts 20a/b:

PARKS/OPEN SPACES

PLAY AREAS



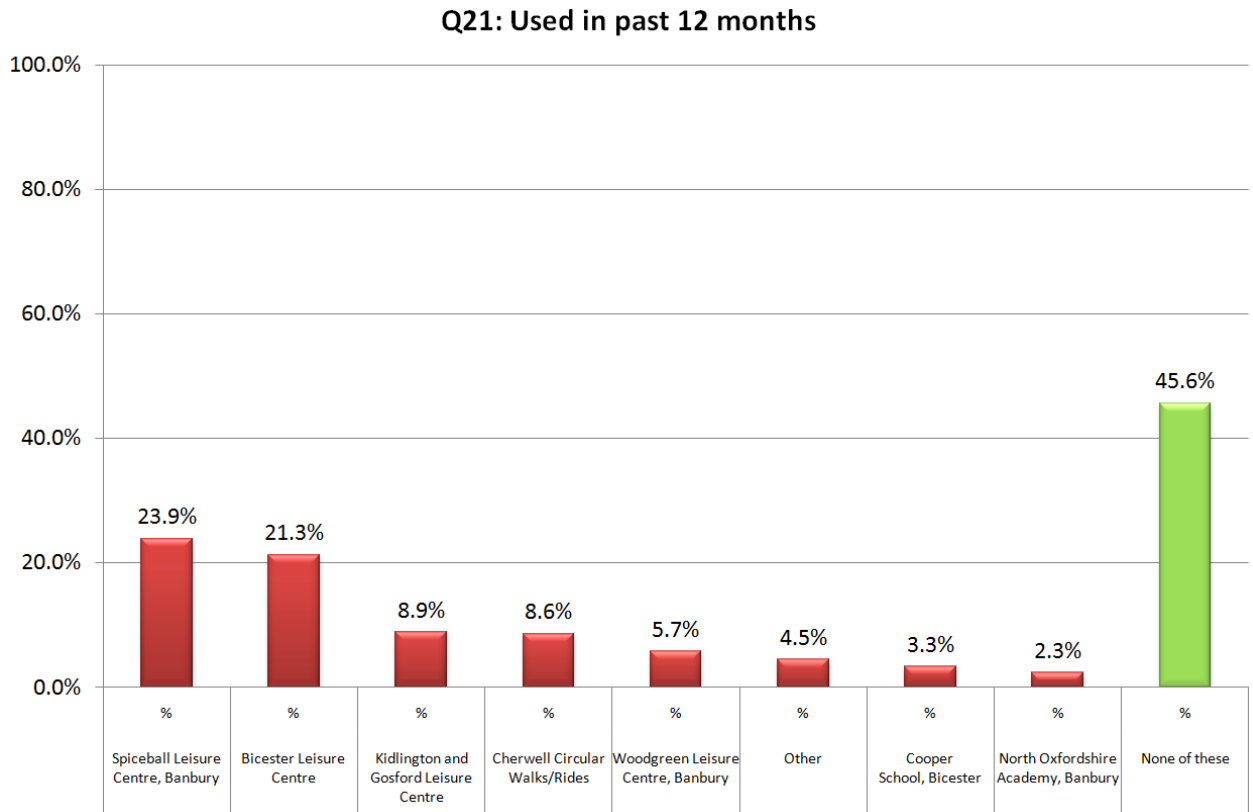
A third (33%) of those who responded felt there were 'too few' parks/open spaces and play areas.

3.2 Leisure Facilities

3.2.1 Leisure facilities used

‘Which, if any, of the following local leisure facilities have you used in the past 12 months?’ *Base: 1,006*

Chart 21:



The most common leisure facilities used were the Spiceball Leisure Centre in Banbury and the Bicester Leisure Centre (24% and 21% respectively).

46% of those who responded have not used any of the local leisure facilities in the past 12 months.

3.2.2 Satisfaction with leisure facilities provided by Cherwell District Council

‘Overall, how satisfied or dissatisfied are you with the leisure facilities provided by Cherwell District Council?’ *Base: 686*

	Total	User/Non-User		
		User	Non-User	No Data
BASE	686	507	164	15
Satisfied	62.6%	69.2%	44.7%	33.4%
Dissatisfied	13.7%	13.8%	11.6%	34.2%
Neither	23.7%	17.0%	43.6%	32.4%

Overall 63% were **satisfied** with the leisure facilities provided by the Council, 14% were **dissatisfied**.

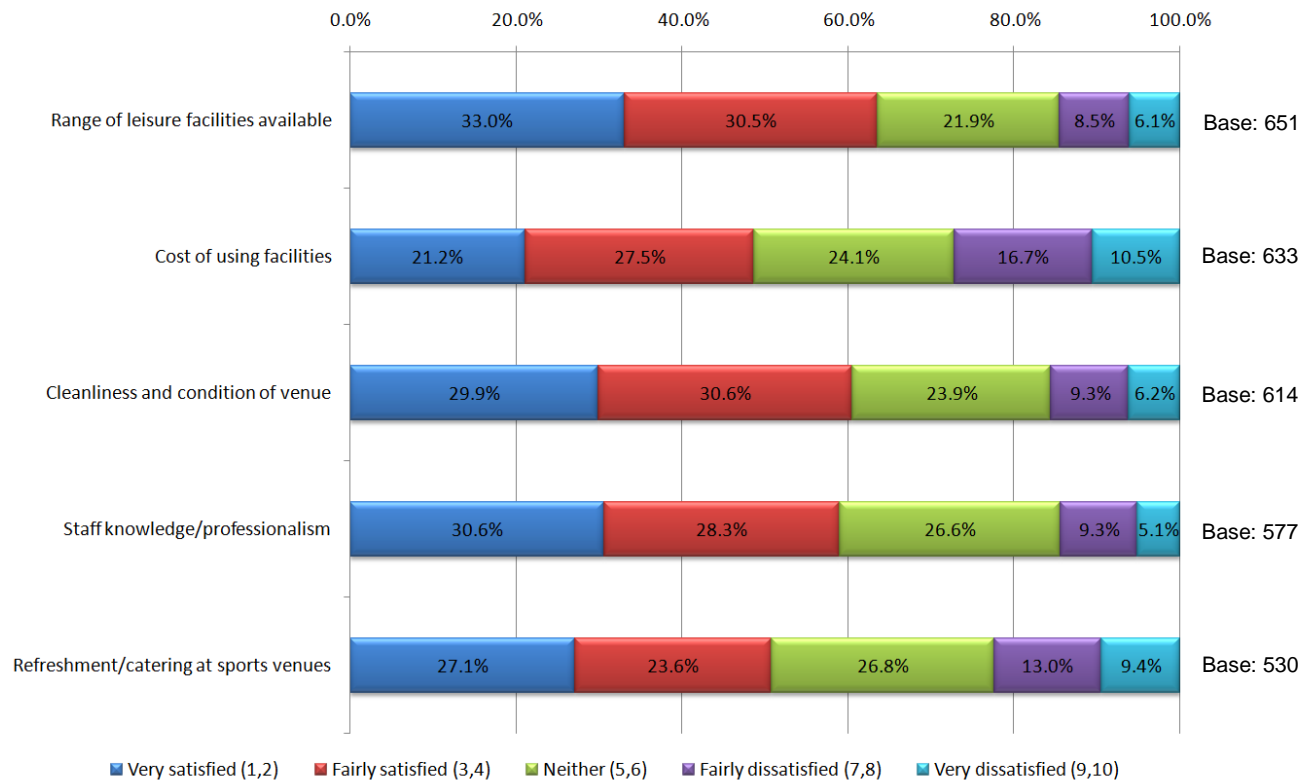
Differences

- Users of the local leisure facilities (in the past 12 months) were significantly more satisfied with them (69%) compared with 45% of non-users.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 85% in Banbury Hardwick to 46% in Bicester North & Caversfield.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 5% in Deddington to 23% in Bicester West.

3.2.3 Satisfaction with aspects of local leisure facilities

‘And how satisfied or dissatisfied are you with the following aspects of the local leisure facilities, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 22:



64% were **satisfied** (score 1-4) with the range of leisure facilities available, 15% were **dissatisfied** (score 7-10).

Around half (49%) were **satisfied** (score 1-4) with the cost of using facilities and just over a quarter (27%) were **dissatisfied** (score 7-10).

61% were **satisfied** (score 1-4) with the cleanliness and condition of venue, 16% were **dissatisfied** (score 7-10).

59% were **satisfied** (score 1-4) with staff knowledge/professionalism, 14% were **dissatisfied** (score 7-10).

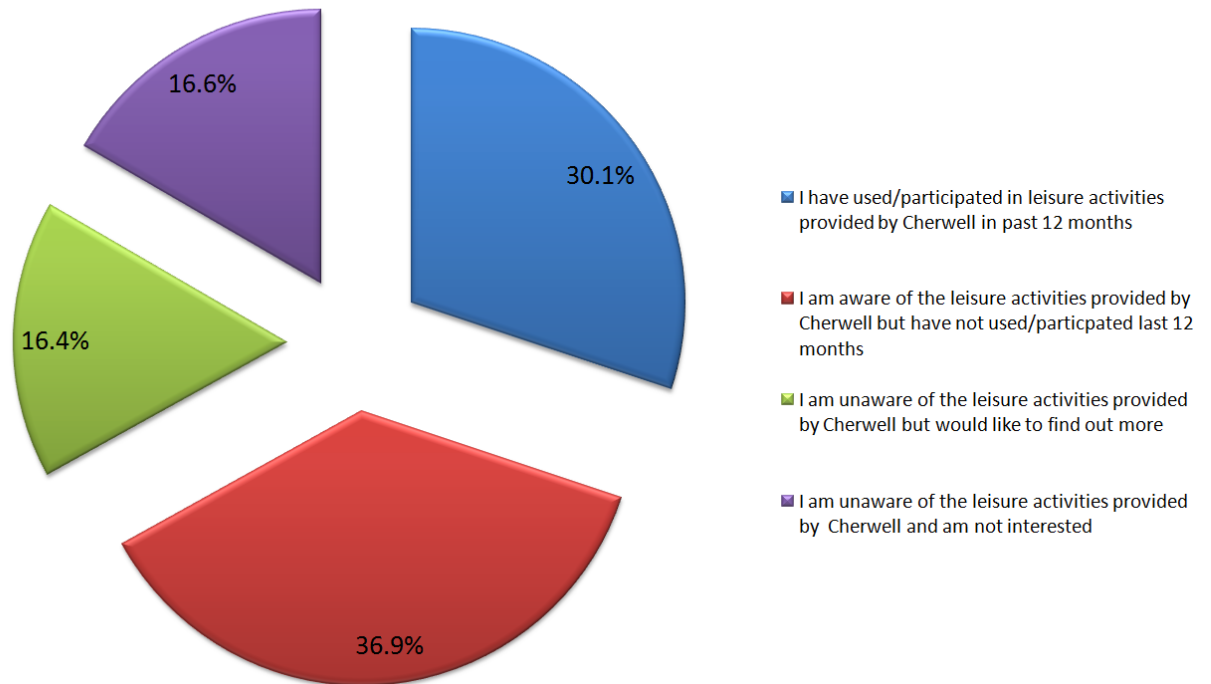
51% were **satisfied** (score 1-4) with refreshment/catering at sports venues, 22% were **dissatisfied** (score 7-10).

3.3 Leisure Activities

3.3.1 Leisure Activities - Participation

'Which, of the following statements best describes you?' *Base: 828*

Chart 23:



Just under a third (30%) have used/participated in leisure activities provided by Cherwell in the past 12 months. A further 37% are aware of them but have not used or participated in the past 12 months.

The remaining third of respondents (33%) are currently unaware of the leisure activities provided by Cherwell, approximately half of which would like to find out more (16%).

3.3.2 Satisfaction with Leisure Activities

‘Overall, how satisfied or dissatisfied are you with the leisure activities provided by Cherwell District Council?’ *Base: 604*

	Total	User/Non-User		
		User	Non-User	No Data
BASE	604	245	293	66
Satisfied	53.5%	67.8%	43.4%	45.4%
Dissatisfied	10.9%	11.9%	9.1%	15.7%
Neither	35.5%	20.3%	47.5%	38.9%

Overall 54% were **satisfied** with the leisure activities provided by Cherwell Council, 11% were **dissatisfied**.

Differences

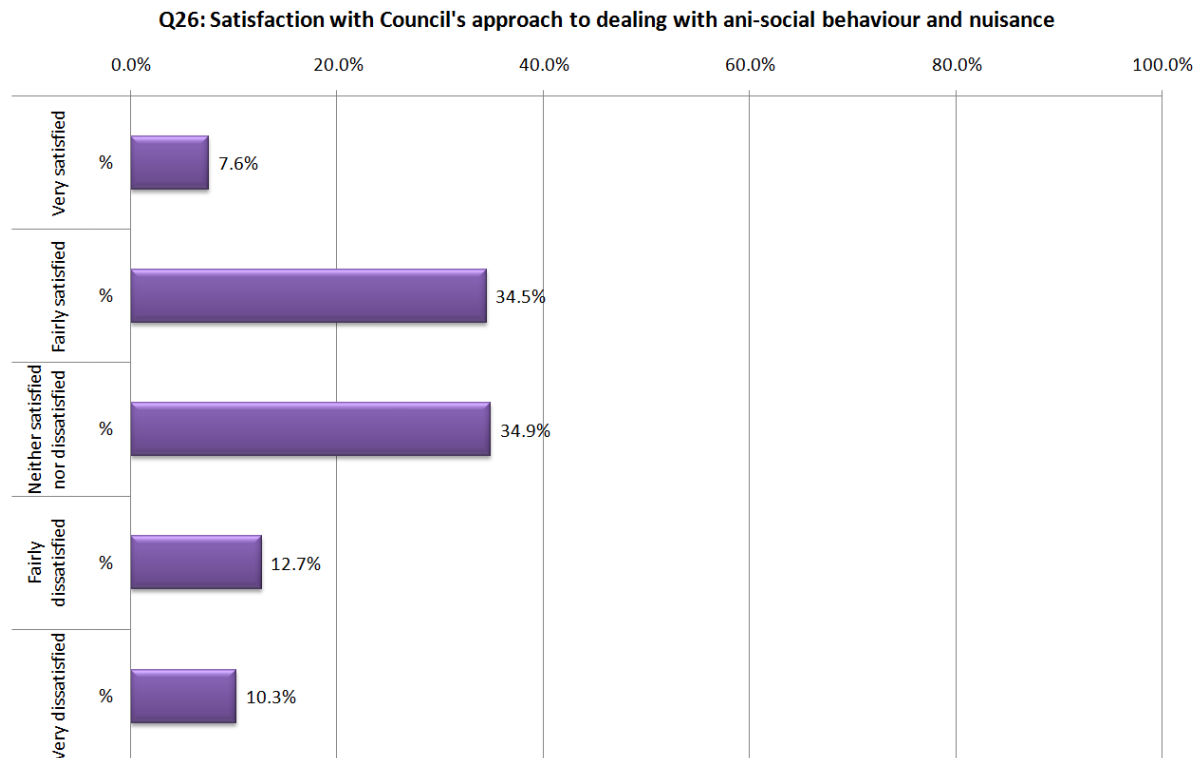
- Users of the leisure activities (in the past 12 months) were significantly more satisfied with them (68%) compared with 43% of non-users (i.e. those not used in past 12 months and those unaware).
- Females were significantly more satisfied with leisure activities provided by the Council, with 60% **very or fairly satisfied** compared with 48% of Males.
- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 78% in Banbury Hardwick to 30% in Bicester East.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 0% in Banbury Hardwick to 27% in Bicester West.

Section 4.0 Community Safety

4.1 Satisfaction with Council's approach to dealing with anti-social behaviour and nuisance

'Overall, how satisfied or dissatisfied are you with the Council's approach to dealing with anti-social behaviour and nuisance?' Base: 730

Chart 24:



Overall 42% were **satisfied** with the Council's approach to dealing with anti-social behaviour and nuisance, 23% were **dissatisfied**.

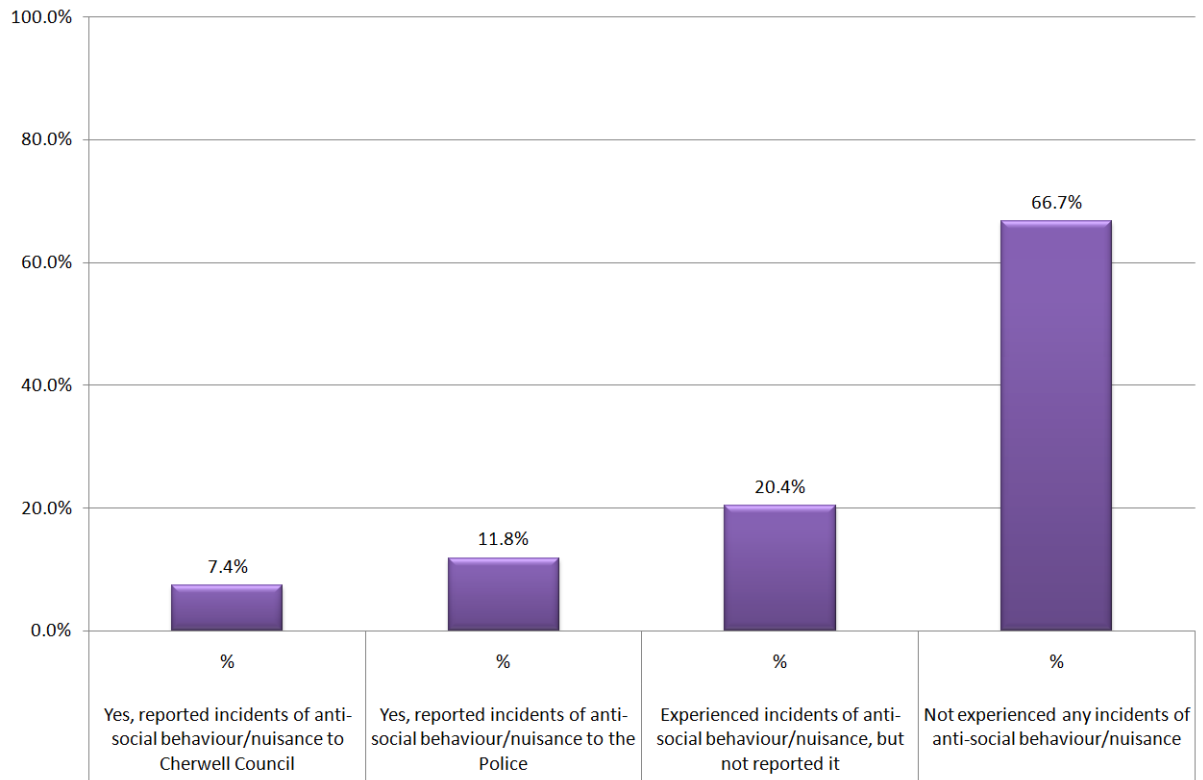
Differences

- 35-44yrs were significantly more dissatisfied (36%) compared with some of the other age groups: 25-34yrs (16%) and 75+ yrs (12%).
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 11% in Bicester North & Caversfield and Kiddlington East to 39% in Banbury Cross & Neithrop.

4.2 Incidents of anti-social behaviour and nuisance

‘Have you reported any incidents of anti-social behaviour/nuisance in your local area to either of the following in the past 12 months?’ Base: 999 - MULTI

Chart 25:



Of those who responded a third (33%) outlined they had reported or experienced incidents of anti-social behaviour/nuisance in the past 12 months, 20% however did not report these incidents.

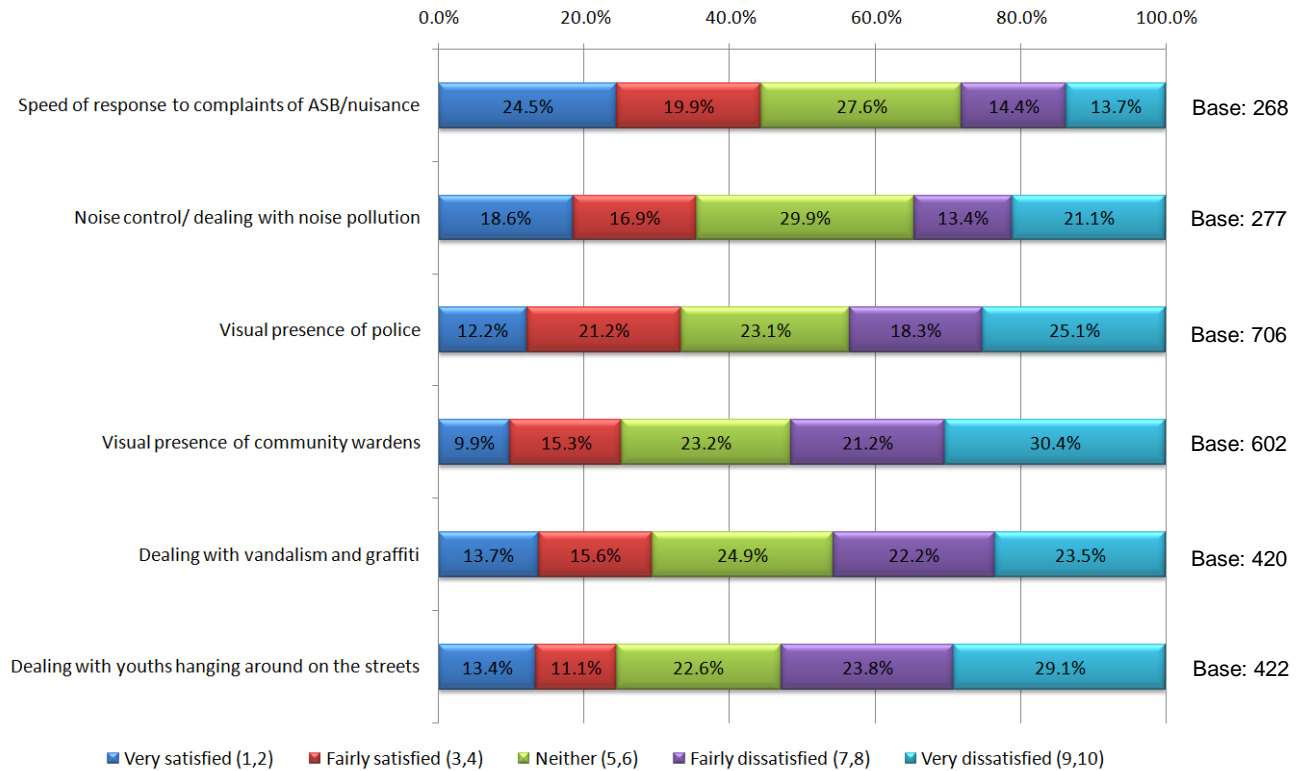
Differences

- Those who had reported or experienced incidents of anti-social behaviour/nuisance in the past 12 months at ward level varied from 62% in Banbury Cross & Neithrop to 9% in Fringford & Heyfords.

4.3 Satisfaction with aspects of the way the Council and Partners deal with anti-social behaviour and nuisance

‘And how satisfied or dissatisfied are you with the following aspects of the way the Council and its partners deal with anti-social behaviour and nuisance, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 26:



44% were **satisfied** (score 1-4) with speed of response to complaints of anti-social behaviour/nuisance, 28% were **dissatisfied** (score 7-10).

36% were **satisfied** (score 1-4) with noise control/dealing with noise pollution, 35% were **dissatisfied** (score 7-10).

A third (33%) were **satisfied** (score 1-4) with the visual presence of police, however 43% were **dissatisfied** (score 7-10).

Only a quarter (25%) were **satisfied** (score 1-4) with the visual presence of community wardens, compared with 52% who were **dissatisfied** (score 7-10).

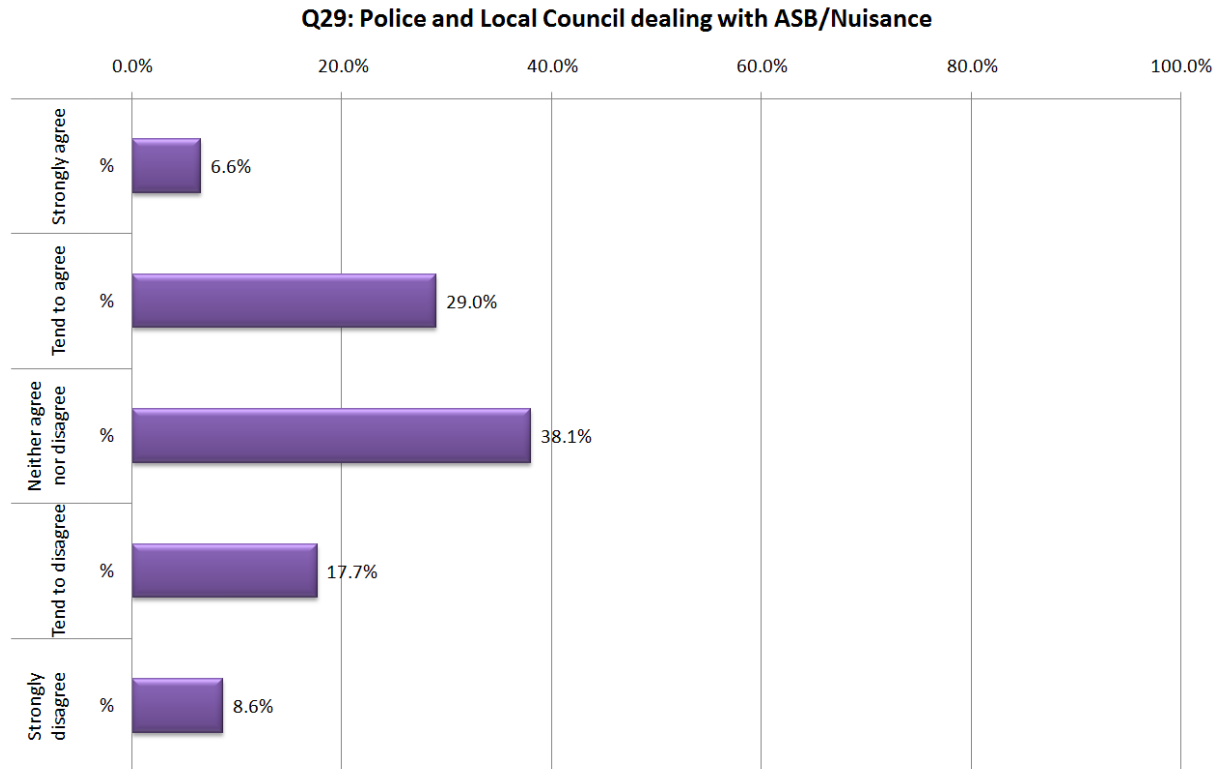
Only 29% were **satisfied** (score 1-4) with how vandalism/graffiti is dealt with, compared with 46% who were **dissatisfied** (score 7-10).

Less than a quarter (24%) were **satisfied** (score 1-4) with how youths hanging around on the streets is dealt with, compared with 53% who were **dissatisfied** (score 7-10).

4.4 Police and Local Council dealing with anti-social behaviour and nuisance in this area

‘How much do you agree or disagree that the Police and Local Council are dealing with anti-social behaviour and nuisance in this area?’ *Base: 688*

Chart 27:



Overall 36% **agreed** the Police and Local Council are dealing with anti-social behaviour and nuisance in this area, 26% **disagreed**.

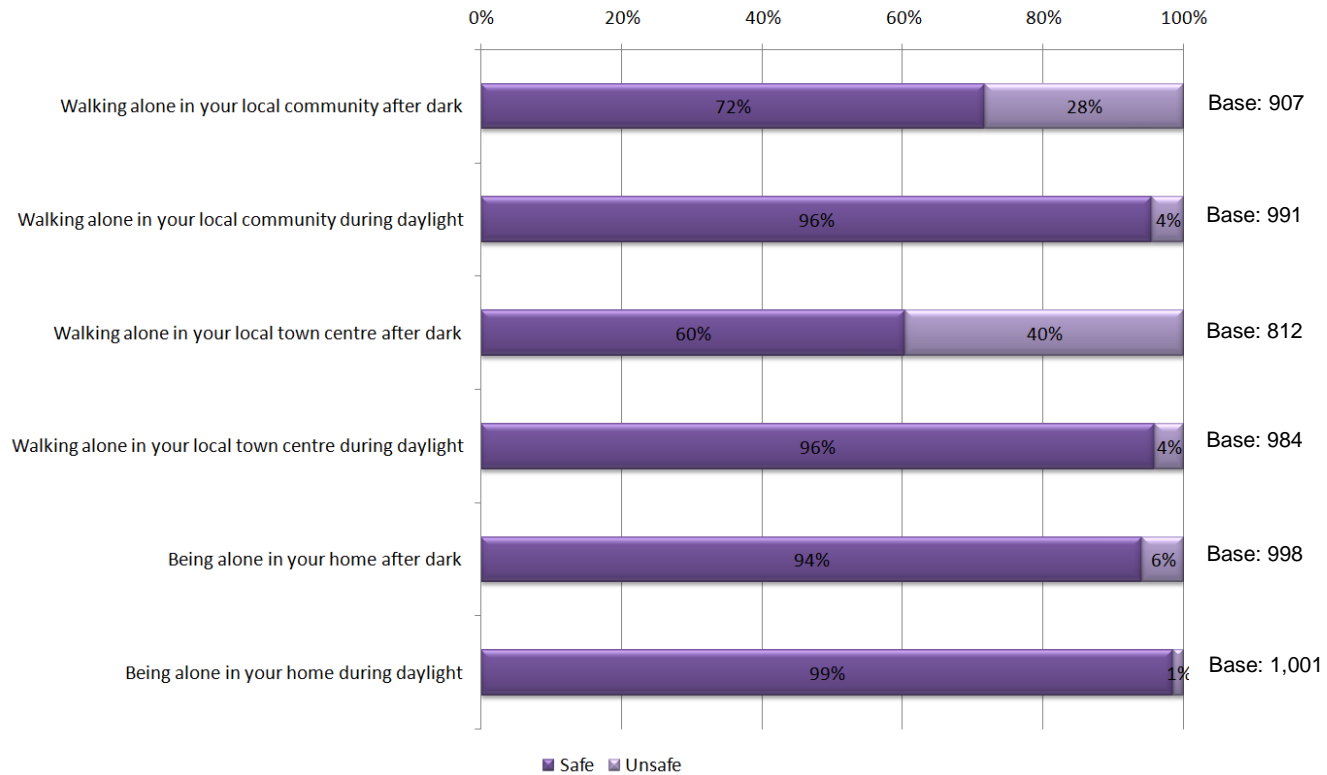
Differences

- Those agreeing that the Police and Local Council are dealing with anti-social behaviour/nuisance varied at ward level ranging from 55% in Bicester South & Ambrosden to 16% in Banbury Cross & Neithrop.
- Those disagreeing that the Police and Local Council are dealing with anti-social behaviour/nuisance varied at ward level ranging from 14% in Kidlington East to 46% in Banbury Cross & Neithrop.

4.5 Safe / Unsafe

'How safe or unsafe do you feel in each of the following situations?'

Chart 28:



Very high level of those feeling **safe** walking alone in the community or local town centre during daylight, as well those feeling **safe** alone in their home during daylight or after dark.

72% felt **safe** walking alone in the community after dark, 28% felt **unsafe**.

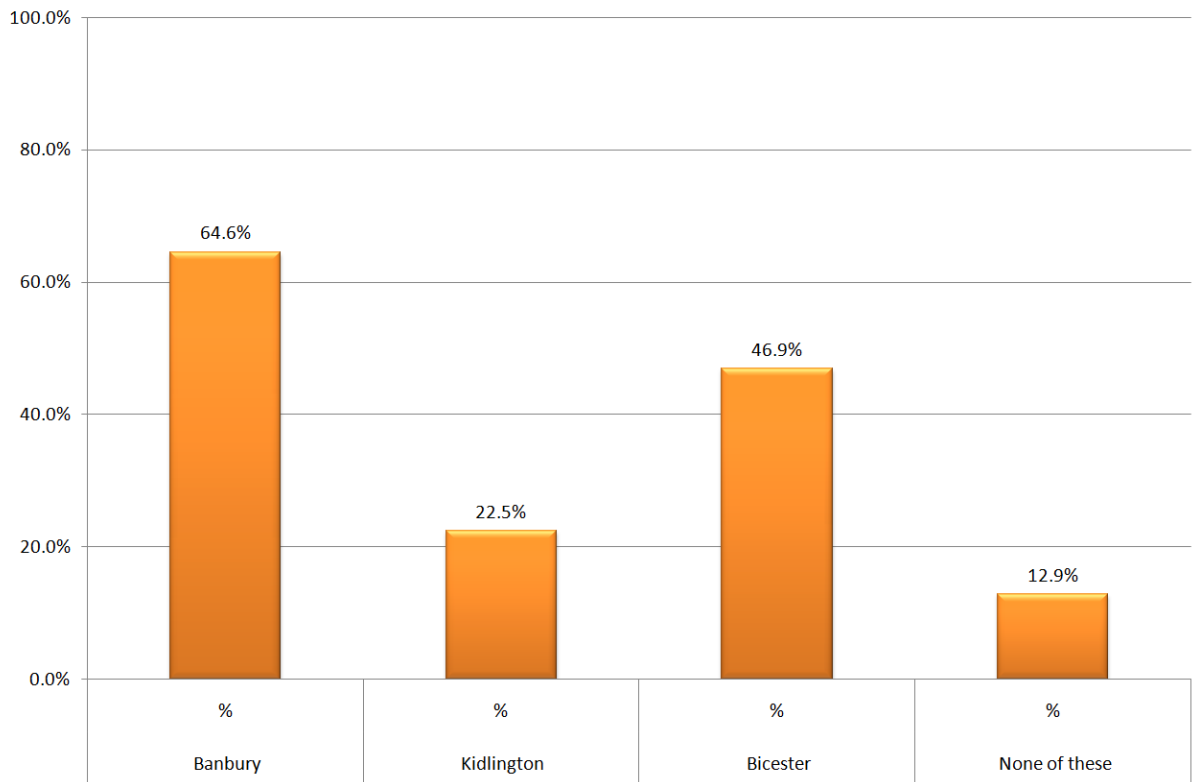
60% felt **safe** walking alone in the town centre after dark, 40% felt **unsafe**.

Section 5.0 Car Parks

5.1 Car park usage

'In which, if any of the following locations have you used the car parks operated by Cherwell District Council in the past 12 months' *Base: 1,017*

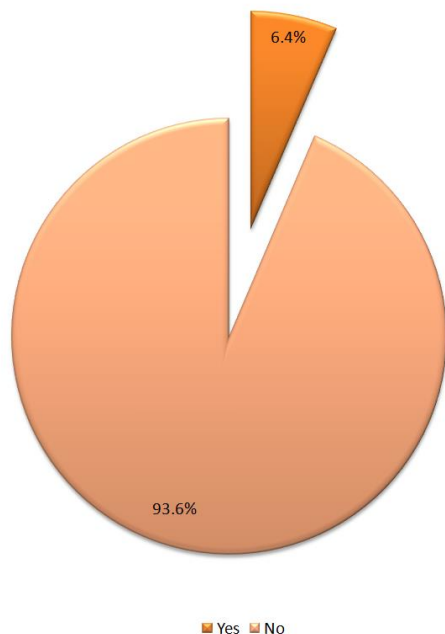
Chart 29:



5.2 Season ticket or blue badge

'Do you hold a season ticket or a blue badge for parking in Cherwell' Base: 1,021

Chart 30:



6% of those who responded hold a season ticket or blue badge for parking in Cherwell.

5.3 Satisfaction with local car parking facilities

'Overall how satisfied or dissatisfied are you with the local car parking facilities' Base: 939

	Total	User/Non-User		
		User	Non-User	No Data
BASE	939	879	54	5
Satisfied	61.8%	62.5%	48.3%	78.7%
Dissatisfied	21.4%	20.9%	29.4%	21.3%
Neither	16.9%	16.6%	22.2%	0.0%

Overall 62% were **satisfied** with the local car parking facilities, 21% were **dissatisfied**.

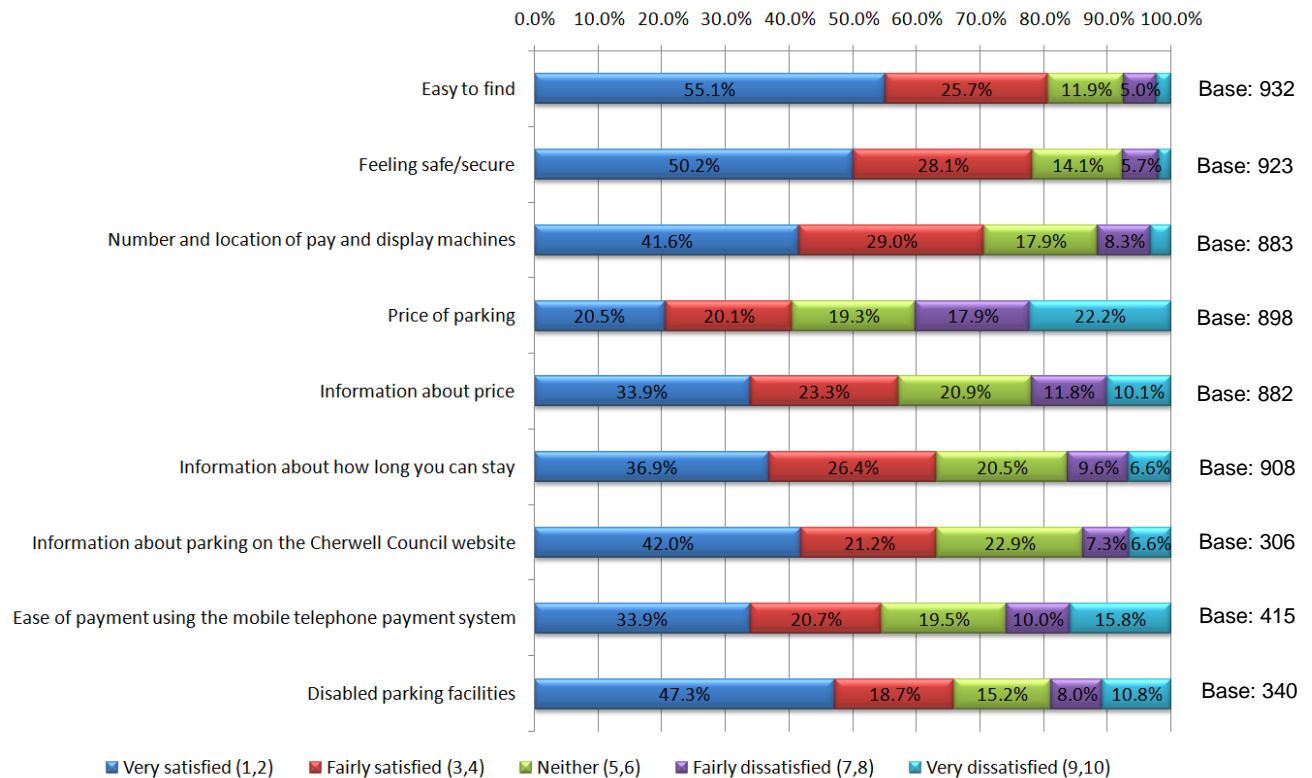
Differences

- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 93% in Kidlington East to 33% in Banbury Ruscote.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 5% in Kidlington East to 40% in Banbury Cross & Neithrop.

5.4 Satisfaction with aspects of local car parking facilities

‘And how satisfied or dissatisfied are you with the following aspects of the local car parking facilities, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 31:



81% were **satisfied** (score 1-4) that they were easy to find, only 7% were **dissatisfied** (score 7-10).

78% were **satisfied** (score 1-4) with feeling safe and secure, only 8% were **dissatisfied** (score 7-10).

71% were **satisfied** (score 1-4) with the number and location of pay and display machines, 11% were **dissatisfied** (score 7-10).

41% were **satisfied** (score 1-4) with the price of parking, 40% were **dissatisfied** (score 7-10).

57% were **satisfied** (score 1-4) with the information about price, 22% were **dissatisfied** (score 7-10).

63% were **satisfied** (score 1-4) with the information about how long you can stay, 16% were **dissatisfied** (score 7-10).

63% were **satisfied** (score 1-4) with the information about parking on the Cherwell Council website, 14% were **dissatisfied** (score 7-10).

55% were **satisfied** (score 1-4) with the ease of payment using the mobile phone payment system, 26% were **dissatisfied** (score 7-10).

Two thirds (66%) were **satisfied** (score 1-4) with the disabled parking facilities, 19% were **dissatisfied** (score 7-10).

Section 6.0 Overall views of Cherwell District Council

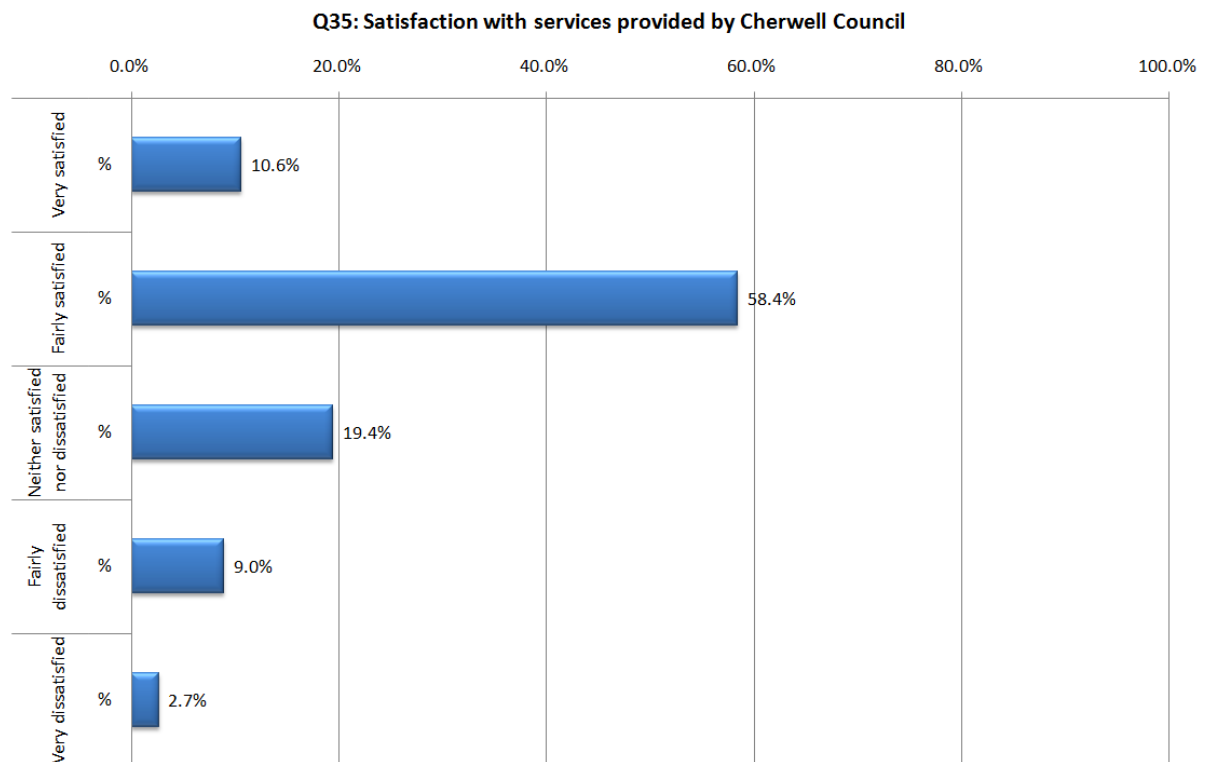
6.1 Overall views

6.1.1 Satisfaction with services provided by Cherwell Council

‘Overall, how satisfied or dissatisfied are you with the services provided by Cherwell District Council?’ Base: 1,006

Overall satisfaction with the services provided by Cherwell District Council was 69% with a confidence interval of +/-2.9% at the 95% level, 12% were dissatisfied.

Chart 32:



Differences

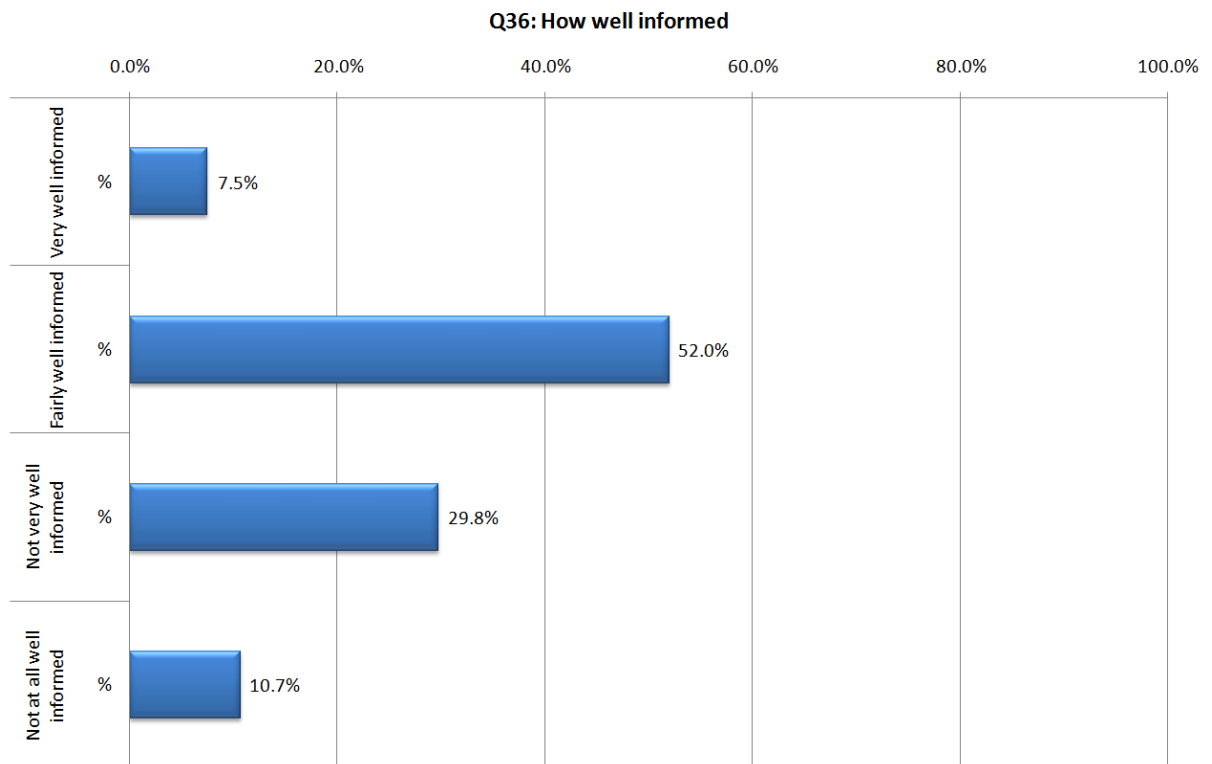
- Those aged 35-44yrs were least likely to be satisfied with the services provided by the Council (61%).
- Females were significantly more satisfied with the services provided by Cherwell District Council, with 74% **very or fairly satisfied** compared with 64% of Males.

- Satisfaction levels at ward level varied with those **very or fairly satisfied** ranging from 79% in Banbury Hardwick to 50% in Bicester West.
- Dissatisfaction levels at ward level varied with those **very or fairly dissatisfied** ranging from 6% in Kidlington East and Kidlington West to 27% in Banbury Cross & Neithrop.

6.1.2 Informed about benefits and services

‘How well informed, if at all, does Cherwell District Council keep residents about the benefits and services it provides?’ Base: 935

Chart 33:



60% felt **very or fairly well informed** by the Council about the benefits and services it provides, 40% felt **not very well informed or not informed at all**.

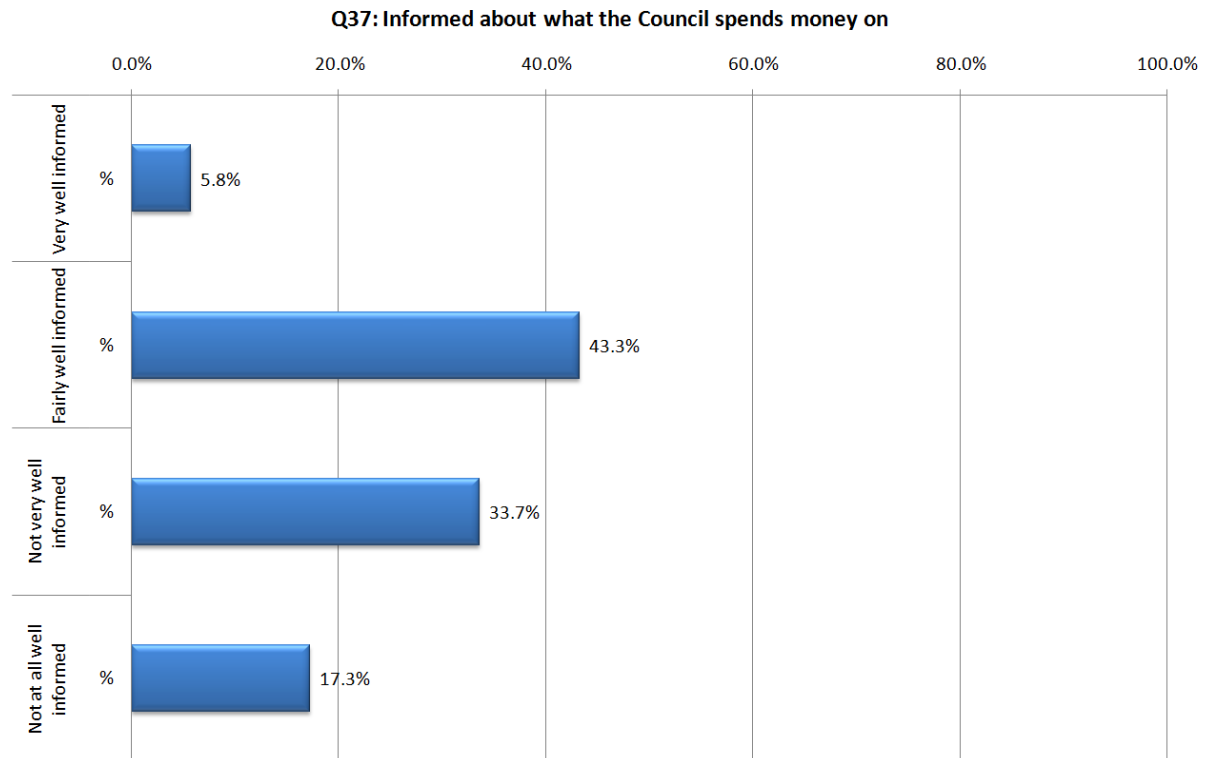
Differences

- Those feeling **very or fairly well informed** at ward level varied from 76% in Kidlington East and Kidlington West to 40% in Banbury Ruscote.
- Those feeling **not very well informed or not well informed at all** at ward level varied from 24% in Kidlington East and Kidlington West to 60% in Banbury Ruscote.

6.1.3 Informed about what the Council spends money on

'How well informed, if at all, does Cherwell District Council keep residents about what the Council spends money on?' Base: 922

Chart 34:



49% felt **very or fairly well informed** by the Council about what the Council spends money on, however 51% felt **not very well informed or not informed at all**.

Differences

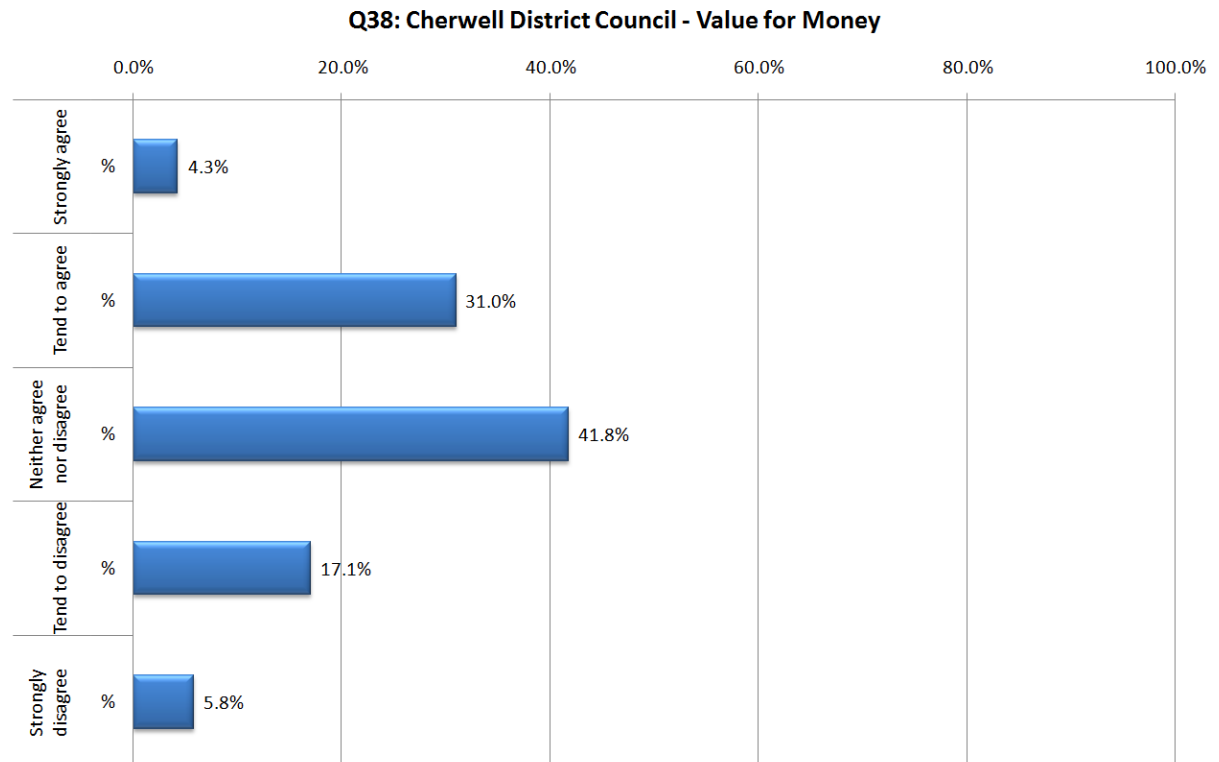
- The proportion of those who felt **very or fairly well informed** increased with age, from 34% (18-24yrs) to 61% (75+yrs).
- Those feeling **very or fairly well informed** at ward level varied from 76% in Kidlington East to 34% in Banbury Ruscott.
- Those feeling **not very well informed or not well informed at all** at ward level varied from 24% in Kidlington East to 66% in Banbury Ruscott.

6.1.4 Value for money

'To what extent do you agree or disagree that Cherwell District Council provides value for money?' Base: 907

Overall 35% agreed that Cherwell District Council provides value for money with a confidence interval of +/-3.1% at the 95% level, 23% disagreed.

Chart 35:



Differences

- Those 75+yrs most likely to agree the Council provides value for money (50%).
- Those agreeing at ward level varied ranged from 49% in Kidlington West to 26% in Banbury Ruscote.
- Those disagreeing at ward level varied ranged from 5% in Kidlington West to 42% in Banbury Cross & Neithrop.

Other research

We can make some observations from other research which has taken place although these are **not directly comparable**, with the data achieved for this survey.

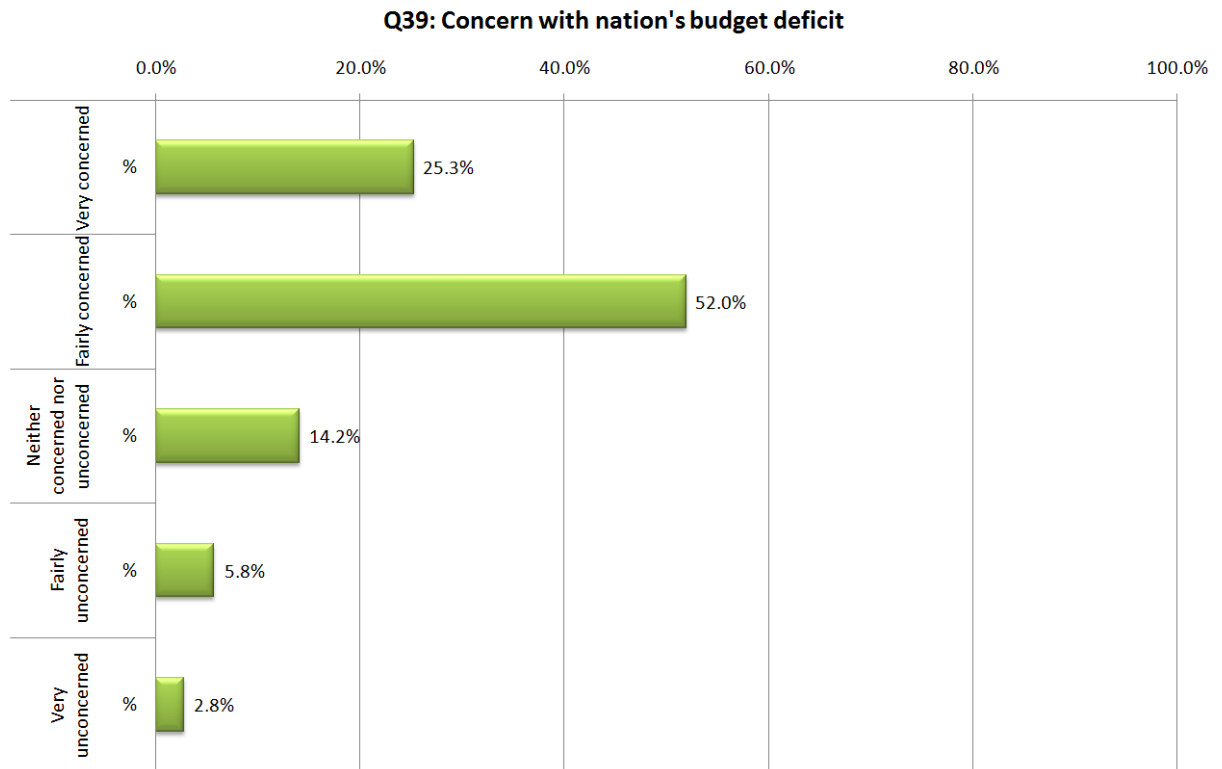
- The LGA have been undertaking a quarterly **telephone** poll on resident satisfaction with a **national** sample since September 2012, this has shown levels of those agreeing their local Council provides value for money between 48-56% (June 2016 – 51%).

Section 7.0 The local economy and council budget priorities

7.1 Views of the current economic climate

‘Overall, how concerned, if at all, are you about the nation’s budget deficit?’
Base: 944

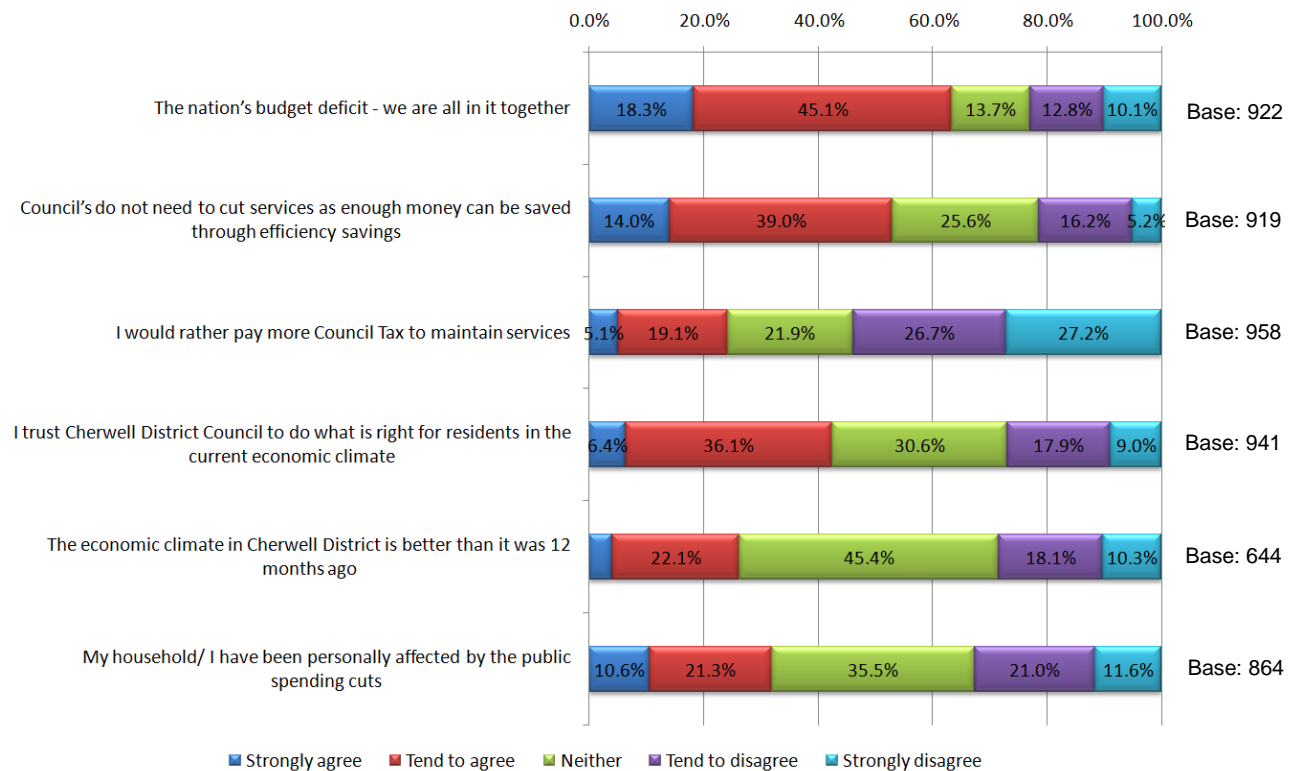
Chart 36:



Overall 77% were concerned about the nation’s budget deficit, only 9% were unconcerned.

‘To what extent do you agree or disagree with each of the following statements regarding the nation’s budget deficit?’

Chart 37:



63% **agreed** that we are all in it together, 23% **disagreed**.

Over half (53%) **agreed** that councils do not need to cut services as enough money can be saved through efficiency savings, 21% **disagreed**.

Less than a quarter (24%) **agreed** that they would rather pay more council tax to maintain services, over half (54%) **disagreed**.

42% **agreed** that they trust Cherwell Council to do what is right for the residents in the current economic climate, 27% **disagreed**.

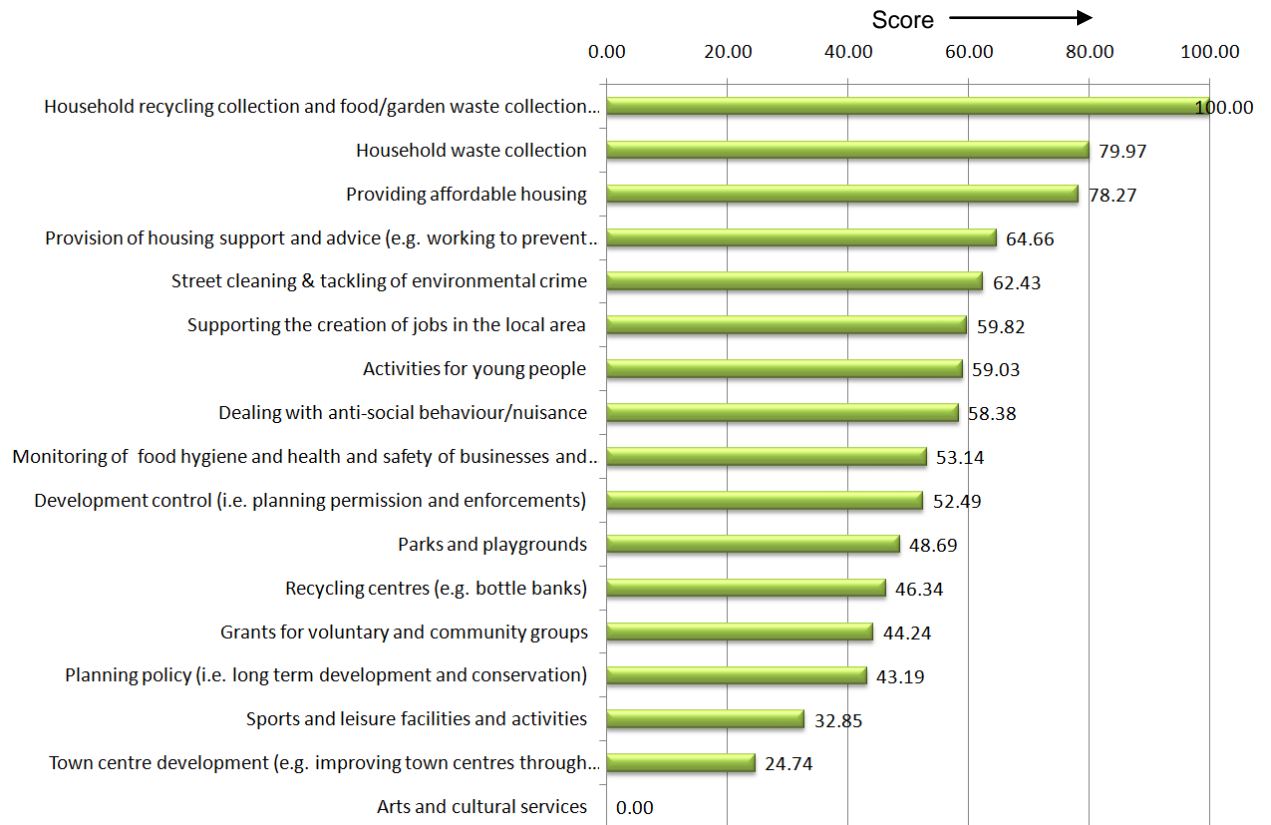
Just over a quarter (26%) **agreed** the economic climate in Cherwell is better than it was 12 months ago, 28% **disagreed**.

Around a third (32%) **agreed** their household has been affected by public spending cuts, a third (33%) **disagreed**.

7.2 Priorities

‘Which Council Services would you prioritise for maintaining the current level of service provision?’ Base: 1,012

Chart 38:



Analysis

The key services to be maintained by the Council were identified as:

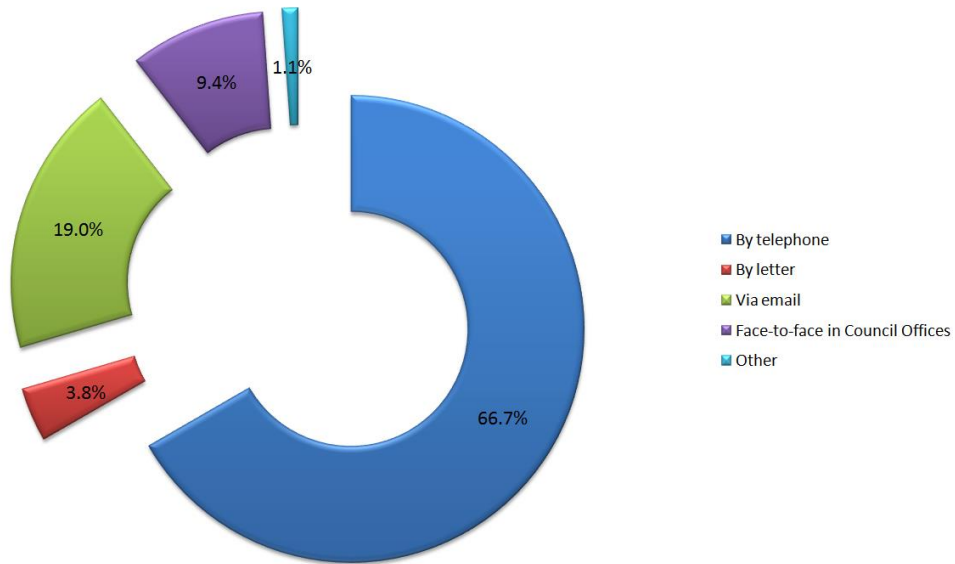
1. Household recycling collection and food/garden waste collections
2. Household waste collection
3. Providing affordable housing

Section 8.0 Contacting the Council

8.1 Last contact

'How did you last contact the Council?' *Base: 668*

Chart 39:



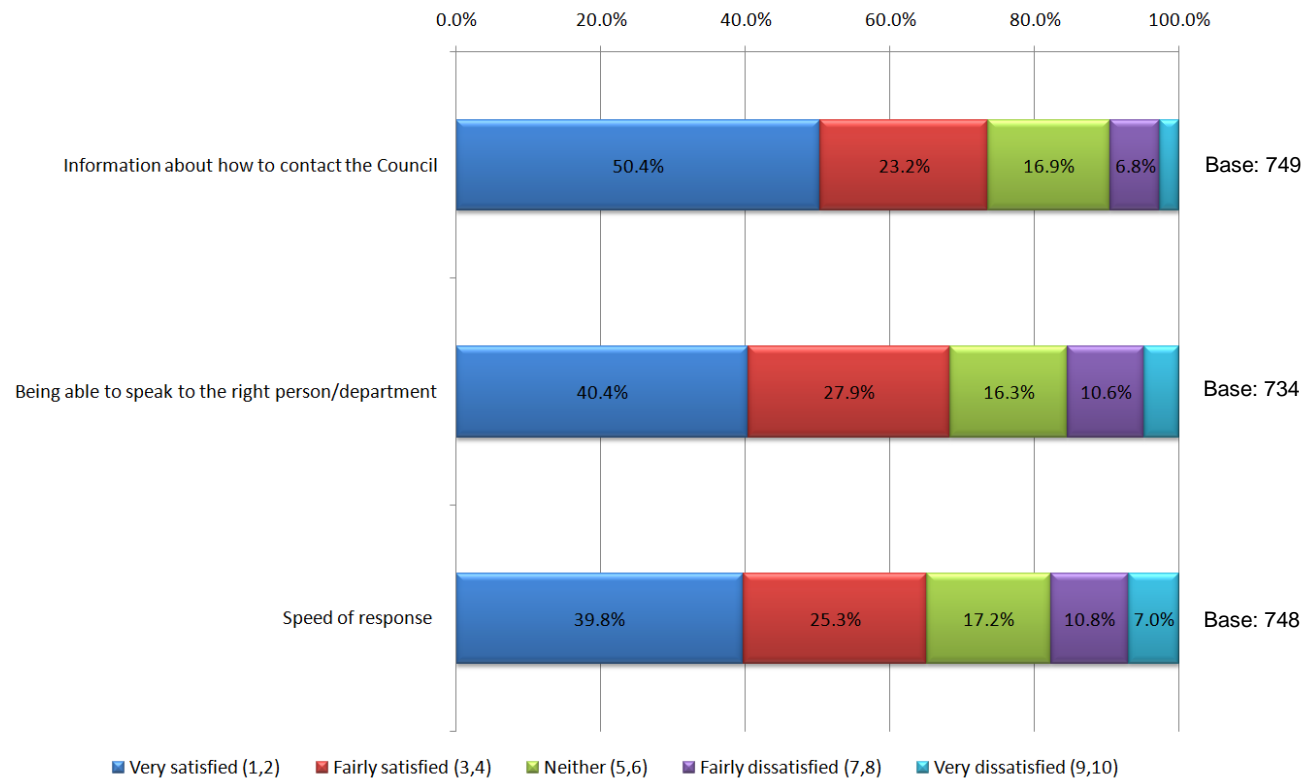
Of those who have contacted the Council, 67% did so by telephone.

8.2 Satisfaction when contacting the Council

‘And, how satisfied or dissatisfied are you with the following when contacting Cherwell District Council, where 1 is very satisfied and 10 is very dissatisfied?’

Chart 40:

Ease of contacting the Council:



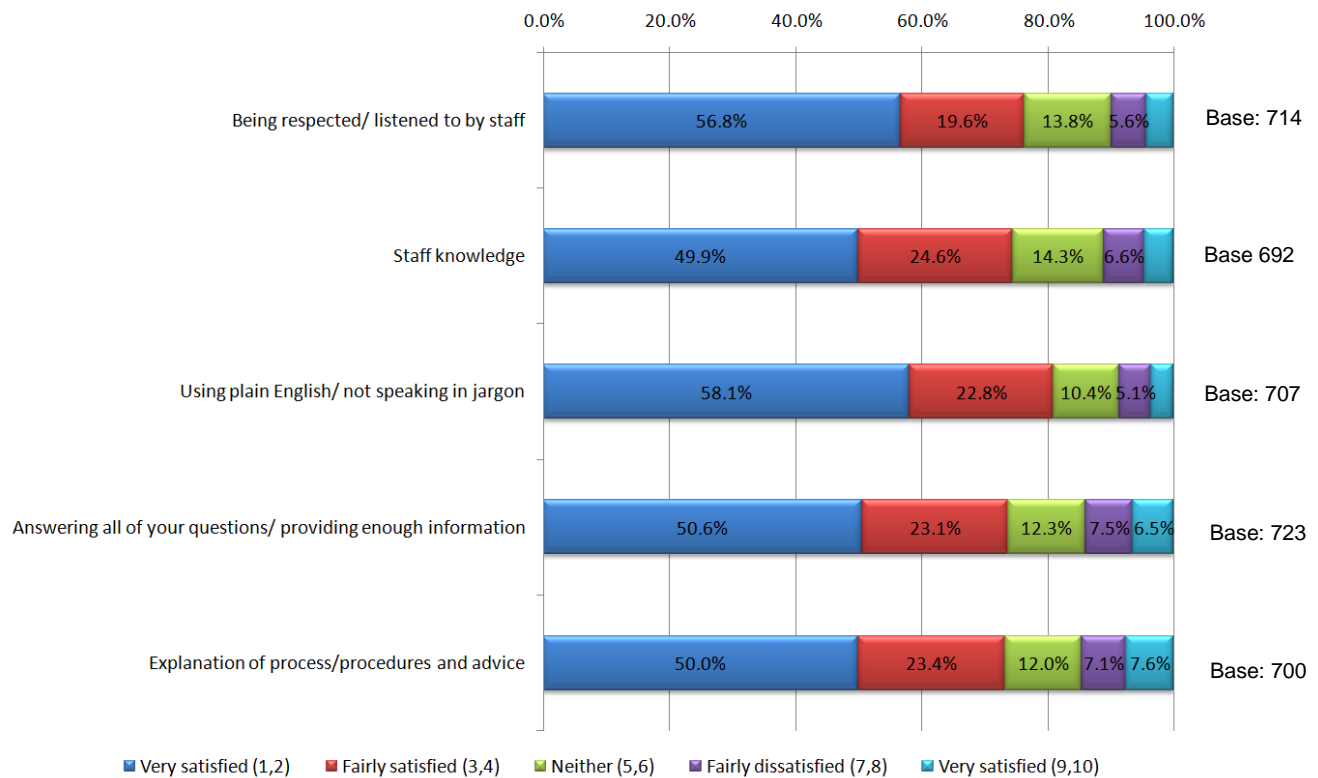
Just under three quarters (74%) were **satisfied** (score 1-4) with information about how to contact the council, only 9% were **dissatisfied** (score 7-10).

68% were **satisfied** (score 1-4) with being able to speak with the right person/department, 15% were **dissatisfied** (score 7-10).

65% were **satisfied** (score 1-4) with the speed of response, 18% were **dissatisfied** (score 7-10).

Chart 41:

Staff:



Just over three quarters (76%) were **satisfied** (score 1-4) with being respected/listened to by staff, 10% were **dissatisfied** (score 7-10).

Just under three quarters (74%) were **satisfied** (score 1-4) with staff knowledge, 11% were **dissatisfied** (score 7-10).

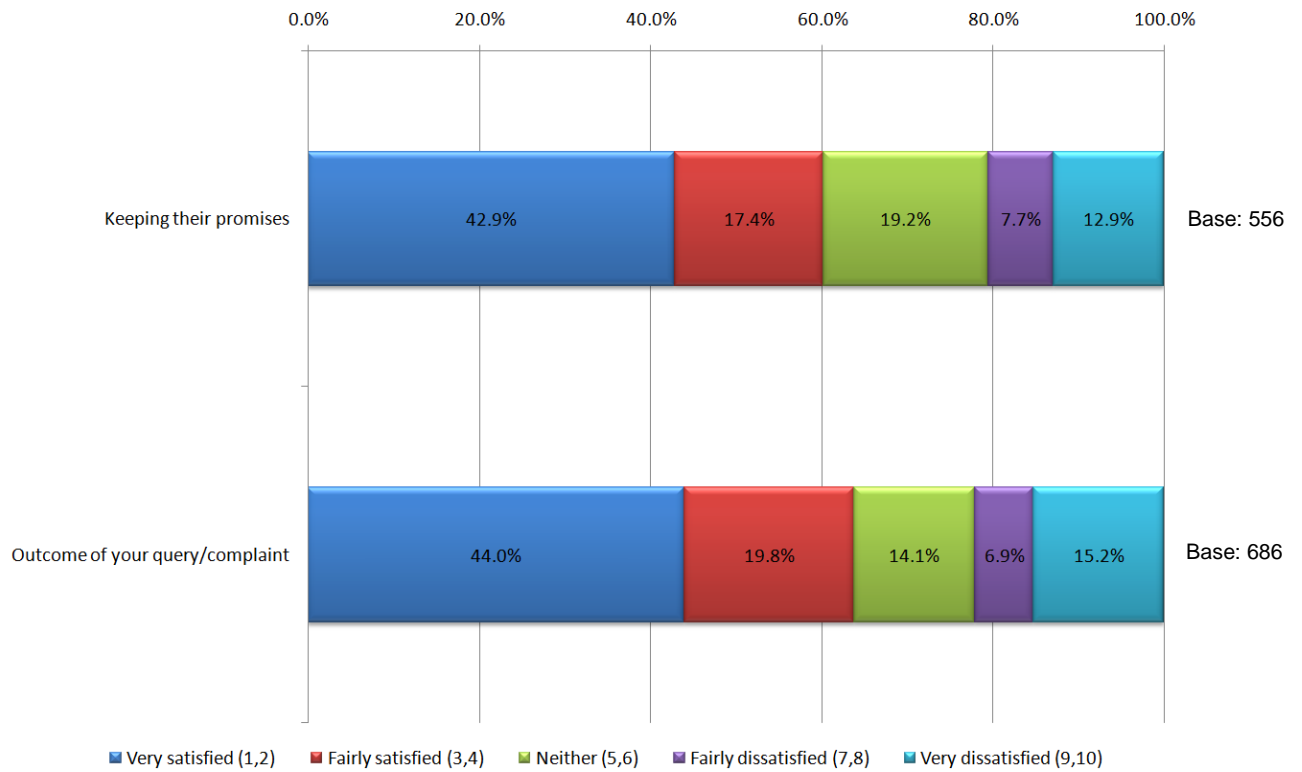
81% were **satisfied** (score 1-4) staff used plain English and did not speak in jargon, 9% were **dissatisfied** (score 7-10).

74% were **satisfied** (score 1-4) staff answered all questions/provided enough information, 14% were **dissatisfied** (score 7-10).

73% were **satisfied** (score 1-4) with staff explanation of process/procedures and advice, 15% were **dissatisfied** (score 7-10).

Chart 42:

Follow-up:



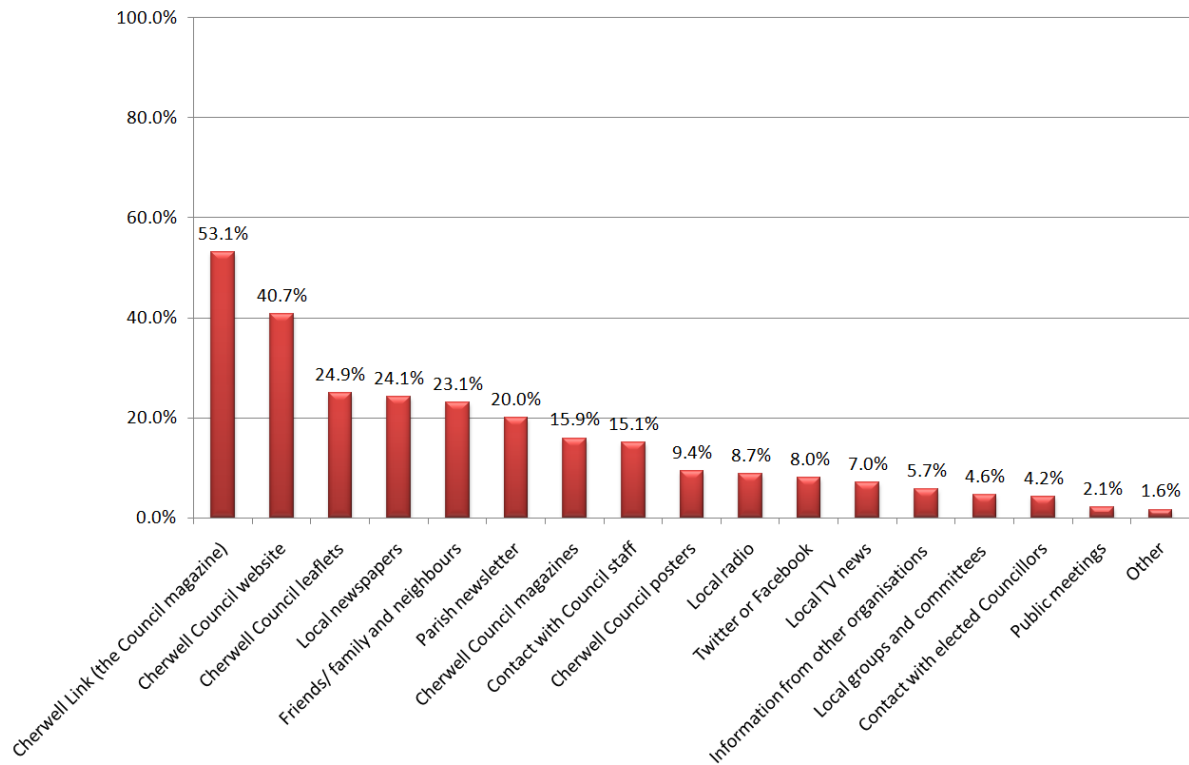
60% were **satisfied** (score 1-4) the Council kept to their promises, 21% were **dissatisfied** (score 7-10).

64% were **satisfied** (score 1-4) with the outcome of their query/complaint, 22% were **dissatisfied** (score 7-10).

8.3 Information from Cherwell Council

‘From which of the following do you obtain most of your information about Cherwell District Council?’ *Base: 1,021 - MULTI*

Chart 43:



Over half (53%) of those who responded outlined they obtained most of their information about the Council through the Cherwell Link Council magazine, 41% outlined they obtained information from the Cherwell Council’s website.

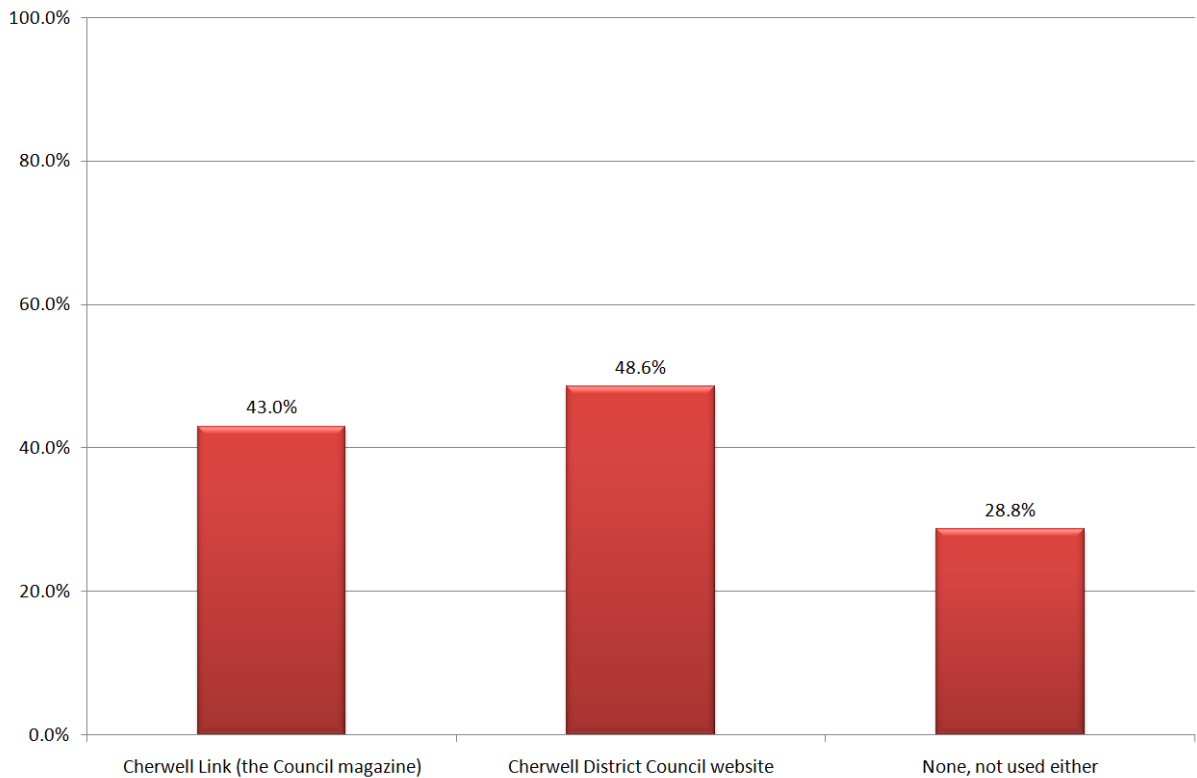
Differences

- Probably unsurprisingly those aged 18-44yrs were more likely to obtain their information from the Council’s website (53%) compared with those 45+yrs (32%).
- Those aged 45+yrs were more likely to obtain their information from the Cherwell Link magazine (63%) compared with 40% of 18-44yrs.

8.4 Information sources

'Have you used any of the following information sources in the past 12 months?' Base: 998 - MULTI

Chart 43:

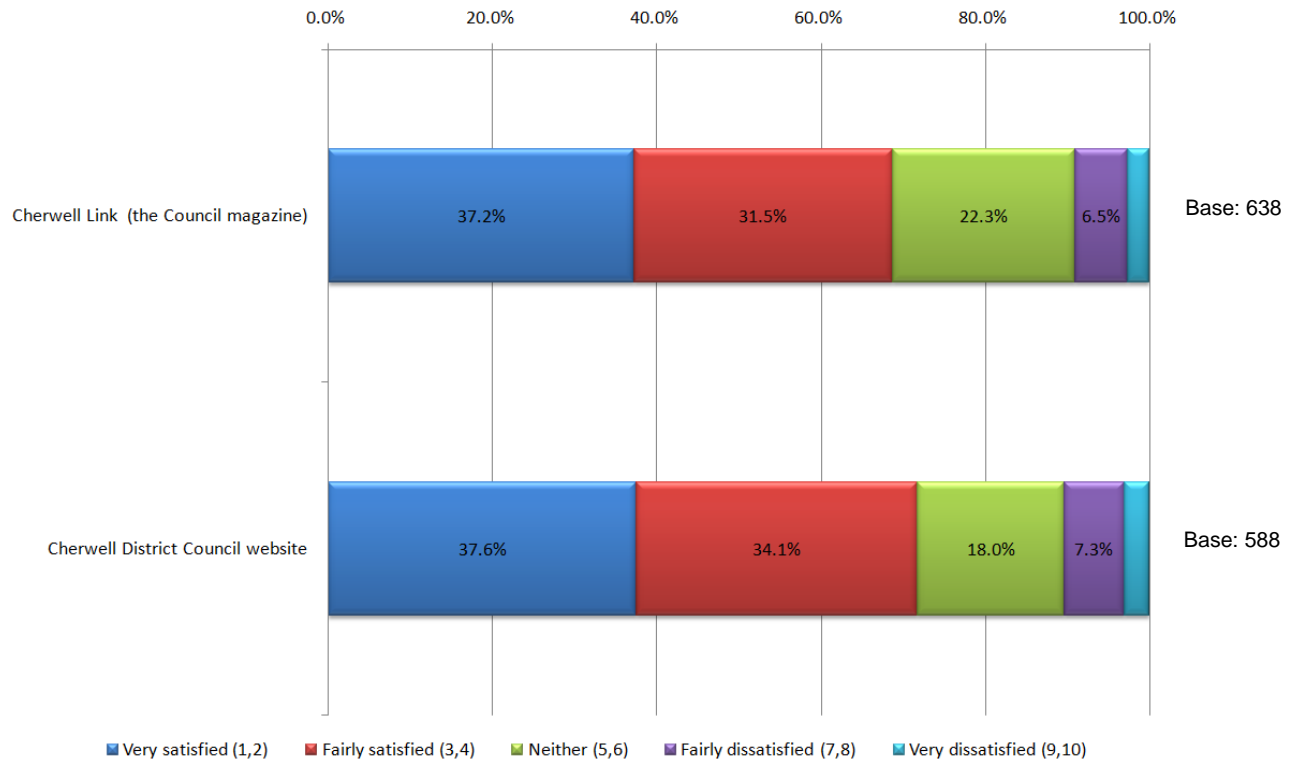


49% outlined they had used Cherwell Council's website in the past 12 months and 43% outlined they had used the Cherwell Link Council magazine in the past 12 months.

8.5 Satisfaction with information sources

'And, how satisfied or dissatisfied are you with the following, where 1 is very satisfied and 10 is very dissatisfied?'

Chart 44:



Of those who responded 69% were **satisfied** (score 1-4) with the Cherwell Link (the Council Magazine), 9% were **dissatisfied** (score 7-10).

Of those who responded 72% were **satisfied** (score 1-4) with the Cherwell District Council website, 10% were **dissatisfied** (score 7-10).

Appendix 1:

Cherwell District Council Residents Survey

Cherwell District Council Resident Survey 2016



Your reference number: 2735 /

HELP FOR COMPLETING THE RESIDENT SURVEY

- Thank you for taking the time to complete this resident survey. It should take no more than 20 minutes to complete.
- All of the information you give will be kept completely confidential. It will only be used by the Council to assess its performance and compare it with that of others.
- The questionnaire should be completed by any household member **aged 18 or over**.
- Please return the completed questionnaire in the envelope provided by **20th July 2016**.

SECTION 1: YOUR LOCAL AREA AS A PLACE

1. Overall, how satisfied or dissatisfied are you with the your local area as a place to live?

Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. And, how satisfied or dissatisfied are you with the following across the District, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
How your local neighbourhood looks and feels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How town centres look and feel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How new buildings look	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How older buildings are looked after	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of good quality jobs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location of jobs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Town centres that attract people to shop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of homes to rent or purchase at an affordable price for most people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location of homes to rent or purchase at an affordable price for most people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The provision of council services in rural areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How a balance is achieved between protecting rural environments whilst managing new development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public transport provision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Having the opportunity to volunteer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being able to have your say	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

We would now like your views on the benefits and services provided by Cherwell District Council.

SECTION 2: ENVIRONMENTAL SERVICES

Street Cleaning

Cherwell District Council is responsible for ensuring all adopted roads, streets and pavements are kept clean. These areas include the centre of Banbury, Bicester and Kidlington, residential roads, major roads such as the A41 & A43 and rural village roads. Besides keeping these areas clean, Cherwell District Council is responsible for the removal of fly tips on public land and investigating fly tips as well as issuing fixed penalty notices for litter and dog fouling. The removal of fly tips and litter on private land (such as railway embankments, playing fields, fields, woodland etc.) is the responsibility of the landowner. Cherwell District Council also organises each year a Spring Clean and a series of neighbourhood blitzes.

3. Overall, how satisfied or dissatisfied are you with the street cleaning service?
Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. How satisfied or dissatisfied are you with the following aspects of the street cleaning service, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Cleanliness of your local area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cleanliness of your local town/urban centre (Banbury, Bicester or Kidlington)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frequency with which the streets are cleaned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Number of litter bins in public places	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Number of dog waste bins in public places	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
On-street recycling bins, located in urban areas, next to litter bins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limiting the amount of dog waste in public places	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuing of fines for littering and dog fouling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Litter campaigns/ information regarding littering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighbourhood litter blitzes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Crime and Enforcement

Cherwell District Council has responsibility for investigating certain levels of environmental crime. The Council's zero tolerance approach means that its Environmental Enforcement Officers have powers to issue Fixed Penalty Notices (FPN) for 'on street' offences such as littering (including cigarette ends), dog fouling, abandoned vehicles and fly tipping. Fines from £50 - £400 can be imposed for these 'on street' offences. More serious offences such as fly tipping are investigated and then prosecuted via the courts. Environmental Enforcement Officers also work with local educational and community groups to raise awareness of the negative environmental issues that affect us all.

5a. Overall, how satisfied or dissatisfied are you with the Council's approach to dealing with environmental crime? Please tick one box only

Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/Not applicable

5b. Are you aware of any Fixed Penalty Notices being issued by Cherwell District Council Environmental Enforcement Officers in your local area? Please tick one box only

Yes, I am aware of Fixed Penalty Notices being issued in my local area

No, I am not aware of any Fixed Penalty Notices being issued in my local area

5c. To what extent do you support or oppose the Council's policy of a zero tolerance approach to 'on street' offences (i.e. giving a fine to those people issued with a Fixed Penalty Notice for littering, dog fouling or abandoned vehicles)? Please tick one box only

Strongly support Tend to support Neither support nor oppose Tend to oppose Strongly oppose Don't know

Household Waste Collection

Cherwell District Council collects your general household waste (i.e. green bin collection).

6. Overall, how satisfied or dissatisfied are you with the green bin collection service? Please tick one box only

Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/Not applicable

7. And how satisfied or dissatisfied are you with the following aspects of the green bin collection service, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
How clean and tidy the area is following collections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frequency of refuse collections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your bin is returned to the point of collection following being emptied	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Friendliness and helpfulness of refuse collection staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Household Recycling Collections

Cherwell District Council collects recycling in the blue bin. Items such as paper, cardboard, tin cans, aerosols, plastic bottles, tubs and trays and drinks cartons can all be recycled in the blue bin. These materials are sorted and recycled. **The council also collects small electrical items, and batteries for recycling. Residents can put them in carrier bags on top of any bin on collection day.**

8. Overall, how satisfied or dissatisfied are you with the household recycling collection service? Please tick one box only

Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/ Not applicable

9. And how satisfied or dissatisfied are you with the following aspects of the household recycling collection service, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
The range of materials taken for recycling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frequency of recycling collections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How clean and tidy the area is following recycling collections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kerbside small electricals collection scheme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kerbside battery collection scheme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Household Food and Garden Waste Collections

Cherwell District Council collects cooked and uncooked food waste as well as garden waste in brown bins. These organic materials are sent for composting locally in the district.

10. Overall, how satisfied or dissatisfied are you with the household food and garden waste collection service? Please tick one box only

Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/ Not applicable

11. And how satisfied or dissatisfied are you with the following aspects of the food and garden waste collection service, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
The range of materials taken for composting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frequency of food and garden waste collections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. To what extent do you agree or disagree that Cherwell District Council provides you with enough information on the waste, recycling and food and garden waste collection services?
Please tick one box only

Strongly agree Tend to agree Neither agree nor disagree Tend to disagree Strongly disagree Don't know

13. How much do you know about what happens to your waste after collections?
Please tick one box for each

	A lot	A little	Not a lot	None
Green bin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blue bin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brown bin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recycling Centres (Bottle Banks etc)

Cherwell District Council provides over 100 facilities to recycle glass bottles and jars. There are also larger sites which collect paper, card and textiles at supermarkets and car parks..

14. How often do you use a recycling centre (bottle bank etc)? Please tick one box only

Weekly Monthly Every 2-3 months A couple of times a year Less often Never

15a. Overall, how satisfied or dissatisfied are you with the recycling centres (bottle banks etc)?
Please tick one box only

Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/ Not applicable

15b. And how satisfied or dissatisfied are you with the following aspects of the local recycling centres, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Location of recycling centres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Items you can recycle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How clean and tidy the facilities are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 3: LEISURE AND RECREATION

Parks/open spaces and play areas

The majority of parks and large open spaces in Banbury, Bicester and Kidlington are owned by the respective Town and Parish Councils, but in Bicester and Kidlington they employ Cherwell District Council to carry out much of the grounds maintenance work and to manage play areas. In addition, it is the District Council in conjunction with local sponsors which provides most of the flower displays and features in each urban areas.

16a. In which, if any, of the following locations have you visited/used the PARKS/OPEN SPACES in the past 12 months? Please tick ALL that apply in LEFT HAND column

16b. In which, if any, of the following locations have you visited/used the PLAY AREAS in the past 12 months? Please tick ALL that apply in RIGHT HAND column

	16a Parks/Open Spaces	16b. Play Areas
Banbury	<input type="checkbox"/>	<input type="checkbox"/>
Kidlington	<input type="checkbox"/>	<input type="checkbox"/>
Bicester	<input type="checkbox"/>	<input type="checkbox"/>
Villages	<input type="checkbox"/>	<input type="checkbox"/>
None of these	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE ANSWER Q17a &/or Q17b IF YOU HAVE VISITED/ USED THE PARKS/ OPEN SPACES AND/OR PLAY AREAS IN CHERWELL IN THE PAST 12 MONTHS. ALL OTHERS SKIP TO Q18.

17a. Roughly, how often do you visit the PARKS/OPEN SPACES? Please tick one box in LEFT HAND column

17b. Roughly, how often do you visit the PLAY AREAS? Please tick one box in RIGHT HAND column

	17a Parks/Open Spaces	17b. Play Areas
Daily	<input type="checkbox"/>	<input type="checkbox"/>
2-3 times a week	<input type="checkbox"/>	<input type="checkbox"/>
Weekly	<input type="checkbox"/>	<input type="checkbox"/>
Fortnightly	<input type="checkbox"/>	<input type="checkbox"/>
Monthly	<input type="checkbox"/>	<input type="checkbox"/>
Less often	<input type="checkbox"/>	<input type="checkbox"/>

18. Overall, how satisfied or dissatisfied are you with the way parks and play areas are looked after? Please tick one box only

- Very satisfied Fairly satisfied Neither satisfied nor dissatisfied Fairly dissatisfied Very dissatisfied Don't know/ Not applicable



19. And, how satisfied or dissatisfied are you with the following aspects of the local parks/ open spaces and play areas, where 1 is very satisfied and 10 is very dissatisfied?
Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintenance of grass and meadow areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintenance of trees, shrubs & bedding plants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintenance of play areas and play equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintenance of outdoor sports pitches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How safe you feel using the parks/open spaces and play areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

20a. Do you think that the number of PARKS/OPEN SPACES available is about right, too few or too many? Please tick one box in LEFT HAND column

20b. And, do you think that the number of PLAY AREAS available is about right, too few or too many? Please tick one box in RIGHT HAND column

	20a Parks/Open Spaces	20b. Play Areas
Too many	<input type="checkbox"/>	<input type="checkbox"/>
About right	<input type="checkbox"/>	<input type="checkbox"/>
Too few	<input type="checkbox"/>	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	<input type="checkbox"/>

Leisure Facilities

Cherwell District Council manages a number of leisure facilities such as Bicester Leisure Centre, Kidlington and Gosford Leisure Centre, Woodgreen Leisure Centre and Spiceball Leisure Centre, facilities at the North Oxfordshire Academy (formally Drayton School) and Cooper School. Cherwell District Council also publishes a series of walk and ride leaflets to encourage countryside recreation.

21. Which, if any, of the following local leisure facilities have you used in the past 12 months?
Please tick ALL that apply

- Bicester Leisure Centre
- Kidlington and Gosford Leisure Centre
- Woodgreen Leisure Centre, Banbury
- Spiceball Leisure Centre, Banbury
- North Oxfordshire Academy, Banbury
- Cooper School, Bicester
- Cherwell Circular Walks /Rides
- Other (Please write in).....
- None of these

22. Overall, how satisfied or dissatisfied are you with the leisure facilities provided by Cherwell District Council? Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

23. And, how satisfied or dissatisfied are you with the following aspects of the local leisure facilities, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Range of leisure facilities available	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cost of using facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cleanliness and condition of venue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff knowledge/professionalism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refreshment/catering at sports venues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Leisure Activities

Cherwell District Council also provides school holiday activities, coaching and sport development courses and events.

24. Which of the following statements best describes you? Please tick one box only

- I have used/participated in leisure activities provided by Cherwell District Council in the past 12 months
- I am aware of the leisure activities provided by Cherwell District Council, but have not used/participated in any during the past 12 months
- I am unaware of the leisure activities provided by Cherwell District Council, but I would like to find out more
- I am unaware of the leisure activities provided by Cherwell District Council and I am not interested in finding out more
- Don't know

25. Overall, how satisfied or dissatisfied are you with the leisure activities provided by Cherwell District Council? Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 4: COMMUNITY SAFETY

Dealing with Anti-Social Behaviour and Nuisance

Cherwell District Council Anti-Social Behaviour Team works in partnership with Thames Valley Police to tackle anti-social behaviour and nuisance, which may include any activity likely to cause harassment, alarm or distress in the local neighbourhood. The Council also investigates a range of nuisance activities, including domestic and commercial noise, smoke caused by bonfires, piles of rubbish, insecure premises and graffiti.

26. Overall, how satisfied or dissatisfied are you with the Council's approach to dealing with anti-social behaviour and nuisance? Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27. Have you reported any incidents of anti-social behaviour/nuisance in your local area to either of the following in the past 12 months? Please tick ALL that apply

- Yes, reported incidents of anti-social behaviour/nuisance to Cherwell District Council
- Yes, reported incidents of anti-social behaviour/nuisance to the Police
- Experienced incidents of anti-social behaviour/nuisance, but not reported it
- Not experienced any incidents of anti-social behaviour/nuisance

28. And, how satisfied or dissatisfied are you with the following aspects of the way the Council and its partners deal with anti-social behaviour and nuisance, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Speed of response to complaints of anti-social behaviour/nuisance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise control/ dealing with noise pollution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visual presence of police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visual presence of community wardens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dealing with vandalism and graffiti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dealing with youths hanging around on the streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. How much would you agree or disagree that the Police and Local Council are dealing with anti-social behaviour and nuisance in this area? Please tick one box only

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

30. How safe or unsafe do you feel in each of the following situations? Please tick one box for each

	Very safe	Fairly safe	Fairly unsafe	Very unsafe	Never in situation	Don't know
Walking alone in your local community after dark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walking alone in your local community during daylight	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walking alone in your local town centre after dark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walking alone in your local town centre during daylight	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being alone in your home after dark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being alone in your home during daylight	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 5: CAR PARKS

Car Parks

Cherwell District Council operates 24 car parks in Bicester, Kidlington and Banbury.

31. In which, if any, of the following locations have you used the car parks operated by Cherwell District Council in the past 12 months? Please tick ALL that apply

- Banbury
- Kidlington
- Bicester
- None of these

32. Do you hold a season ticket or a blue badge for parking in Cherwell?

Please tick one box only

- Yes
- No

33. Overall, how satisfied or dissatisfied are you with the local car parking facilities?

Please tick one box only

- | | | | | | |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|----------------------------|
| Very satisfied | Fairly satisfied | Neither satisfied nor dissatisfied | Fairly dissatisfied | Very dissatisfied | Don't know/ Not applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

34. And how satisfied or dissatisfied are you with the following aspects of the local car parking facilities, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Easy to find	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Feeling safe/secure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Number and location of pay and display machines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Price of the parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information about price	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information about how long you can stay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information about parking on the Cherwell District Council website	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ease of payment using the mobile telephone payment system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disabled parking facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 6: OVERALL VIEWS OF CHERWELL DISTRICT COUNCIL

Overall Views

We would now like to know what you think of Cherwell District Council overall, taking everything into account.

35. Overall, how satisfied or dissatisfied are you with the services provided by Cherwell District Council? Please tick one box only

Very satisfied	Fairly satisfied	Neither satisfied nor dissatisfied	Fairly dissatisfied	Very dissatisfied	Don't know/ Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. How well informed, if at all, does Cherwell District Council keep residents about the benefits and services it provides? Please tick one box only

Very well informed	Fairly well informed	Not very well informed	Not well informed at all	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

37. How well informed, if at all, does Cherwell District Council keep residents about what the Council spends money on? Please tick one box only

Very well informed	Fairly well informed	Not very well informed	Not well informed at all	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

38. To what extent do you agree or disagree that Cherwell District Council provides value for money? Please tick one box only

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 7: THE LOCAL ECONOMY AND COUNCIL BUDGET PRIORITIES

Views of the current economic climate

Please let us know your opinions of the current economic climate.

39. The nation's budget deficit and the need to rein in public spending are being discussed extensively. Overall, how concerned, if at all, are you about the nation's budget deficit?
Please tick one box only

Very concerned	Fairly concerned	Neither concerned nor unconcerned	Fairly unconcerned	Very unconcerned	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

40. Below is a list of statements that people have made about the nation's budget deficit. To what extent do you agree or disagree with each of the following statements? Please tick one box for each

	Strongly agree	Tend to agree	Neither/ Nor	Tend to disagree	Strongly disagree	Don't know
The nation's budget deficit - we are all in it together	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council's do not need to cut services as enough money can be saved through efficiency savings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I would rather pay more Council Tax to maintain services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I trust Cherwell District Council to do what is right for residents in the current economic climate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The economic climate in Cherwell is better than it was 12 months ago	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My household/ I have been personally affected by the public spending cuts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your Priorities

Cherwell District Council has had its funding reduced significantly as a consequence of the nation's budget deficit. The Council is planning its response carefully as it simply will not be able to afford everything it currently does in the same way going forward. It is important for Cherwell District Council to understand which services are most important to residents.

The question overleaf therefore asks you to prioritise the Council Services where you would like the current level of service provision to be maintained. Please see below for an example of how to complete this question.

For example, if you think 'dealing with anti-social behaviour/nuisance' is much less important than 'providing affordable housing', then select 'much less important to maintain current level of service'.

	Much more important to maintain current level of service	Slightly more important to maintain current level of service	Equally important	Slightly less important to maintain current level of service	Much less important to maintain current level of service	Don't know	
Dealing with anti-social behaviour/ nuisance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Providing affordable housing

41. It is important for Cherwell District Council to understand which services are most important to residents in the current economic climate. From the following pairs of Council Services, which would you prioritise for maintaining the current level of service provision? Please tick one box for each

	Much more important to maintain current level of service	Slightly more important to maintain current level of service	Equally important	Slightly less important to maintain current level of service	Much less important to maintain current level of service	Don't know	
Household recycling collection and food/garden waste collection service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Arts and cultural services (including Banbury Museum)
Providing affordable housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dealing with anti-social behaviour/ nuisance
Parks and playgrounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Town centre development (e.g. improving town centres through schemes such as pedestrianisation)
Dealing with anti-social behaviour/nuisance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning policy (i.e. long term development and conservation)
Household recycling collection and food/garden waste collection service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Town centre development (e.g. improving town centres through schemes such as pedestrianisation)
Activities for young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring of food hygiene and health and safety of businesses and restaurants
Planning policy (i.e. long term development and conservation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Activities for young people
Grants for voluntary and community groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring of food hygiene and health and safety of businesses and restaurants
Sports and leisure facilities and activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provision of housing support and advice (e.g. working to prevent homelessness)
Household waste collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Street cleaning & tackling of environmental crime
Parks and playgrounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supporting the creation of jobs in the local area
Street cleaning & tackling of environmental crime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development control (i.e. planning permission and enforcements)
Providing affordable housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sports and leisure facilities and activities
Provision of housing support and advice (e.g. working to prevent homelessness)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supporting the creation of jobs in the local area
Arts and cultural services (including Banbury Museum))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development control (i.e. planning permission and enforcements)
Recycling centres (e.g. bottle banks)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grants for voluntary and community groups
Household waste collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recycling centres (e.g. bottle banks)

SECTION 8: CONTACTING THE COUNCIL

Contacting Cherwell District Council

We would like to know your experiences when contacting Cherwell District Council.

42. Have you ever contacted Cherwell District Council? If so, how did you last contact the Council? Please tick one box only

- By telephone
- By letter
- Via email
- Face-to-face in Council Offices
- Other (please write in)
- None of these

PLEASE ANSWER Q43 IF YOU HAVE CONTACTED CHERWELL DISTRICT COUNCIL. ALL OTHERS SKIP TO Q44.

43. And how satisfied or dissatisfied are you with the following when contacting Cherwell District Council, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Ease of contacting the Council											
Information about how to contact the Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being able to speak to the right person/department	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speed of response (e.g. speed of answering the telephone/ speed of replying to emails/letters)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff											
Being respected/listened to by staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Using plain English/not speaking in jargon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Answering all of your questions/providing enough information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explanation of process/procedures and advice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Follow-up											
Keeping their promises (e.g. calling back when they said they would etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outcome of your query/complaint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Information from Cherwell District Council

Please tell us your views on the information provided by Cherwell District Council.

44. From which, if any, of the following do you obtain most of your information about Cherwell District Council? Please tick ALL that apply

- | | |
|--|--|
| <input type="checkbox"/> Friends/ family and neighbours | <input type="checkbox"/> Cherwell District Council posters |
| <input type="checkbox"/> Parish News Newsletter | <input type="checkbox"/> Cherwell District Council website |
| <input type="checkbox"/> Cherwell Link (the Council magazine) | <input type="checkbox"/> Public meetings |
| <input type="checkbox"/> Local groups and committees (e.g. tenant's or residents' associations, voluntary or community groups) | <input type="checkbox"/> Contact with elected Councillors |
| <input type="checkbox"/> Local newspapers (please specify) | <input type="checkbox"/> Contact with Council staff |
| <input type="checkbox"/> Local radio (please specify) | <input type="checkbox"/> Information from other organisations (e.g. County Council, schools, doctors etc.) |
| <input type="checkbox"/> Local TV news (please specify) | <input type="checkbox"/> Twitter or Facebook |
| <input type="checkbox"/> Cherwell District Council magazines | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> Cherwell District Council leaflets | <input type="checkbox"/> None of these |
| | <input type="checkbox"/> Don't know |

45. Now thinking specifically about the information provided by Cherwell District Council, have you used any of the following information sources in the past 12 months? Please tick ALL that apply

- Cherwell Link (the Council magazine)
- Cherwell District Council website
- None, not used either

46. And how satisfied or dissatisfied are you with the following, where 1 is very satisfied and 10 is very dissatisfied? Please tick one box for each

	1	2	3	4	5	6	7	8	9	10	Don't know
Cherwell Link (the Council magazine)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cherwell District Council website	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

47. Finally, please use the space below to write in any further comments that you have about Cherwell District Council and the services it provides? Please write in

SECTION 9: ABOUT YOU

48. Which age band are you in? Please tick one box only

- | | | |
|-----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> 18-24yrs | <input type="checkbox"/> 45-54yrs | <input type="checkbox"/> 75+ yrs |
| <input type="checkbox"/> 25-34yrs | <input type="checkbox"/> 55-64yrs | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> 35-44yrs | <input type="checkbox"/> 65-74yrs | |

49. What is your gender?

Please tick one box only

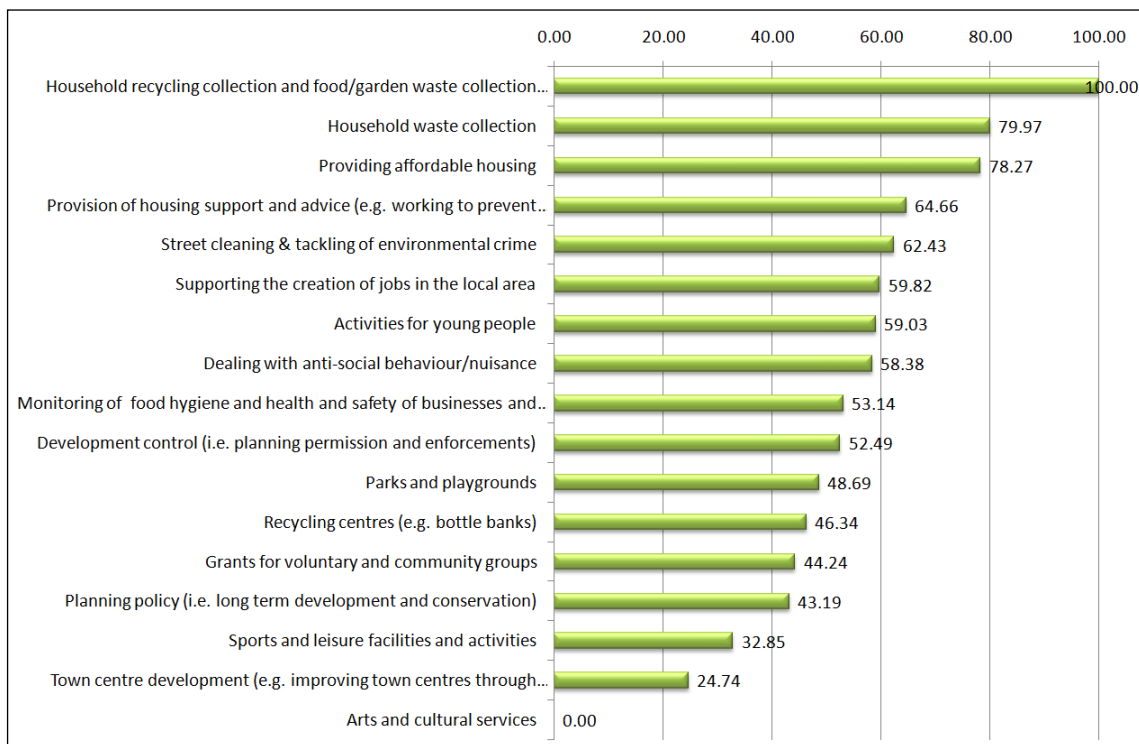
- | | |
|---------------------------------|--|
| <input type="checkbox"/> Male | <input type="checkbox"/> Transgender |
| <input type="checkbox"/> Female | <input type="checkbox"/> Prefer not to say |

Thank you for taking the time to complete this survey

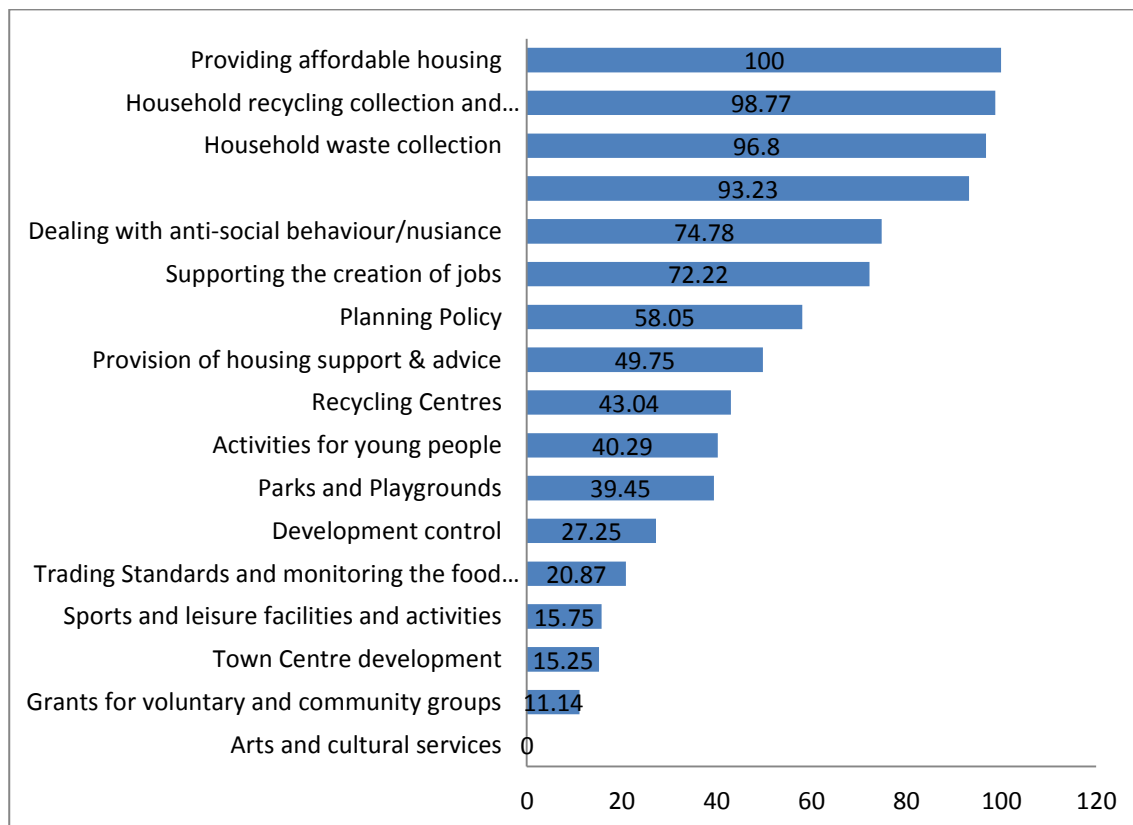
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Appendix 2 – Service Prioritisation

2016 results



2015 results



Comparison of priorities over time

Priority	Change from 2015	2016	2015	2014	2013	2012
Providing affordable housing	↑ 1	1	2	2	2	3
Household recycling collection and food/ garden waste collection service	↑ 1	2	3	1	1	1
Household waste collection	↓ -2	3	1	4	5	5
Street cleaning and tackling of environmental crime	↑ 4	4	8	7	7	8
Dealing with anti-social behaviour/ nuisance	↓ -1	5	4	5	4	4
Supporting the creation of jobs in the local area	→ 0	6	6	6	3	2
Planning policy	↑ 3	7	10	9	8	7
Provision of housing support and advice	↓ -3	8	5	3	6	6
Recycling centres	↑ 4	9	13	12	13	11
Activities for young people	↑ 2	10	12	11	11	15
Parks and playgrounds	→ 0	11	11	10	10	9
Development control	↓ -3	12	9	13	12	13
Trading standards and monitoring the food hygiene of restaurants	↑ 3	13	16	16	16	14
Sports and leisure facilities and activities	↓ -7	14	7	8	9	10
Town centre development	↓ -1	15	14	14	14	12
Grants for voluntary and community groups	↓ -1	16	15	15	15	16
Arts and cultural services	→ 0	17	17	17	17	17
Number answering question:		1012	327	445	724	1018

Appendix 3 – Re-tendering of Annual Satisfaction Survey contract: Summary

The previously Annual Customer Satisfaction Survey at Cherwell District Council was managed through Future Thinking. The contract ended in 2014 but was extended for an additional year. The new contract tender was to provide an Annual Customer Satisfaction Survey for both Cherwell District and South Northamptonshire Councils (CDC and SNC).

The key points of the tender were that:

- The survey covers overall satisfaction, satisfaction with individual services, value for money, communications and the ability to measure performance year on year.
- It is to be sent in paper form to a random set of addresses across the two areas, as opposed to the previous method of a Customer Panel made up of representation across the Cherwell area.
- The results would be analysed and provided in the form of report, of which full ownership is of the Councils.

The procurement process was completed through Procurement with quotes despatched to companies known to the Council and the opportunity was also advertised locally. 25 companies requested details; of these 6 returned completed bids:

Supplier Name	Bid received for providing survey for both councils
BMG	£24,626.00
CRT Viewpoint	£51,600.00
Enventure	£22,210.00
Future Thinking	£35,390.00
Marketing Means	£13,240.00
TLF	£13,966.00

The methodology used to evaluate the submissions was on:

- Price 60%
- Quality 40%

Following the evaluation of the submissions the top 4 bidders were:

- | | |
|--------------------|--------------|
| 1. Marketing Means | 3. BMG |
| 2. TLF | 4. Enventure |

The top three bidders were then invited to attend a clarification meeting, Marketing Means presented very well and were the clear winner, and they also had the experience of working with SNC in the last Northamptonshire Place Survey in 2009. The evaluation panel therefore decided to keep the ranking of the evaluation result as was, and Marketing Means were confirmed as the winning bid.

The previous annual contract value for CDC only was £30,000. The new annual contract value for CDC only was originally £6,500 per annum. Costs this year have been higher due to the larger than anticipated survey (planned to be 8 pages and was 16 pages) meaning greater production and postage costs. The revised cost for 2016 is £8,913. Despite this slight increase the **saving** for the annual cost for CDC in 2016 is **£21,087**.

Summary of change	2015	2016	Difference
Total Respondents	437	1,034	+603
Cost	£30,000	£8,913	(£21,087)
Full report	Yes	Yes	More analysis around reports
Dynamic Tool	Yes	No	Under used in 2015

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Appendix 4: Draft Action Plan for development of the Annual Satisfaction Survey

(P&I = Performance and Insight team)

Action	Timescale	Who
Identify service representatives to provide expert, service based viewpoint	Oct 2016	P&I, JMT
Review current question set to identify those questions that can be removed for future surveys	Oct and Nov 2016	P&I, service reps
Identify new questions to provide feedback from residents to 'fill the gaps' in the business plan	Oct and Nov 2016	P&I
Identify new questions to link in to service specific feedback requirements (which cannot be gathered via a focussed service led survey)	Oct and Nov 2016	Service reps
Liaise with partner organisations to see whether there can be any consolidation and sharing of key feedback information	Jan and Feb 2017	P&I, partners (input from engagement officers as well?)
Investigate other options for producing sample set of households	Mar 2017	P&I, Marketing Means have already provided some advice
Send recommendations to Overview and Scrutiny for review	Mar 2017	P&I
Send recommendations plus O&S feedback to Executive for sign off	Mar 2017	P&I
Notify Marketing Means of proposed changes and work with them to format the revised survey (Marketing Means recommended timescales incorporated)	Mar/Apr 2017 3 wks (set up, design and test)	P&I, Marketing Means
Run 2017 Survey (Marketing Means recommended timescales incorporated)	Apr and May 2017 5 wks (inc survey send out and reminder)	Marketing Means
Initial results and report (Marketing Means recommended timescales incorporated)	Jun 2017 2 wks Topline data 2 wks Report creation	Marketing Means
Summary report and analysis	Jul 2017	P&I
Results to JMT and Committees as part of Business Planning review/refresh process	Jul/Aug 2017	P&I

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Cherwell District Council

Executive

7 November 2016

Bicester Healthy New Town Status

Report of Director of Operational Delivery

This report is public

Purpose of report

To inform the Council of progress in implementing the Bicester Healthy New Town Programme and to ask it to endorse its proposed delivery plan.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note progress in implementation of Bicester's Healthy New Town Programme.
- 1.2 To endorse the programme's proposed delivery plan.

2.0 Introduction

- 2.1 In June 2016 the Council agreed to act as the lead and accountable body for the Bicester Healthy New Town Programme, funded by NHS England. In addition, it agreed to include this activity in the work of the Bicester Strategic Delivery Board and to provide funding of £20,000 to support delivery of the programme beyond 2016/17. This report describes the progress achieved to date in developing and implementing the Healthy New Town Programme in Bicester.

3.0 Report Details

Development of Bicester's Healthy New Town Programme: Vision and Objectives

- 3.1 Since 6 June 2016, good progress has been made in developing the vision for the programme, its key objectives and a detailed action plan. This report describes how the programme has been co-produced with close engagement of the Bicester Healthy New Town Partnership Group and local Bicester stakeholders.

3.2 The wider Bicester partnership contains the following organisations:

Cherwell District Council, Oxfordshire Clinical Commissioning Group, A2 Dominion, Oxford Academic Health Science Network, NHS England South, Oxford Health NHS Foundation Trust, Oxford University Hospitals NHS Trust, Oxfordshire County Council, Bicester Town Council, Oxford Brookes University, Oxford University, Age (UK) Oxfordshire, Healthwatch Oxfordshire, Bicester Locality Patient Forum, North Oxfordshire Community Partnership Network, ISIS Innovation, ONEFED GP Federation, Health Education Thames Valley, Oxfordshire Sport and Physical Activity, Oxfordshire Local Enterprise Partnership and the Oxfordshire Health and Wellbeing Board.

3.3 Members of the partnership were invited to two workshops, with 45 attending the one on 16 May 2016 and 24 attending the one on 27 July 2016, to agree the vision for the programme and to identify its key priorities. These are summarised as follows:

The **aim** of the Bicester Healthy New Town Programme is to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future.

The two key **priorities** for the programme are:

- To reduce the number of people who are overweight or obese in order to prevent future health problems;
- To reduce the number of people who feel socially isolated or lonely in order to improve mental wellbeing.

The programme aims to improve both the physical and mental health of everyone in Bicester – the existing community as well as those moving to the town.

3.4 The Programme has three key work streams:

- **The Built Environment:** making best use of Bicester's built environment to encourage healthy living;
- **Community Activation:** helping local people to live healthier lives with the support of community groups, schools, and employers;
- **New Models of Care:** delivering new approaches to care closer to home and minimising hospital-based care.

The objectives for each work stream have been developed and endorsed by local stakeholders as well as the Bicester Strategic Delivery Board. They comprise:

3.5 **Built Environment**

- Going for Green - to maximise the use of Bicester's green and public spaces for healthy living;
- To create a 'walkable and cycleable community' with a comprehensive walking and cycling network;

- To develop planning policies which support the creation of a healthy environment.

3.6 **Community Activation**

- To build better connected communities with the creation of a network of volunteer community activators;
- To activate schools, nurseries, and colleges to work with young people and their families to become more active and to eat healthily in order to increase their physical and mental wellbeing;
- To activate local workplaces to promote health and wellbeing at work.

3.7 **New Models of Care: Creating care closer to home**

- To create a 'primary care home' with integrated community health and social care supporting GP clusters to care for people with complex care needs;
- To deliver new care pathways for long term conditions which minimise hospital based outpatient care (focusing first on diabetes);
- To plan to meet future care needs through the provision of primary and community care from health campuses.

3.8 Having identified these broad objectives, a detailed delivery plan has been produced which has addressed both the priorities of local stakeholders in Bicester and the requirements of NHS England. In July 2016, NHS England's Director of Strategy recognised that the Healthy New Towns programme aims to achieve long term behaviour change but also noted that sites would need to be able to report on how the programme is making a difference by 31 December 2016 in order to make a case for on-going funding from NHS England. Sites were asked to identify some quick wins that can be delivered in the short term as well as actions that will deliver change over the medium to longer term. This is reflected in the draft delivery plan, see Appendix 1.

Development of the HNT Programme Delivery Plan: Local Engagement

3.9 The programme delivery team also identified that it was very important to engage local stakeholders in Bicester at an early stage to enable them to influence and shape the plans. This will enable the programme to shift from being an NHS initiative to become one that is owned by people in Bicester in order to create sustainable change in encouraging people to live healthier lives. To this end a workshop was held on 6 October 2016 to which a wide range of local stakeholders were invited. Seventy-four delegates attended, representing Bicester's voluntary organisations, schools, workplaces, health and care services, local government and NHS England.

3.10 The purpose of the workshop was:

- To enable a wide group of local stakeholders to be informed about and contribute to the Healthy New Town programme;
- To secure support for the programme's objectives and key initial areas of work;
- To create the opportunity for people to meet and build connections with other local Bicester stakeholders;
- To engage and seek the support of local stakeholders as to how they can contribute to delivery of the programme.

- 3.11 Local stakeholders reviewed and endorsed the Programme's priority areas for action and then had detailed discussions about how the programme could engage effectively with workplaces, schools and nurseries, local voluntary and community groups, as well as identifying how the built environment could support healthier lifestyles. Their ideas and views have directly influenced the delivery plan, with local views being identified in italics in the plan attached in Appendix 1.
- 3.12 Delegates were also asked to describe what Bicester could look like in 2020 as a Healthy New Town. Their ideas were captured by a local artist who then created an image which illustrates how they would like Bicester to develop as a healthy new town (see Appendix 2). In addition, a short video was created to articulate in a different form local stakeholders' ambitions for the programme and for the town.
- 3.13 As part of the programme's remit of building community connections, delegates were encouraged to connect with each other, sharing contact details with people that they had not met prior to the conference. They also were encouraged to make a pledge, identifying how they would contribute to the programme; to date 35 pledges have been received reflecting the range of interests of stakeholders (see Appendix 3).
- 3.14 Feedback on the local stakeholder workshop has been overwhelmingly positive, with 72% reporting that they had found the overall event very useful and 94% identifying that they wished to continue to engage with the programme.

National Support for the Bicester Healthy New Town Programme

- 3.15 At the end of June 2016, NHS England confirmed that it was happy with the scope of the programme and signed off an agreement with Cherwell District Council (as the lead organisation) to release £150,000 in funding. This funding enabled the secondment of Rosie Rowe from OCCG to Cherwell District Council to act as Programme Director for Bicester Healthy New Town in order to support implementation of the programme from mid-July 2016 to the end of March 2017.
- 3.16 Representatives from the Bicester programme have attended national networking and shared learning events in July and September 2016. At the September event the Bicester programme was asked to take a leadership role in organising a national learning event on the built environment for all ten of the Healthy New Town sites which will consider how planners and developers can work together to create environments that promote healthy lifestyles. This reflects the quality of partnership working between the Council and developers like A2 Dominion and progress achieved in developing an exemplar built environment in the eco-town.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Good progress has been made in identifying a clear focus for the Healthy New Town Programme that reflects local priorities and which can result in meaningful and positive change for Bicester residents. Clarification of the aims of the

programme and its objectives will enable the programme to be effectively evaluated to assess its impact.

- 4.2 Following final feedback from the Bicester Partnership Group, the programme delivery plan will be submitted to NHS England for approval with a view to implementation commencing from 1 November 2016.

5.0 Consultation

- 5.1 Please see paragraphs 3.8 to 3.13 for details of local engagement.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative option has been identified and rejected for the reasons as set out below.

Option 1: Not to endorse the detailed HNT Programme Delivery Plan co-produced with local partners and Bicester stakeholders. This is not proposed due to the relevance of this programme to Bicester, the importance of local people understanding and knowing how it can make a difference, and the need for a detailed delivery plan to secure funding from NHS England.

7.0 Implications

Financial and Resource Implications

- 7.1 Funding of £33,000 has been released by NHS England at the end of Quarter 2 in recognition of the progress achieved.

Comments checked by Kelly Wheeler, Principal Accountant, 01327 322230, kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications arising from this report.

Comments checked by Chris Mace, Solicitor, 01327 322125, christopher.mace@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All Bicester wards

Links to Corporate Plan and Policy Framework

Cherwell: A Thriving Community - Work to promote and support health and wellbeing across the district.

Lead Councillor

Councillor Barry Wood, the Leader of the Council and lead for Bicester

Document Information

Appendix No	Title
1.	Draft Bicester Healthy New Town Programme Delivery Plan
2.	Bicester Healthy New Town Programme Image
3.	Summary of stakeholder pledges to the Bicester HNT
Background Papers	
None	
Report Author	Ian Davies, Director of Operational Delivery
Contact Information	030000 30101 ian.davies@cherwellandsouthnorthants.gov.uk

APPENDIX 1

Bicester | Healthy New Town Programme: Draft Delivery Plan November 2016-March 2018

The following briefing identifies an outline plan of activity for October 2016-March 2018. These plans reflect ideas generated by the wider partnership, the HNT delivery team, and local stakeholders (local ideas shown in italics); longer term planning for delivery in 2017/18-2018/19 is also required.

Item	Deliverable by 31 December 2016	Deliverable by 31 March 2017	Deliverable 17/18	Lead Agencies	Resources
Built Environment					
1. Going for Green - maximizing the use of Bicester's green and public spaces for healthy living	Produce information on the town's main open spaces to raise awareness and promote their use. Publicise information through Garth Gazette, websites, press releases and local information points	Promote use of open spaces for free activity in January		CDC Bicester Delivery Team working with BTC	Bicester Delivery team (SC) GIS team & graphic design BTC (CJ) Printing costs – HNT Budget?
		Development of mobile version of mapping			
	Establish current use of Green Spaces, survey as part of green space evidence base			CDC Bicester Delivery Team	CDC Policy Team (SW) Bicester Delivery Team
	<i>Observational survey of use of green space</i>			Oxford Brookes	OBU students Bicester Delivery Team
		Develop movers/new residents information pack encouraging cycling/walking/volunteering		A2Dominion	A2D, Bicester Delivery team (GM), Community Services Resources for printing HNT?
				- Learning from Elmsbrook on the creation and use and management of the first green space in the	A2D

			<i>new development</i>		
			- <i>Delivery strategy for creating green corridors to support connectivity identified in the LP/master plan for Bicester</i>	CDC Bicester Delivery Team	CDC Policy Team Bicester Town Council External support
		Programme to review small areas of open space and revise their design		Bicester Town Council	Bicester Delivery Team, Landscape architect – funding
2. Creating a 'walkable and cycleable community' with a comprehensive walking and cycling network	- Wayfinding scheme – procurement of signage design and public consultation Signage to provide information about walking and cycling distances between key destinations in Bicester	Signage installation		CDC Bicester Delivery Team	Bicester Delivery Team (LBH) OCC (BS & WP)
	- Identify, waymark and publicise a new cross town cycle route			CDC Bicester Delivery Team	Bicester Delivery Team (SC) & Monica Meers GIS & Graphic design support
		Agree how use of cycling and walking routes to be monitored			
		Liaise with running clubs & BTC to agree simple signage of 'run routes' in the town. Publicise the routes (potential link to couch to 5K?)		CDC Bicester Delivery Team	Bicester Delivery Team (GM) Leisure services GIS and Graphic design Signage and promotional material HNT?
3. Develop planning	- Training session for planners re: developing healthy environments with			Public Health	

policies that support the creation of a healthy environment	public health experts. Involve planners from across Oxfordshire to ensure shared learning and produce training toolkit for use elsewhere				
		- Training session for planners re: developing age friendly environments		Age UK	
		- Agree approach and protocol to enable Public Health, Sport England and Age UK to review and comment and input to development proposals to ensure that they deliver active and inclusive environments to support health and wellbeing		CDC Bicester Delivery Team	Bicester Delivery Team (CC) Development Management
	- Draft policy for LP part 2 to require healthy environments	- Round table with town planners to establish how to embed principles and policies to support healthy environments		CDC Bicester Delivery Team	CDC Bicester Delivery Team (CC) Development management Planning Policy
			- Investigate the development of one check list/advice for developers to use to support them in designing healthy developments (potentially expand existing national guidance)	CDC Bicester Delivery Team	CDC Bicester Delivery Team (JB) OCC (RK) Development Management iBi Consultant support
		- Bid submitted to be one of 10 place based sites for Sports England funding		CDC	Bicester Delivery Team, Leisure Services

4. Making Information available			- Review of community asset mapping and seek opportunities to enhance the use of assets such as schools, community centres and churches		A2D, Bicester Delivery Team, Community Services,
	- Identify opportunities for providing information on existing and new community notice boards/info points e.g. sports center and library including management of information on these		- Work with BTC to review and update information on their notice boards	Parkwood; BTC; CDC	Cost of notice boards
			- Scope out and resource development of an app 'Bicester 4U' which would include a directory of activity	AHSN and CDC Delivery Team	
			- Agree promotional campaign to encourage use of Bounts exercise incentive scheme -	CDC and community groups and leisure centre	Leisure Services
	- Agree evaluation approach	- Develop living lab HNT presence to share learning?	- Dissemination event and /report		
Community Activation					
5. Building better connected communities with the creation of a network of volunteer	- Local Stakeholders Workshop to secure input into and engagement with HNT programme from local community leaders				COMPLETE
		- Planning of the public launch of HNT programme in early May to be well		CDC	RR, Community Services NR,

community activators		advanced and to be focused on promoting the programme in spaces that people already use – including the town centre /schools/workplaces			Bicester Delivery Team (GM) Parkwood, Voluntary sector
	- Input into pilot of AMI site to support befriending and peer to peer support	- Pilot of peer to peer function on AMI site to have started		CDC	Ami, CDC community services
	- SPARK fund set up and local organisations offered opportunity to seek seed corn funding to assist delivery of the HNT objectives	- Allocation of Spark funds and promotion of the scheme if funding remains	Allocation of Spark funds and promotion of the scheme if funding remains and evaluation	CDC	Community Services (NR) HNT & Garden Town funding
	- Participate in Parish Liaison meeting and Knowing your Communities events, Older People’s Day Information Fair (30 Sept) and Health Fair (14 Oct) to engage local community with plans			CDC	RR, Bicester Delivery Team (GM)
	- <i>Develop a plan for voluntary sector engagement with the programme by identifying local networks that the HNT needs to plug into and identify network champions for the programme.</i>	- Plans confirmed with voluntary sector as to how they wish to engage with the programme		CDC and voluntary sector	CDC Community Services and RR
		- Establish a community forum – holding its first network event so that different community groups can find out about each other (in conjunction with the Town Council	<i>Hold several community forum events to support collaboration and to offer skills training</i>	BTC and CDC	BTC and CDC Community Services
			<i>Set up a network of ‘community champions’ – making it easy to volunteer and to be recognised</i>	BTC and CDC	BTC and CDC Community Services

			<i>Offer PH brief intervention training</i>		
	- Bid submitted for Innovate funding to test new way of digital engagement with local authorities on use of green spaces/leisure facilities			<i>CDC Bicester Delivery Team</i>	CDC Bicester Delivery Team (GM)
	- <i>Use community networks to understand barriers to inclusion and activity and develop an offer for residents that recognize these – engaging early with ‘seldom heard’ groups</i>			CDC and Oxford Brookes and OCCG	RR and Equalities and Access Team
		- <i>Work with fire service to undertake wellbeing survey and to support signposting</i>		CDC and Fire Service	RR
			- <i>Create a neighbourhood buddy system – possibly linked to AMI site – to encourage physical activity</i>	CDC and A2D for Elmsbrook	CDC Community Services
6. Activation of schools, nurseries and colleges, and families to get young people active and increase their physical and mental wellbeing	- Engagement offer developed for schools/nurseries/colleges to engage with the programme Ensure the needs of ‘special schools’ are included			CDC	RR
	- Attend North Oxon Schools Sports Partnership Council to seek support	- <i>Build on existing mentoring roles between secondary and primary schools</i>		CDC	RR
	Engage directly with young people to identify what would make a difference to them in encouraging them to get active,			CDC and OYAP	RR

	eat healthily and to feel socially included				
	Discuss potential application of Impact programme with Gagle Brook head to see if there are transferable methods for engaging parents			CDC	CC and RR
			- <i>Work with school council members to shape engagement with schools and of parents</i>	CDC	RR
		- <i>Round table of school reps held to share areas of good practice (within and outside Bicester) and to confirm plans for school engagement with the programme (including school governors)</i>		CDC	RR
		- <i>Round table of nursery and pre-school providers to confirm plans for their engagement with the programme</i>		CDC	RR
		- <i>Recognise good practice through the existing Awards scheme – setting up a new category to recognize local innovation</i>			
		- <i>Plan holiday club ‘offer’ to reflect the HNT programme objectives and encourage its uptake in more disadvantaged communities</i>		CDC	CDC Leisure Service
		- Pilot Full Circle	- <i>Complete pilot of Full Circle project to</i>	CDC	RR, HNT funding

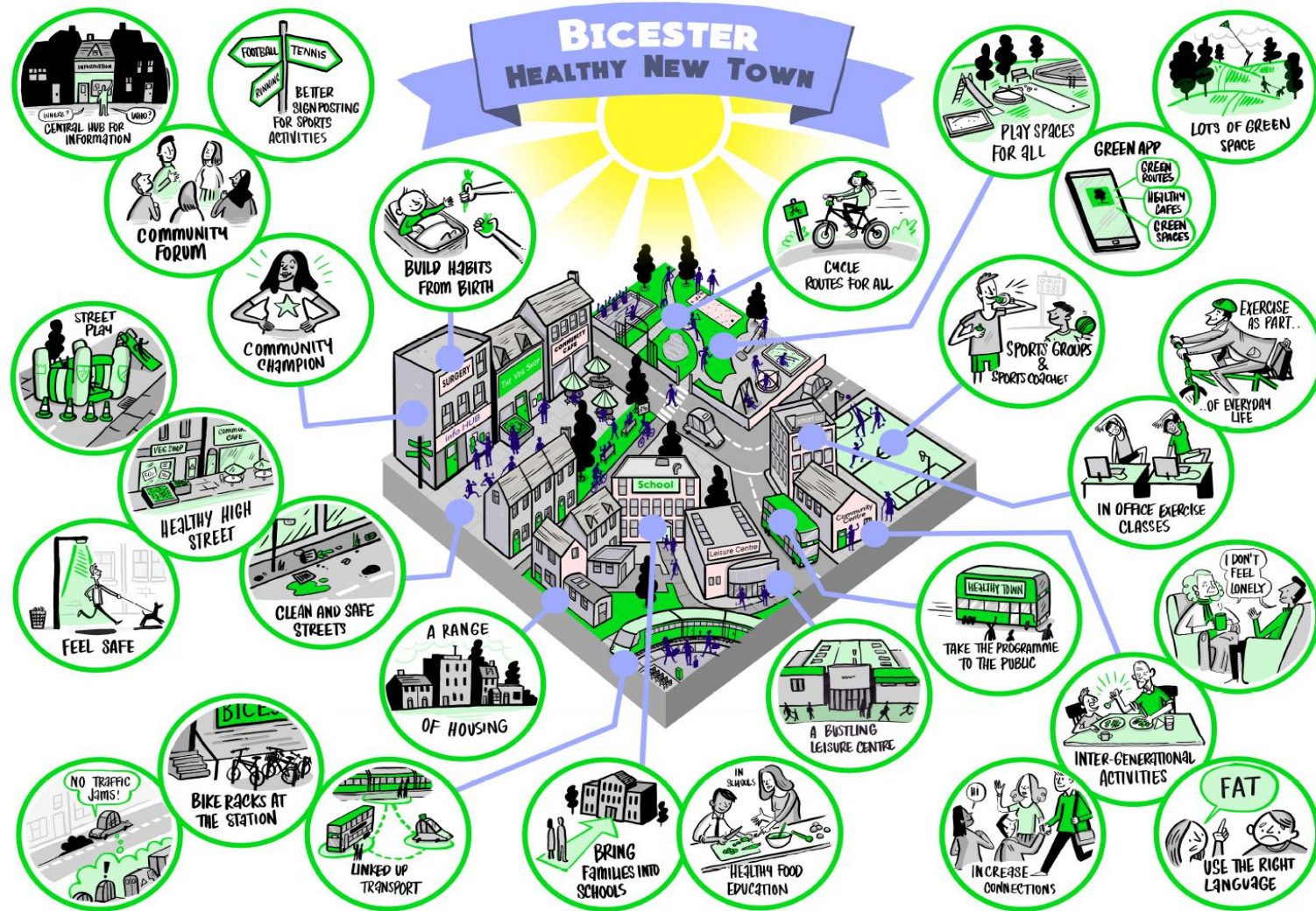
			<i>encourage inter-generational support in schools</i>		
			- <i>Explore opportunities for schools to start gardening clubs with local resident volunteers</i>	CDC and community groups	CDC Community Services
			- <i>Work with relevant community groups to develop a pilot offering cooking skills on a budget to new parents</i>	CDC and voluntary organisations	CDC Community Services
			- <i>Work with schools to 'zone' playgrounds</i>	CDC	RR
	-	OYAP Art for Health Project – commence pilot in Bicester secondary schools		OYAP; CDC, Oxford Brookes	RR
7. Activation of workplaces to promote health and wellbeing at work	- <i>OXSPA to identify evidence base for effective workplace health and wellbeing schemes and local success stories Engagement offer developed for workplaces/local employers to engage with the programme</i>			OXSPA	
	- <i>Agree plan for environmental health team to engage with restaurants and food outlets to increase uptake of healthy food schemes – identify scope to offer accreditation</i>	- <i>Discussions held with local retailers re: offering healthy food options</i>		CDC	Environmental health team

		<ul style="list-style-type: none"> - Work with Bicester Vision and local Chamber of Commerce to develop a business case (relevant to SMEs and large companies) for investing in employee health and wellbeing schemes and launch at Bicester business breakfast club and via Bicester radio. - In offer identify examples of good practice including link to mental first aiders/cycle to work schemes 	<ul style="list-style-type: none"> - Increase sign up by Bicester businesses to Oxon Workplace Challenge Scheme 	Bicester Vision and Chamber of Commerce	RR
			<ul style="list-style-type: none"> - Work with Oxfordshire Business Awards to set up a new category for 'healthy workplace' and 'healthy food retailer' 		Bicester Vision Bicester Chamber
		<ul style="list-style-type: none"> - Agree with public sector agencies which will sign up to be an exemplar in holding 'walking lunch hours' 		CDC/OHFT	
			<ul style="list-style-type: none"> - Promote sign-up of cafes to Coffee conversation scheme 	CDC	RR
			<ul style="list-style-type: none"> - Provide brief intervention training to multi-sector group 	OCC/OXSPA	Public Health

New Models of Care: Creating care closer to home

8. Creating a 'primary care home' with integrated community health and social care supporting GP clusters to care for people with most complex care needs	- Community services, primary care and social care to form local leadership group to promote integrated care			Oxfordshire Clinical Commissioning Group (OCCG)	
	- Develop pilot to test use of a 'care bank' to support complex patients at high risk of admission over the weekend	- Run pilot and evaluate impact of 'care bank'		Oxfordshire Clinical Commissioning Group (OCCG)	
		- New model of care for how primary care and community services can be further integrated and the potential future role of Bicester community hospital to be out for public engagement		Oxfordshire Clinical Commissioning Group (OCCG)	
		- Primary, community and social care to have tested new ways of working to promote more coordinated care		Oxfordshire Clinical Commissioning Group (OCCG)	
			- <i>Develop and test model of social prescribing for Bicester</i>	Oxfordshire Clinical Commissioning Group (OCCG)	
9. Delivery of new care pathways for long term conditions which	- Pilot to test virtual diabetes clinics to have started	- Diabetes pilot of new pathway for managing long-term conditions to be fully mobilised	- Evaluate effectiveness of diabetes work and embed in contracts – expand to other Long term conditions	Oxfordshire Clinical Commissioning Group (OCCG)	

minimise hospital based outpatient care (focusing first on diabetes)	- Round table held with older residents to identify how digital innovation can support their health needs and promote wellbeing	- Round table held with local residents to identify how digital innovation can support their health and care needs and promote wellbeing		Age UK, A2D,AHSN	RR
		- <i>Hackathon</i> held with local digital innovators to identify opportunities for meeting these needs			
10. Planning to meet future care needs through the provision of primary and community care from health campuses	- Draft Planning Obligations SPD to be updated with primary care estates requirements to meet population growth, identifying potential sites for 2 health campuses to serve the town			CDC	Bicester Delivery Team (CC) Policy Team, GP & CCG
	- Case for contribution to health infrastructure to be updated for use by planners			CCG	
	- Round table held with older residents to identify how digital innovation can support their health and care needs and promote wellbeing	- Round table held with local residents to identify how digital innovation can support their health and care needs and promote wellbeing		Age UK, A2D, AHSN	RR



Summary of Stakeholder Pledges to Bicester Healthy New Town Programme 17/10/16

I pledge to....	Name	Email	Org
Promote the benefits of a healthy workforce to businesses	Ben Jackson	ben@bbkmedia.com	Bicester Chamber of Commerce
Be a champion in promoting healthy living	Elaine Whittaker	Elaine@yogabeing.co.uk	Yogabeing
Inform the older peoples directorate of today's work, and use some of the contacts made today	Amanda Jones	Amanda.jones@oxfordhealth.nhs.uk	Oxford Health NHS
Represent Bicester HNT at a national NHS England level and support in whatever way we can	Danny McDonnell	danielmcdonnell@nhs.net	NHS England
Work with partners to encourage the young people of Bicester to be as active as possible	Richard Neal	Rneal@oxford.gov.uk	OXSPA
Use the Spark Fund to find a community project in Bicester	Martin Gillett	Martin.gillett@oxonplay.org.uk	Oxfordshire Play Association
Work with other organisations to tackle the barriers to people cycling in Bicester	Suzannah Gore	Suzannah.gore@bioregional.com	Elmsbrook by A2 Dominion
Stay involved in the programme development and support the future wellbeing of Bicester	David Agnew	David.agnew@oxfordshiremind.org.uk	Oxfordshire Mind
Talk to Elmsbrook residents about active, healthy living and signpost to everything already going on	Suzannah Gore	Suzannah.gore@bioregional.com	Elmsbrook by A2 Dominion
Use our newly formed website to promote Bicester Healthy New Town www.caversfieldpc.org.uk	June Nisbet	June.nisbet@gmail.com	Caversfield Parish Council
Use the offices of Bicester Town Council to co-ordinate the activities of local voluntary organisations	Richard Mould	Richard.mould51@ntlworld.com	Bicester Town Council
Re-engage with all local GP practices re physical activity	Jane Trenchard	jtrenchard@oxford.gov.uk	OXSPA
Deliver more drop in sessions	Jane Trenchard	jtrenchard@oxford.gov.uk	OXSPA
Ensure Sport England continue to support you to use active design guidance and our other tools and resources	Jon Horne	Jon.horne@sportengland.org	Sport England
Work to bring care closer to patients homes in Bicester	Stephen Attwood	Stephen.attwood@oxfordshireccg.nhs.uk	OCCG
Engage, work with and support multi-agency committed guided work	James Livingstone	James.livingstone@a2dominion.c	A2 Dominion

to regularly liaise and catch up with people, groups and services striving for the same		o.uk	
Share with colleagues and families to 'spread the word' and build on current resources and form stronger partnerships across Bicester	Ali Mawer	Alison.mawer@oxfordhealth.nhs.uk	Oxford Health NHS
Continue to be motivated to encourage people to consider importance of addressing physical and emotional health now and in future	Julie Cross	Julie.cross@oxfordhealth.nhs.uk	Oxford Health NHS
Engage with pre-schools to raise awareness of this programme and encourage them to consider how they can take part	Julie Cross	Julie.cross@oxfordhealth.nhs.uk	Oxford Health NHS
Continue my engagement with the programme to enable people who live and/or work in Bicester to live healthier lives	Alan Derry	head@gaglebrook.org.uk	Gagle Brook Primary School
Work alongside other agencies to create an intervention programme that schools can use to ensure the vision is met and parents/families are engaged in the programme	Alan Derry	head@gaglebrook.org.uk	Gagle Brook Primary School
Continue to engage community groups in the development of outcomes to evaluate the programme	Sam Williamson	samwilliamson@doctors.org.uk	Oxford University
Form a second Green Gym on a different day and in different areas	Bea Foster	Steve.bea@ntlworld.com	Bicester Green Gym
Part the ball rolling to put on a workplace wellbeing event for Bicester businesses to attend	Jenny Willson	jshaw@oxford.gov.uk	OXSPA
Support the training of community champions / health champions	Jenny Willson	jshaw@oxford.gov.uk	OXSPA
Research with Ramblers central office the way workplace walks have been organised in certain areas	Mary Gough	goutur@tiscali.co.uk	Bicester & Kidlington Ramblers
Help people / groups and communities have more fun	Gillian Munday	Gillian.munday@cherwell-dc.gov.uk	Cherwell District Council
Encourage work colleagues and family to keep active – healthy workplaces	Gillian Munday	Gillian.munday@cherwell-dc.gov.uk	Cherwell District Council
Continue to spread the word through PPG's and to see how the PPG's can help to provide health care	Helen Van Oss	Helen.vanoss@gmail.com	OCCG
On behalf of the leisure centre, explore opportunities for lunch time activity sessions for active workplaces	Liyen Mathew	Liyen.mathew@legacyleisure.org.uk	Bicester Leisure Centre
Assist with routes around town	Monica Mehers	monica@mehers.com	Social Cycle Rides
Raise awareness at OXSPA and its network of Bicester Healthy New Town. Support and engage where requested/appropriate.	S Henshaw	Henshawse@gmail.com	OXSPA

Cherwell District Council

Executive

7 November 2016

Business Rates Pooling Update

Report of Chief Finance Officer

This report is public.

Purpose of report

To seek approval in principle for the Council to continue to participate in a business rates pool.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Endorse and approve 'in principle' the Council remaining in a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits outlined in the report.
- 1.2 Grant delegated authority to the Chief Finance Officer (S151 Officer), in consultation with the Lead Member for Financial Management, to conclude necessary due diligence each year and confirm the Council's final intention on whether or not to participate in a Oxfordshire business rates pool (however constituted) in future years. This is subject to the Government not changing the current arrangements for pooling. If the arrangements were to change then a report will be brought back to Members for consideration.

2.0 Introduction

- 2.1 Cherwell District Council, West Oxfordshire District Council and Oxfordshire County Council entered into the North Oxfordshire Business Rates Pool in 2014-15.
- 2.2 With the right members in a business rates pool the amount of levy can be minimised and a greater amount of business rate income can be kept locally. Without a pooling arrangement in place a levy of up to 50% of the total retained business rate amount can be payable to the Government. Pooling can reduce the levy payable to 0%.
- 2.3 Last year, the Department of Communities and Local Government (DCLG) wrote to the Council, as lead authority for the North Oxfordshire Pool, on 4 December 2015 confirming the continuation of the Pool unless told otherwise by the individual members of the Pool. DCLG have advised that they are waiting for the new ministers to consider what they want to do about pooling in 2017/18 so their advice

is that if the intention is to continue the pool as for 2016/17 then no action is needed and the pool will 'roll forward'. West Oxfordshire and Oxfordshire County Council have both confirmed their intention to remain in the North Oxfordshire Pool.

3.0 Report Details

- 3.1 The Council has been a member of the North Oxfordshire Business Rates Pool since 2014-15 with Oxfordshire County Council and West Oxfordshire District Council.
- 3.2 Cherwell District Council and West Oxfordshire District Council are growth authorities so the amount of levy paid to the Government is minimised resulting in a greater share kept locally than would otherwise be the case.
- 3.3 We have modelled various combinations based on the latest figures from all Oxfordshire authorities, and the current combination of Authorities making up the North Oxfordshire Pool continues to minimise the levy and maximise the amount of retained business rates.
- 3.4 The benefit to Cherwell of being in the North Oxfordshire Pool since 2014-2015 in terms of additional business rates retained is reflected in the table below:

	Pooling Gain
2014-15	£200,501
2015-16	£1,288,262
	<hr/>
	£1,488,763

- 3.5 The pooling gain for 2016-2017 is currently forecast to be £1.2m
- 3.6 Given the expected requirement to inform the Government of our pooling intentions it is recommended that the decision on whether to remain in an Oxfordshire Pool is delegated to the Chief Finance Officer in consultation with the Lead Member for Financial Management.
- 3.7 The Chief Finance Officer has just received an email from DCLG confirming that, unless told otherwise by members of the Pool, the existing Pool can continue in 2017-18 with the current constitution.

4.0 Conclusion and Reasons for Recommendations

- 4.1 For the reasons set out in section 3 above it appears that the Council's financial interests will best be maximised by continuing to participate in a pooling arrangement. Given the lack of formal guidance from DCLG for confirming the Council's position and due to the fact that we may need to act quickly should DCLG require confirmation, it is necessary and appropriate to grant delegated authority to determine this to the Chief Finance Officer (S151 Officer) in consultation with the Lead Member for Financial Management. This arrangement should be ongoing but be subject to the Government not changing the current arrangements for pooling. If the arrangements were to change then a report will be brought back to Members for consideration.

5.0 Consultation

Councillor Ken Atack – Lead Member
for Financial Management

Councillor Atack is content
with the report and supportive of
the recommendations contained
within it.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: To not approve the recommendations set out above. Based on current informal guidance, CLG are not asking for confirmation at the moment but this situation may change and urgent action will then be needed to inform CLG on whether or not to remain in the North Oxfordshire Pool.

7.0 Implications

Financial and Resource Implications

7.1 For the reasons set out in section 3 above it appears that the Council's financial interests will best be maximised by participating in a pooling arrangement.

Comments checked by: George Hill, Interim Corporate Finance Manager,
01295 221731, George.hill@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 Any business rates pooling arrangement would be the subject of a formal legal agreement and relevant advice would be given in order to protect the Council's interests.

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

Risk Management

7.3 Under the Business Rates Retention Scheme Central Government provides a safety net for authorities who fail to achieve their target income baseline. The Government provides recompense to authorities to bring them up to 92.5% of their target income baseline. All billing authorities are therefore exposed to a potential maximum loss of 7.5% of their baseline funding.

As part of a pool, the safety net payments are still set at 7.5%, but because of the combination of baselines of those authorities in the pool the financial losses have to be a lot greater before safety net payments are actually triggered.

Comments checked by: George Hill, Interim Corporate Finance Manager, 01295
01295 221731, George.hill@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

Councillor Ken Atack, Lead Member for Financial Management

Document Information

Appendix No	Title
None	
None	
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