

Public Document Pack

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 5 February 2018 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 Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management
Councillor Kieron Mallon, Lead Member for Public Protection and Community Services
Councillor Richard Mould, Lead Member for Performance
Councillor Lynn Pratt, Lead Member for Estates and the Economy

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Nicholas Mawer, Budget Planning Committee Chairman

Apologies for absence: Councillor Mike Kerford-Byrnes, Lead Member for Change Management, Joint Working and IT
Councillor D M Pickford, Lead Member for Clean and Green

Officers: Paul Sutton, Executive Director: Finance and Governance / Section 151 Officer
Adrian Colwell, Executive Director: Place and Growth
Ian Davies, Director of Operational Delivery
Richard Ellis, Interim Executive Director: Wellbeing
Ed Potter, Assistant Director: Environmental Services
Paul Feehily, Interim Director of Planning and Regeneration
Richard Hawtin, Team Leader Property & Contracts
Natasha Clark, Democratic and Elections Team Leader

95 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

97 **Urgent Business**

There were no items of urgent business.

98 **Minutes**

The minutes of the meeting held on 8 January 2018 were agreed as a correct record and signed by the Chairman.

99 **Chairman's Announcements**

The Chairman advised Executive that it was anticipated a report would be submitted to the 26 February Full Council meeting presenting the final report from the joint Peer Challenge of Cherwell District and South Northamptonshire Councils, undertaken by the Local Government Association in November 2017.

The Challenge had taken place between 14 and 17 November with initial feedback given at a presentation on 17 November at which the following headline messages about both CDC and SNC were given.

Both councils:

- were well placed to address the challenges they face
- in a strong financial position
- have good quality elected Members and officer
- have a motivated and engaged workforce
- demonstrate good practice (including the development of Heyford Park and the Graven Hill Self Build project)
- demonstrate good community engagement and support
- have good relationships with Town and Parish Councils
- have made good investment decisions to provide future income

The Chairman commented that he felt the Peer Review had been a very worthwhile exercise and thanked all those Members and officers who had been involved.

100 **Developer Contributions Supplementary Planning Document (SPD)**

The Executive Director for Place and Growth submitted a report to seek approval of the Developer Contributions Supplementary Planning Document (SPD) so that it can be presented to Council for adoption.

Resolved

- (1) That the responses to the consultation summarised in the Consultation Statement be noted.
- (2) That the final draft of the Developer Contributions Supplementary Planning Document (annexes to the Minutes as set out in the Minute Book) incorporating the following changes:

- Clarification on the role of the SPD in the absence of a CIL Charging Schedule.
 - Clarification on the role of 'payments in kind'.
 - Textual changes to financial viability requirements generally and more specifically in relation to affordable housing.
 - Additional cost information relating to cemetery provision.
 - The introduction of new and updated requirements related to the provision of primary care infrastructure (provided by the OCCG).
 - Introduction of a new requirement for capital contributions where development results in the need for additional waste recycling capacity (capital costs).
 - A new sub-section on 'Heritage'.
 - A general review of the 'Procedures' having regard to representations received.
 - A general review of the infrastructure requirements having regard to representations received.
- (3) That Full Council be recommended to adopt the final draft of the Developer Contributions document as a statutory Supplementary Planning Document (SPD) under the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (4) That the Executive Director for Place and Growth be authorised to make any necessary minor changes to the final draft of the SPD before the meeting of the Council.

Reasons

Public consultation on a revised draft Developer contributions SPD occurred between 23 November 2017 and 21 December 2017. The results of that consultation have been considered in producing a final document for approval. Upon approval by the Executive it is intended that the document be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.

Alternative options

Option 1: Not to approve the Developer Contributions SPD and seek changes. Officers consider that the SPD has been prepared in accordance with the relevant legislation. 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. Significant changes may require further consultation.

Option 2: Not to approve the Developer Contributions SPD and to rely on the current Draft Planning Obligations SPD (July 2011). The 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. Not approving the new SPD will create uncertainty about the Council's requirements for developer contributions.

Draft Corporate Strategy Corporate Strategy and Revenue and Capital Budgets 2018/19

The Executive Director – Finance and Governance and Interim Director submitted a report which presented the draft Corporate Strategy and revenue and capital budgets 2018/19.

In introducing the report, the Lead Member for Financial Management explained that the Council was required to produce a balanced budget for 2018/19 as the basis for calculating its level of Council Tax. It has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed budget and business plan for 2018/19, including the new cycle of growth strategies, were presented as an integrated report to demonstrate that the Council adopts a strategic approach to managing all of its resources, ensuring that the delivery of the Council's priorities for the district directs the allocation of financial resources.

Councillor Nicholas Mawer, Chairman of the Budget Planning Committee, addressed Executive and reported on the extensive review of the draft Corporate Strategy and Revenue and Capital Budgets 2018/19 that the Committee had undertaken. The Committee had unanimously supported the proposals and had made some additional comments on a number of Capital Bids, which had been tabled. In addition, the Committee had recommended there be no increase to the Cherwell District Council element of council tax.

The Lead Member for Financial Management thanked Councillor Mawer and the Budget Planning Committee for their work.

In proposing the recommendations, Councillor Illott proposed that that Full Council be recommended to agree no increase to the Cherwell District Council element of council. This was duly seconded by Councillor Wood.

Resolved

- (1) That, having given due consideration, Full Council be recommended to approve the 2018/19 Corporate Strategy to Full Council (annex to the Minutes as set out in the Minute Book) with authority delegated to the Interim Director, in consultation with the Leader of the Council to make any minor amendments to the plan as required before consideration by Full Council.
- (2) That, having given due consideration, the draft budget in the context of the Council's service objectives and strategic priorities be approved.
- (3) That Full Council be recommended to approve the balanced budget.
- (4) That the impact of the proposed budget on reserves be noted and Full Council be recommended to approve the reserves 2018/19 (annex to the Minutes as set out in the Minute Book).

- (5) That the latest Medium Term Revenue Plan (MTRP) for 2017/18 to 2022/23 be noted and it be further noted that this would be the basis of the work of the Budget Planning Committee for the following year.
- (6) That no further changes be made and Full Council be recommended to approve the updated draft revenue budget (annex to the Minutes as set out in the Minute Book) at the meeting on 26 February 2018.
- (7) That Full Council be recommended to agree no increase to the Cherwell District Council element of Council Tax freeze.
- (8) That Full Council be recommended to approve the proposed 2018/19 capital programme (annex to the Minutes as set out in the Minute Book).
- (9) That authority be delegated to the Executive Director – Finance and Governance, in consultation with the Lead Member for Financial Management to amend the contributions to or from general fund balances to allow the Council Tax to remain at the level recommended to Full Council following the announcement of the final settlement figures, any changes relating to Business Rates.

Reasons

The report and appendices represent the draft business, risk register and budget for 2018/19 for approval by the Executive. If agreed, they will be recommended to Full Council on the 26 February and be considered alongside the setting of the 2018/19 Council Tax.

It is a legal requirement to set a balanced budget and the recommendations as set out and directed by the Corporate Strategy represent what is believed to be the best way of achieving this.

Alternative options

Members could decide not to agree the recommendations or to present alternative budget proposals but that would run counter to the detailed budget setting process that has taken place as part of the formulation of this budget.

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 item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Award of New Landscape Management Contract

The Assistant Director: Environmental Services submitted an exempt report to inform the Executive of the outcome of a procurement process and tender evaluation for a new landscape maintenance / arboricultural services contract and to seek approval to award that contract to the successful bidder.

Resolved

- (1) That the outcome of the tender evaluation process be noted.
- (2) That the continuation of a single contract for landscape maintenance and arboricultural services in support of the landscape responsibilities of Cherwell District Council, South Northamptonshire Council and those parish councils who request such a service through the Councils be supported.
- (3) That the award of a contract for Lot 1 (landscape maintenance services) and Lot 2 (arboricultural services) to tenderer 3 be approved.
- (4) That the expenditure implications for the Councils arising from the contract to carry out landscape maintenance and arboricultural services be noted.

Reasons

Tenderer 3 has scored the highest in the evaluation of the tenders received for LOT 1 and represents the most economically advantageous solution to the provision of landscape maintenance services for the Councils and their partners.

Tenderer 3 has also scored the highest in the evaluation of the tenders received for LOT 2 and represents the most economically advantageous solution to the provision of arboricultural services for the Councils and their partners.

Alternative options

Option 1: Not to award the contract for Lot 1 (landscape maintenance) to the winning tenderer which means that the Council will be without a landscape maintenance contractor from 1 April 2018 and hence this is rejected.

Option 2: Not to award the contract for Lot 2 (arboricultural services) to the winning tenderer which means that the Council will be without an arboricultural services contractor from 1 April 2018 and hence this is also rejected.

Option 3: To award contracts for Lot 1 and/or Lot 2 to others bidders, but this is rejected as the other tenders do not comprise the bids most economically advantageous to the Councils and should be rejected under the terms of the procurement process.

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Option 4: To award the contract to the winning tenderer but to reduce the scope and standard of the landscape maintenance works. This is not an option, as that would be a challengeable procurement decision on the grounds it is a substantive variation of the basis on which tenders were invited, and also because of the high profile of and public interest in good landscape management standards.

The meeting ended at 6.50 pm

Chairman:

Date:

**Developer Contributions
Supplementary Planning Document
(SPD)
February 2018**

Cherwell District Council

Draft for Executive

FEBRUARY 2018

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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 in the absence of a Community Infrastructure Levy (CIL) Charging Schedule within the District.
- 1.2. This guidance does not cover every possible circumstance and/or obligation that may need to be taken into account, but it provides 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 Community Infrastructure Levy Regulations 2010 (as amended) ('CIL Regulations'), 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.
- 1.5. The CIL Regulations have recently been the subject of review by Central Government. The CIL Review Group was established by the former Communities Secretary and former Minister for Housing and Planning in November 2015. The purpose of the review was to *'Assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives.'* The report was submitted to Government in October 2016 and published in March 2017. It is anticipated that an announcement on the Government's response to this review will be made in 2018.
- 1.6. The timing and scope of the Government's review is outside the control of the Council. The guidance in this document is therefore provided within the parameters of existing regulations and adopted local plan policies. The Council will, however, undertake to

review this guidance should it introduce a CIL Charging Schedule (or other infrastructure tariff in accordance with new government legislation) in the future.

- 1.7. Appendix 16 details the types of infrastructure that will be covered by S106 planning obligations and what will be covered by CIL if a CIL charging schedule is adopted by the Council in the future.

What are Planning Obligations?

- 1.8. A planning obligation is secured by either a deed of agreement or a unilateral undertaking made under planning legislation (Section 106 of the Town and Country Planning Act 1990 (as amended)) 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 also run with the land. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.
- 1.9. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition (NPPF¹, paragraph. 203).
- 1.10. In addition, CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all of the following three 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?

- 1.11. CIL is a 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.
- 1.12. To introduce CIL the 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 has consulted on both a Preliminary Draft and Draft CIL Charging Schedule. Work has however since been 'paused' on CIL pending

¹ National Planning Policy Framework

the outcome of the Government's review of CIL. Further guidance from the Government is awaited.

Relationship between CIL and Planning Obligations

- 1.13. The Government currently intends CIL to provide for infrastructure to support development rather than specifically to make individual development proposals acceptable in planning terms. Government guidance indicates that site specific mitigation will still be sought through the use of planning obligations.
- 1.14. CIL Regulations 122 and 123 place limits on the use of planning obligations and makes the planning obligations policy tests (paragraph 1.10 above) a statutory requirement. These two regulations seek 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.

Planning Conditions

- 1.15. 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.
- 1.16. NPPF paragraph 206 states that planning conditions should only be attached to a planning permission 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

- 1.17. Where a development requires works to be carried out on the existing adopted highway, an Agreement will need to be completed between the developer and Oxfordshire County Council under Section 278 of the Highways Act 1980². Examples of such works could be the construction of new access/junction improvement of the highway/junctions, or safety related works such as traffic calming or improved facilities for pedestrians and cyclists.

² Where works are required on a trunk road, Highways England will be party to the S278 Agreement.

- 1.18. 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). The Council will also have regard to the advice in the National Planning Policy Framework (NPPF), particularly paragraphs 203 to 205; and PPS1 Eco Towns Supplement.

Local Level

- 2.2. The statutory Development Plan for the District currently comprises:
- The adopted Cherwell Local Plan 2011-2031 (Part1)(adopted July 2015 & incorporating Policy Bicester 13 re-adopted in December 2016)
 - The retained saved policies of the adopted Cherwell Local Plan 1996
 - The adopted Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted September 2017)
 - The saved policies of the Oxfordshire Minerals and Waste Local Plan 1996
 - Hook Norton Neighbourhood Plan 2014-2031
 - Bloxham Neighbourhood Plan 2015-2031
- 2.3. The adopted Cherwell Local Plan Part 1 contains the strategic policies covering the District and includes land allocated for housing and employment development at Bicester, Banbury and the former RAF Upper Heyford.
- 2.4. A Partial Review of the Cherwell Local Plan Part 1 is in preparation which seeks to contribute to addressing the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. A proposed submission plan was published for public consultation on 17 July 2017 with comments invited until 10 October 2017. Work has also commenced on the production of Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites.
- 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.
- The Oxfordshire Local Transport Plan (LTP). The LTP provides the strategic framework for transport in the County.

2.6. The Council's Local Development Scheme sets out the programme for the preparation of the key planning policy documents.

Bicester Garden Town

2.7. In 2014 the Government announced that Bicester had achieved Garden Town status after the 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 two grants has been awarded to fund the necessary feasibility studies and provide capacity for the implementation of the Garden Town 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 promotes innovative ways to encourage people to live more healthy lives, and the many opportunities for the built environment to support this objective.

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 so they are less likely to develop chronic health conditions in the future and;
- To reduce the number of people who feel socially isolated as that will have an important positive impact on peoples' mental and physical health.

- 2.11. The built environment has a role to play in promoting health and well-being 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 once adopted will comprise the Council's current approach to planning contributions.

- 3.2 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. It should, however, 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.

Planning Obligations

- 3.3 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. Oxfordshire County Council, for example, is a major provider of services and infrastructure.

- 3.4 The LPA, and other key agencies, 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

- 3.5 As part of any pre-application discussions the LPA will seek to agree the requirements and Heads of Terms for any planning obligation.
- 3.6 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.
- 3.7 It is a local validation requirement that draft Heads of Terms accompany any application that requires a planning obligation.
- 3.8 A planning performance agreement can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

Unilateral Undertakings

- 3.9 In cases where a planning obligation is only dealing with financial contributions the LPA will encourage developers to make a unilateral undertaking and to make the relevant contributions on the granting of planning permission and/or at different stages of development.
- 3.10 This approach allows applicants for small schemes to reduce the legal costs and avoid potential delays often associated with legal 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 in 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 as early as possible in the development process and certainly prior to any grant of planning permission.

- 3.13 The Council will ensure, in accordance with the advice in the National Planning Policy Guidance (NPPG) when seeking contributions that, their combined total impact does not threaten the viability of the sites and scale of development identified in the Development Plan.
- 3.14 The NPPG states that in making decisions, the LPA will need to understand the impact of planning obligations on a proposal. Where an applicant is able to demonstrate to the satisfaction of the LPA that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. This is particularly relevant for affordable housing contributions which are often the largest item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered prior to a decision being made on the acceptability or otherwise of such a scheme.
- 3.15 The NPPG goes on to state that assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the NPPF is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 3.16 The LPA recognises that financial viability is a material consideration. In exceptional circumstances it may be necessary for the Council to prioritise the securing of particular developer contributions having regard to the Development Plan, the needs of the locality and the particular characteristics of the site and its locality. However, there may be circumstances in which the material Development Plan policies and/or the needs arising from proposed development are such that contributions will be sought even if a viability assessment accepted by the Council demonstrates that the development would not be viable with the required contributions.
- 3.17 Where a disagreement arises about financial viability and the planning obligations sought, the applicant will be expected to provide the Council with clear and transparent 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. The Council will require this evidence prior to the granting of planning permission.

3.18 Section 106 Agreements can deal with issues of viability. For example, a developer may set out their 'predicted profitability levels'. In exceptional circumstances and on the basis of an open book appraisal prior to the determination of an application, it can be a requirement of the S106 Agreement for there to be a second viability appraisal at some point during the course of the development. If the results of this second viability appraisal show, for example:

- That the predicted profitability levels have increased then the Council will have a right to an overage, i.e. a further payment/provision of infrastructure or affordable housing to that already secured in the S106 Agreement;
- That the predicted profitability levels have stayed the same, then there will be nothing further to do with the S106 Agreement;
- That the predicted profitability levels have decreased, then the Council will negotiate further with the applicant concerning planning obligations.

3.19 All costs incurred by the Council in financial appraisal and viability assessment are to be met by the applicant.

Security and Timing of Payments

3.20 Financial contributions (apart from legal costs, which are usually paid prior to the completion of the agreement, and standard administration charges) will need to be paid prior to the implementation of planning permission or in accordance with a programme of agreed staged payments.

3.21 Prior to the making of a Planning Obligation, the developer should note the financial contributions payable and the corresponding triggers or payment dates as specified in the agreement.

3.22 Approximately 21 days prior to 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. In such circumstances, the applicant may also become liable for additional monitoring and enforcement costs.

- 3.23 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 shown to be arithmetically correct following the resolution of any dispute, then late payment interest will be charged as per paragraph 3.22 above.
- 3.24 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.
- 3.25 The Council will not accept payment of any financial contribution unless accompanied by a valid invoice.
- 3.26 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.
- 3.27 The S106 agreement will include a clause detailing how and when any unspent funds will be refunded. Given that a unilateral undertaking, necessarily, does not have the Council as a party, there cannot be any obligations on the Council to return any unspent monies.
- 3.28 All receipts and spending of financial contributions will be recorded and monitored by the Council's Senior Manager-Development Management.
- 3.29 Please note that financial contributions payable to Oxfordshire County Council (i.e. those relating to highways and education and relevant administrative and monitoring fees) will be subject to a different process and developers are advised to refer to OCC's Developer Guide (available online) or contact the Oxfordshire County Council Infrastructure Funding Team for further information.

Fees

- 3.30 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. The Council will therefore require developers to provide a 'cost undertaking' to pay for the Council's reasonable fees, prior to it being able to instruct its acting solicitors.

- 3.31 The Council's reasonable legal fees will need to be met even if the planning obligation is not completed.
- 3.32 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

- 3.33 The Council monitors all Planning Obligations and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time. Monitoring fees may be charged in order to undertake such work, given that S106 Agreements/Unilateral Undertakings are made pursuant not just to section 106 of the Town and Country Planning Act 1990 (as amended) but also to section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011.
- 3.34 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.
- 3.35 If it is clear that matters within the planning obligation are not being complied with, the Senior Manager - Development Management will instruct the Council's Legal Team to take appropriate action to secure compliance. This could include for example, seeking a court injunction.

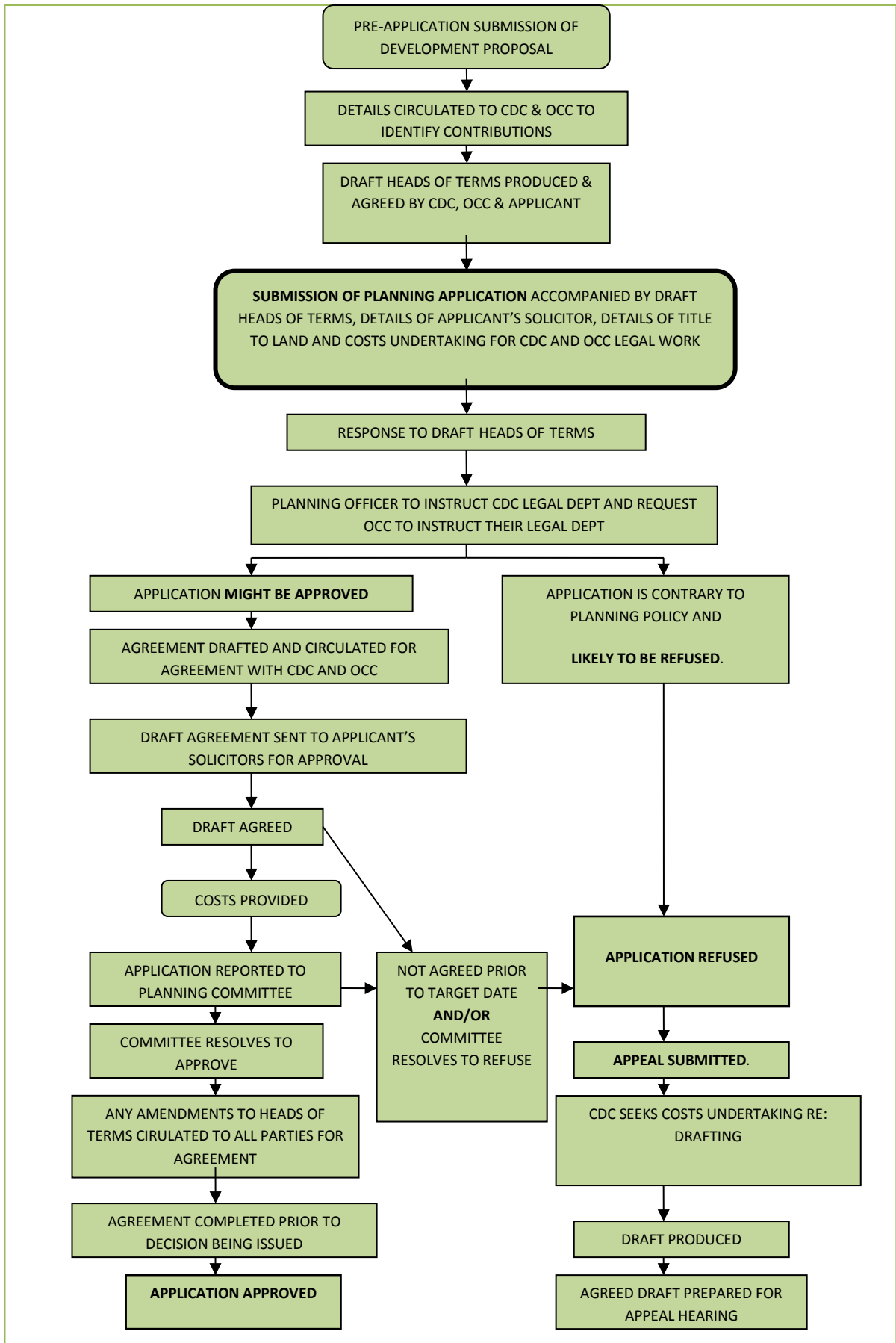
Indexation

- 3.36 Financial contributions are based upon the costs of infrastructure. Financial contributions will therefore be indexed (i.e. index-linked to inflation) to ensure that they retain their original 'real value'. The base date and appropriate index to be applied will be set out in the legal agreement.
- 3.37 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.
- 3.38 All payment levels will be subject to an inflation factor (often RPI or CPI) adjusted according to the fluctuations between the date of the obligation and the quarter period in which payment is due to the District Council. The County Council will also adjust payments to it but these might be subject to different measures of inflation.

Dispute Resolution

- 3.39 Changes introduced by the Housing and Planning Act 2016 will amend the Town and Country Planning Act 1990 (as amended) by inserting a new section 106ZA and Schedule 9A which will give the Secretary of State the power to appoint someone to resolve issues that are holding up the completion of a planning obligation. As at the date of the SPD, these provisions are not yet in force.
- 3.40 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 the three tests in CIL Regulation 122.
- 4.2. Appendix 16 offers a guide to the types of infrastructure to be covered by S106 planning obligations and what may be covered by CIL (or a similar replacement infrastructure levy) if it is introduced by the Council in the future.

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.
- 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 Housing

- 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.

Requirements & Thresholds

- 4.9. 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.
 - 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.
- 4.10. The adopted Cherwell Local Plan requires all qualifying developments (ie those developments comprising 11 or more dwellings (gross)) to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate housing. 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.
- 4.11. In calculating any affordable housing contribution the Council will apply 'vacant building credit' to qualifying developments. Guidance on qualifying developments will be provided by the Council's Strategic Housing Team.

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. They comprise 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 (use class C3) for older people will be required. All proposals will be expected to provide affordable housing in accordance with policy BSC3.
- 4.15. In some cases the Council may also seek to secure a small number of more specialist housing units which will provide accommodation for those with support needs. These will be sought in areas which are deemed to be appropriate and in discussions with applicants at an early stage.

Affordable Housing Standards

- 4.16. At present the Council' adopted local plan does not set out detailed policies on affordable housing standards, however, any registered provider will normally request that 50% of the affordable rented housing required will be built to Building Regulations Requirements M4(2) Category 2: accessible and adaptable dwellings. In addition, 1% of the affordable housing should be built to Building Regulation Requirement M4(2) Category 3: Wheelchair User Dwelling. This requirement will be assessed on a site by site basis in discussion with the developer.
- 4.17. It is expected that all affordable housing provided under a rented tenure will be built to the nationally described space standards. Intermediate housing which is deemed to be low cost home ownership should be built to the same or better space standards including garden sizes as the equivalent market housing on the site.
- 4.18. It is expected that where appropriate affordable housing should not be clustered in any more than 10 units of one tenure and 15 units of multiple affordable tenures with no contiguous boundary of the clusters. This is expected in the first instance and schemes should be developed with this in mind. However the Council will be flexible and pragmatic on this clustering approach when considering certain site constraints or scheme densities.

Viability

- 4.19. The Council will seek the provision of affordable housing on all qualifying developments in accordance with Policy BSC 3. However, 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. A detail of how the Council will assess viability issues is set out in Section 3 above.

Commuted Sum Calculations

- 4.20. Local Plan policy BSC3 states that only in exceptional circumstances will the Council accept commuted sums in lieu of on-site provision.
- 4.21. In the event that the Council accepts a commuted sum in lieu of on-site provision it will be calculated on the basis of the mix of tenures and sizes that the Council considers would have been appropriate for the site. The sum should be of a 'broadly equivalent value' of the developer/landowner contribution if the affordable housing was provided on site. The commuted payment will be based on a sum equal to the difference between an Open Market Value (OMV) and Affordable Housing Value (AHV).

Cherwell Local Plan 2011-2031: Partial Review – Oxford's Unmet Housing Need

- 4.22. In July 2017 the Council published its Proposed Submission Partial Review Plan. This is a focused Plan to provide Cherwell's share of the unmet housing needs of Oxford to 2031. It identifies a number of development sites with specific affordable housing requirements. Supported by a viability assessment the emerging policies in the Plan seek to meet Oxford City's requirements for 50% of its housing to be provided as affordable homes.
- 4.23. Oxford's Local Plan, its Housing Strategy and the Oxfordshire Housing Market Assessment (2014) describe the city's housing needs in detail. As Oxford's affordable housing need is so high the emerging Partial Review prescribes the mix of housing sizes needed for the defined 'affordable' element of the new housing supply. It also requires a higher level of affordable rent/social rented accommodation (80% of the total affordable housing requirement) than Cherwell's 70% requirement.
- 4.24. The affordable housing standards required by the policies in the Partial Review will be applied to section 106 negotiations once they have been adopted.

Further Advice

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

Air Quality

- 4.26. Promoting sustainable development is a key focus of the adopted Cherwell Local Plan. The need to consider the effects of development on air quality, and how it can contribute towards improvements and mitigate against adverse impacts, is identified as a key challenge to ensuring sustainable development. Commuters in Cherwell travel relatively long distances and reducing travel by car and managing traffic congestion is a major challenge. Maximising the opportunity to shift from dependency on cars to sustainable modes of transport is also identified.
- 4.27. Policy SLE 4 includes a requirement for new developments to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 4.28. In March 2017 the Council approved an Air Quality Action Plan (AQAP) as part of its statutory duties required by the Local Air Quality framework. It outlines the actions to be taken to improve air quality in the District between 2017 and 2020.
- 4.29. There are four Air Quality Management Areas (AQMAs) in the District where air quality does not meet national air quality objectives for nitrogen dioxide. These concentrations are largely related to road traffic emissions.

Requirements and Thresholds

- 4.30. All new development within or immediately adjacent to Local AQMAs, or those with traffic routed through an AQMA may be subject to section 106 agreements which require the implementation of measures to offset increases in local pollutant emissions, and /or make an appropriate financial contribution towards improvement measures or air quality monitoring.
- 4.31. The following mitigation measures may be required

- Measures during the construction of new development including dust control;, site monitoring and plant emissions;
- Improved access to public transport;
- The provision of on and off site facilities for cycling and walking;
- The management of car parking;
- Traffic management;
- Road infrastructure;
- Green Travel Plans;
- Monitoring of air pollution.

4.32. The Council will calculate the contribution sought based on the scale of the development and the trip generation for different uses.

4.33. The list of the current Local AQMAs and the actions required are set out in the Council's AQAP which can be viewed on its website.

Apprenticeships and Skills

4.34. Paragraph 19 of the NPPF states the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. Securing the economic future of the District is the main priority of the adopted Cherwell Local Plan Part 1 ('the Plan'). 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 of the Plan 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.

4.35. 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 2016 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 ageing workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors.

- 4.36. The Council approved an Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills in April 2016. This document provided detailed advice and guidance on the Council's approach to securing construction apprenticeships and skills through the planning system. This guidance has now been updated and is included at Appendix 13.
- 4.37. It states that the Council will require the provision of a stated minimum number of new construction apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development. The ESTP will be secured by S106 agreement.
- 4.38. A second key area of employment, skills and training for which S106 agreements will be sought is the 'end user phase' of commercial and mixed use development. S106 agreements will be used by the Council to support/provide the training and skills needed by local people to access the new job opportunities created by the development's end user. The ESTP, referred to above, will therefore also be required to address this end user phase.
- 4.39. 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.

Cemeteries

- 4.40. The adopted Cherwell Local Plan Part 1 highlights a key community challenge for both Banbury and Bicester as being the need to provide additional burial site provision. Policy Bicester 9 and Policy Banbury 13 both make provision for additional burial site provision in their respective settlements. Both policies also state that developer contributions will be sought from new developments in the towns towards the establishment of such a facility.
- 4.41. In terms of need, the Local Plan Inspector appointed to examine the submission Cherwell Local Plan observed in relation to Policy Banbury 13, that: *'This policy confirms the local requirement for new burial site provision in Banbury with contributions from major new housing schemes to provide funding to facilitate an extension to the existing cemetery, subject to suitable ground conditions being demonstrated. The evidence of need is unquestioned and therefore the policy is soundly based and requires no modification.'*

- 4.42. In relation to Policy Bicester 9 the Inspector stated *'This policy confirms the urgent local requirement for a new burial site of around 4has in Bicester. It is consistent with the current expectation that it can be provided as part of the Policy BIC 1 scheme, with funding contributions from other housing developments in the locality to help secure delivery. The evidence of need is clear and unquestioned and therefore policy is soundly based and requires no modifications.'*
- 4.43. At Bicester it is anticipated that a site will be provided within the North West Bicester development area (Policy Bicester 1). At Banbury an extension to the north of the existing cemetery at Southam Road was granted planning permission in 2015 (planning application reference 15/01194/F).
- 4.44. Requirements for additional cemetery space in the rest of the District will be identified in the emerging Partial Review of the adopted Cherwell Local Plan, and the Cherwell Local Plan Part 2.

Thresholds and Contributions

- 4.45. All new residential developments of 10 or more dwellings will be expected to contribute to the provision of new, or the expansion of existing, cemeteries and their maintenance where the need generated by the development cannot be met by existing provision and a scheme has been identified to meet that need.
- 4.46. At Banbury and Bicester the Town Councils in association with the District Council are pursuing schemes for new /extended provision. Specific costs will therefore be available for individual schemes.
- 4.47. Financial contributions will be sought for land acquisition, laying out; and future management and maintenance on a site by site basis where there is an identified need. The contributions sought will be dependent upon site circumstances (eg ground conditions) and commensurate to the need generated by the development.
- 4.48. In those limited cases where a development is of a scale that necessitates a new cemetery, developers will need to carry out consultation with the local population, and consider national guidance and best practice prior to design and implementation of cemeteries.
- 4.49. The methodology to be used in the calculation of contributions is as follows:
- a) Number of burial plots required to 2031 divided by the average number of plots per hectare = area of land required.

- b) Cost (including land purchase cost (unless land given free of charge), drainage, paths, landscaping, fencing and storage facilities) of cemetery provision multiplied by % attributable to population growth.
- c) Divided by population growth = cost per person
- d) Multiplied by the average occupancy per dwelling type (2.49) = per dwelling cost (1 bed, 2 bed, 3 bed, 4+ bed)

Community Hall Facilities

- 4.50. Policy BSC 12 of the adopted Cherwell Local Plan sets out the Council's overall approach to the provision of new or extended community hall facilities.
- 4.51. In 2016/2017 the Council commissioned a 'Cherwell Community Spaces and Development Study (CCSDS) to provide evidence and policy proposals to inform community development and community indoor space provision in relation to new housing developments. An interim CCSDS was published in January 2016 and the study was completed in 2017.
- 4.52. The CCSDS Study recommends a local minimum standard of provision for community hall facilities required to meet the needs of the residents generated by new development. This minimum standard is 0.185m² per person.

Thresholds and Contributions

- 4.53. The local planning authority will expect all residential developments of 10 or more dwellings to contribute towards the provision of new community facilities or the improvement/expansion of existing facilities where there is not enough spare capacity in existing appropriate facilities to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new community facilities to be provided, or for existing facilities to be extended or improved.
- 4.54. 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.
- 4.55. The threshold for provision of community facilities on site is normally a population that supports a minimum community facility of 345m² to include a main hall, kitchen, toilets and adequate storage. (ie approximately 750 dwellings). Where new

development is taking place that demands a larger space then the opportunity should be taken to provide a range of spaces for a wider range of activities.

- 4.56. The Council's accessibility standard is 800m walking distance for facilities in urban areas, and a 15 minute drive time for residents in rural areas. On-site provision may therefore 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.
- 4.57. Where new development gives rise to a need for additional indoor community provision (but not a new freestanding facility) financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified. Those needs will be assessed on a pro-rata basis using the standards set out in Appendix 11
- 4.58. 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.

Community Development

- 4.59. Community development is a key objective of the adopted Cherwell Local Plan. Strategic Objective SO10 seeks to provide sufficient accessible, good quality services, facilities and infrastructure, to meet health, education, transport, open space, sport, recreation, cultural, social and other community needs, reducing social exclusion and poverty, addressing inequalities in health, and maximising well-being.
- 4.60. Strategic Objective SO14 seeks to create more sustainable communities by providing high quality, locally distinctive and well-designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.
- 4.61. These objectives are further supported by the statement in paragraph B.86 that the Council wishes to ensure that new development fully integrates with existing settlements to forge one community, rather than separate communities.
- 4.62. Evidence gathered in preparing the 2017 Cherwell Community Spaces Development Study (CCSDS) strongly endorses the value of having a community development worker available at an early stage in a new development to 'kick start' the process of

bringing people together, developing new activities and putting in place the building blocks of a strong community.

- 4.63. The Council will therefore seek financial contributions towards the provision of a community activation fund and community development workers for major residential developments.

Thresholds

- 4.64. The threshold for contributions will generally be where a new community building is required to meet the needs of the new development, where the development is likely to give rise to a large new community, or where there may be issues of integration with existing communities.
- 4.65. Contributions will therefore not be sought from developments of fewer than 100 new dwellings unless they form part of a larger scheme.

Contributions

- 4.66. Contributions will be sought on a case by case basis to fund support from a community development worker. The levels of contributions sought are set out in Appendix 12
- 4.67. In addition to contributions towards a staffing resource, contributions will be sought towards a community development fund to enable community development workers to support the community through the provision of newsletters, events and activities as appropriate.

Community Safety & Policing

- 4.68. 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 provision of appropriate community safety and police infrastructure where required.
- 4.69. Thames Valley Police (TVP) is the police force that covers the Cherwell area. TVP operate a police model based upon the creation of Local Police Areas. At present the Cherwell Local Police Area has a population of approximately 141,900 made up of 56,700 households (source: 2011 Census). This population generates an annual total of circa 32,500 incidents that require police action. These are not necessarily all 'crimes' but are calls to the 999 handling centre which require a police response.

4.70. TVP have advised that the anticipated planned growth in the District will place a significant extra demand on existing resources. The Council will therefore require all residential (10 dwellings or more) and commercial developments, where required and where appropriate, to contribute towards the delivery of the following items of infrastructure to serve new developments and mitigate against their impact upon existing policing resources.

- Staff Set Up Costs – the cost of equipping and setting up new officers required to police new communities and neighbourhoods (not salary).
- Provision of New Vehicles and Bikes – the purchase of new fleet vehicles and bicycles.
- Premises – contributions towards the adaption/alterations or extension of existing premises for new officers to base themselves or work out of.
- Mobile IT – provision of suitable kit and equipment to enhance the mobility and flexibility of officers when working.
- Radio Capacity – additional demand will lead to an additional impact upon existing capacity of infrastructure.
- ANPR Cameras – Automatic Number Plate Recognition Cameras aid in detection but also prevent crime. Funding for the strategic placement of these cameras either in or close to new housing development will be sought where appropriate.
- Control Room and Police National Database Capacity – At present police control room handling is at capacity at peak times. Contributions towards improving the capacity of the existing infrastructure may be required.

4.71. Requirements and contributions will be assessed on a site by site basis when a specific need or item of infrastructure that is directly related to the development is identified.

4.72. The costs relating to the proposed infrastructure items or area-based initiatives will be applied proportionately to the size or the potential occupancy of the development.

4.73. Further advice on the level of contributions sought for community safety/CCTV provision by development type can be found in Appendix 14.

Education

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

4.74. The NPPF (paragraph 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.

- 4.75. Oxfordshire County Council (OCC) has a statutory responsibility to ensure there are sufficient school and childcare places available for local children and young people living within the county of school age and whose parents wish their children to be educated by the state. It is important that these places are available within a reasonable travel distance for all those of school age occupying new residential development. OCC produces an annual Pupil Place Plan³ which sets out how school provision is expected to change over the next few years including anticipated requirements for new schools and school extensions linked to planned housing growth.

Planning Obligation Requirements

- 4.76. The LPA will expect all residential developments 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.
- 4.77. Developments which are of such a scale as to require the provision of a new school will be expected to fully fund the most appropriate size of school which would be sufficient to accommodate the projected pupil generation. Where a new school is serving the needs of multiple developments, the cost of the school will be shared proportionately across the relevant developments, subject to the constraints of the CIL regulations.
- 4.78. In some cases the most appropriate scale of new school may be less than the projected pupil generation, in which case the development may also be required to fund expansion of existing schools, where this is necessary.
- 4.79. Subject to approval by the Council and OCC the direct delivery of schools by developers may also be considered acceptable.
- 4.80. OCC's consideration of whether developer contributions towards education provision are required will be informed by the projected capacity figures. Empty places at a

³ www.oxfordshire.gov.uk/cms/content/pupil-place-plan

school do not necessarily equate to there being sufficient capacity at that school as it is generally accepted that schools should not operate at 100% of their capacity.

- 4.81. Where a new development is proposed in an area with sufficient projected capacity, no financial contribution will be required; however, where the proposed development would result in insufficient projected capacity, a contribution will be required. If there is insufficient capacity to accommodate the increase in pupils likely to be generated by a development and the development itself cannot enable the necessary provision the County Council will raise objections to the development.
- 4.82. It is in the interests of the developer and to potential residents to ensure that schools are able to accommodate the additional pupils generated by their development. It is recommended that developers contact the County Council's education team at the earliest possible stage in the process to ascertain whether there would be a requirement for additional education provision within the locality of their proposed development.
- 4.83. 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.
- 4.84. This requirement will apply to all urban and rural residential developments which are likely to generate demand for school places. Contributions will not be sought towards educational infrastructure from developments of studio or one bed dwellings, institutional accommodation exclusively for undergraduate students or from sheltered/elderly housing and other specialist housing developments where children will not live.
- 4.85. Further advice on the method of calculations and the expected costs are set out in Appendix 2 and Appendix 3 respectively. Reference should also be made to OCC's Developer Guide which is available on its website.

Flood Risk

- 4.86. There are extensive areas in the District that have been identified as being at risk of flooding. Flood risk arises from rivers, canals, sewers, surface water and ground water.
- 4.87. Policies ESD 6 and ESD 7 of the adopted Cherwell Local Plan Part 1 seek to manage and reduce flood risk by using a sequential approach to development. Developers will therefore need to demonstrate that account has been taken of flood risk from all

sources, and that the proposed development incorporates mitigation and management measures appropriate to the use and location. The Council also requires developers to improve water efficiency and reduce surface water run-off through the use of a range of Sustainable Drainage Systems (SUDs).

- 4.88. Flood defence measures that are deemed necessary to a development to mitigate specific impacts of that development, (including SUDs) will normally be sought through a planning condition. However, in certain circumstances a section 106 agreement may be required.

Health & Wellbeing

- 4.89. 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.
- 4.90. Improving public health, safety and individual wellbeing is also an overarching transport goal of OCC's LTP4. This will be achieved by increasing levels of walking and cycling, reducing transport emissions, reducing casualties, and enabling inclusive access to jobs, education, training and services.
- 4.91. New residential development will be expected to contribute towards the provision of additional health care infrastructure generated by its population growth 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.
- 4.92. An on-site new facility would not normally be required unless a need is generated by a patient population of 8,000 or more and only then 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.

Contributions

- 4.93. The LPA will seek a financial or in kind contribution from developments of more than 10 dwellings towards the improvement and/or extension of existing primary medical care infrastructure where appropriate schemes are identified on a site by site basis.

- 4.94. Primary medical care infrastructure needs may include:
- Land on which to build either a new healthcare facility or an extension to an existing facility;
 - Building – either a new facility or an extension to an existing facility
 - ICT Infrastructure to support primary care expansion.
- 4.95. Contributions at an enhanced rate will be sought from developers of extra care housing, and care/nursing homes. This requirement reflects the much greater input and healthcare support required by the residents of such developments. Such contributions will be negotiated on a case by case basis.
- 4.96. Further detailed advice on the method of calculations and the costs of contributions can be found in Appendix 15.
- 4.97. As primary care practices are run as independent businesses an appropriate mechanism is needed to ensure that any facilities paid by developer contributions remain in community use for at least 15 years. As such any funds secured towards the provision of extensions/improvements or new facilities will be the subject of an agreement with the individual practices.
- 4.98. Any practice that benefits in this manner will be required to repay the funds if the practice does not continue for 15 years after the facilities have been provided.

Heritage

- 4.99. Policy ESD 15 of the adopted Cherwell Local Plan Part 1 seeks to protect, sustain and enhance designated and non-designated 'heritage assets'.
- 4.100. Where appropriate and assessed on a site by site basis the Council may require a S106 agreement which seeks to conserve and enhance the historic environment directly affected by a proposed development. Such projects could include:
- Repair, restoration or maintenance of a heritage asset and its setting;
 - Increased public access and improved signage to and from heritage assets;
 - Interpretation panels/historical information and public open days;
 - Measures for investigation, preservation and display of archaeological remains and sites;
 - Public realm obligations, including enhancement of historic squares and spaces, registered parks and gardens, historic pavement materials, street furniture, and removal of street clutter.

Indoor Sport and Recreation

- 4.101. Policy BSC12 of the adopted Cherwell Local Plan Part 1 sets out the Council's overall approach to provision and enhancement of indoor sport and recreation.
- 4.102. The Council's PPG17 Indoor Sports and Recreational Facilities Assessment 2006 identified the current and future deficiencies in provision and contain recommendations as to how these deficiencies can be met.
- 4.103. The Council is currently undertaking a review of the District's indoor sport and recreation 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 9.
- 4.104. The PPG17 Assessment recommended local minimum standards of provision and these are set out in Appendix 9.
- 4.105. New development that generates a need for sport and recreation 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.
- 4.106. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification, in accordance with Sport England requirements, and 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 in the event that the facility is transferred to the Council.

Thresholds

- 4.107. 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 5080 dwellings if the average occupancy is 2.49 per dwelling. (based on the adopted standard of 0.315 badminton courts per 1000 population)

Contributions

- 4.108. 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.

- 4.109. 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.
- 4.110. 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.
- 4.111. Further detailed advice can be found in Appendix 9.

Nature Conservation & Biodiversity

- 4.112. 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.
- 4.113. Relevant habitat and species surveys and their associated reports will be required to measure the biodiversity impact following the locally adopted Defra Offsetting Metrics and submitted to accompany planning applications which may affect a site of known, or potential, biodiversity value or the biodiversity/natural environment of the local area.
- 4.114. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.
- 4.115. Detailed advice for preparing a biodiversity survey can be found in OCC's guidance entitled 'Biodiversity and Planning in Oxfordshire' which is available on its website.
- 4.116. 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, or equivalent, through a planning condition.

- 4.117. Thames Valley Environmental Records Centre 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 Biodiversity Action Plan (BAP) priority habitats.
- 4.118. 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.
- 4.119. 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 BAP.
- 4.120. The Council will generally seek to fund biodiversity enhancements via a S106 agreement. This is based on the Council's position that biodiversity offsets should not be classified as infrastructure⁴ because they do not enable the development to function, nor do they provide any facility to those living within or using the new development. This means that the pooling of 5 or more contributions towards one project or plan is possible.

Open Space, Play Facilities, Outdoor Sport & Recreation

- 4.121. 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.
- 4.122. The evidence base for these policies is the District's PPG17 - Open Space, Sport and Recreational Facilities Needs Assessment, Audit and Strategy 2006, the subsequent Green Spaces and Playing Pitch Strategies 2008 and the Open Space Update 2011. 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

- 4.123. 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

⁴ Defra communication to Warwickshire County Council (02/11/2015)

standards of provision and these are embodied in the adopted Cherwell Local Plan Part 1. They are set out in Appendix 4 for ease of reference. The Local Plan also includes qualitative standards of provision.

- 4.124. Obligations will 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.
- 4.125. On-site provision will be sought, in the first instance, in accordance with the minimum standards set out in Appendix 4. 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 Section. Agreement will be sought with the relevant town or parish council on the equipment to be purchased.
- 4.126. If the proposed development results in an increase in demand for recreational facilities, and it is not practical to provide open space as part of the development, 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.
- 4.127. 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, the subsequent Green Spaces and Playing Pitch Strategies 2008, and the Open Space Update 2011. Updated information will be published by the Council as it becomes available.
- 4.128. 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. In some instances a capital sum contribution for the build out of provision may be deemed necessary. The Council's 2016/2017 commuted sum requirements are set out in Appendix 6. These are subject to annual updates. Further detailed information and specifications can be accessed by contacting the Council's Street Scene and Landscape Services Section.

Local Management Organisations for Open Space Management

- 4.129. 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 agreement 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 8 and has the agreement of the relevant town or parish council.

Public Realm, Public Art and Cultural Well-Being

- 4.130. The public realm and public art can play an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples' lives. Public art and the quality of the public realm are important considerations in the design and layout of a development. Public realm relates to all those parts of the built environment, either publicly or privately owned, located between and within buildings that are publicly accessible such as all streets, squares, and other rights of way as well as open spaces and parks, watercourses and canals. High quality design and good management of the public realm is essential in creating successful and vibrant places and help to integrate new development in to the surrounding area. 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.
- 4.131. One of the core principles of the NPPF is to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. It also advocates planning policies and decisions aimed at achieving places which promote, inter alia, safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.
- 4.132. The Government's Planning Practice Guidance (PPG) (paragraph 018) states that 'Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using'.
- 4.133. Policy ESD 15 of the adopted Cherwell Local Plan Part 1 states that the conservation of the historic environment and securing high quality urban design are very important

in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work.

- 4.134. Other adopted policies seek to support the District's town centres and to maintaining their vitality and viability and their associated infrastructure to create vibrant retail environments. In particular Policy Bicester 5 seeks to strengthen Bicester Town Centre. Similarly Policy Banbury 7 and Policy Kidlington 2 set out similar aims for Banbury and Kidlington respectively.
- 4.135. The adopted Banbury Masterplan SPD establishes a strategic vision for Banbury with a strong economy and vibrant and attractive town centre. It identifies areas for public realm, street, junction, environmental and public art improvements.
- 4.136. The adopted Kidlington Masterplan SPD establishes a strategic vision for the village in line with the adopted Local Plan. Key themes explored include opportunities to improve the public realm within the village centre, improvements to Oxford Road and the village gateways. Work is progressing on the Bicester Masterplan with one of its aims being to improve the character and appearance of the centre of Bicester and the public realm.

Contributions

- 4.137. Contributions will be sought towards the creation and/or enhancement of the public realm in the vicinity of new development where the proposed development will have a direct relationship with a public realm improvement scheme identified in the Council's IDP.
- 4.138. The level of financial contributions will reflect the character and scope of the works required and will be negotiated on a case-by case basis.
- 4.139. Financial contributions will be sought for public realm and public art projects listed in the Council's IDP which is updated on an annual basis.

Transport & Access

- 4.140. OCC is the local highway authority and is responsible for the management and maintenance of the adopted highway network within the District. OCC also produces the Oxfordshire Local Transport Plan, is responsible for traffic management and road safety and has further responsibilities in relation to public transport, school transport and public rights of way.

- 4.141. 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, improving public health and wellbeing, and improving the street environment. Specific schemes and projects are set out in the Council's Infrastructure Delivery Plan and the Oxfordshire Infrastructure Strategy (OxIS).
- 4.142. 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

- 4.143. 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.
- 4.144. 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.
- 4.145. Detailed technical pre-application discussions with OCC on the transport assessment are essential for major developments.
- 4.146. 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.
- 4.147. In addition to local transport mitigation, S106 contributions will be required for strategic transport schemes (identified in the IDP) related to cumulative growth using the following formula (subject to the constraints of planning legislation):

X = Cost of Scheme(s)
Y = Held/Committed funding
Z = Alternative Funding
E = Expected Growth

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

- 4.148. As denoted by 'E', where a scheme (to which a strategic transport contribution is requested) serves the needs of multiple developments, the cost of the scheme will be shared proportionately across the relevant developments (subject to any pooling restrictions).
- 4.149. 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.
- 4.150. Further details on the above transport requirements can be found in OCC's Developer Guide.

Waste

Waste Collection Containers and Recycling Banks

- 4.151. The Council is committed to a strategy of minimising domestic waste sent for disposal through the development of recycling services and the reduction and reuse of materials. The Council will seek contributions for the provision of sorting facilities to deal with domestic waste at source. Each new dwelling will be provided with appropriate containers and the collected materials will be taken away to a recycling centre.
- 4.152. The Council's current waste collection service is currently working at full capacity therefore future new development will need capital investment to ensure the service to the customer meets all the requirements set out below.

- 4.153. Building Regulations 2000 (as amended by SI 2001/3335) H6 sets out the following planning requirement:
- Adequate provision shall be made for the storage of solid waste.
 - Adequate means of access shall be provided;
 - For people in the building to the place of storage and from the place of storage to the collection point.

Policy Framework

- 4.154. The NPPF paragraph 7 notes that planning has an environmental role, including the need to minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.155. The Cherwell Low Carbon Environmental Strategy, published in December 2011, seeks to deliver the objectives of the Cherwell Community Plan through the protection and enhancement of the local environment in terms of Waste minimisation, reuse and recycling.
- 4.156. Every residential dwelling requires (2017 prices):
- 1 X blue wheeled bin for the collection of dry recyclable material (£20) at the current size of 240 litre;
 - 1 X green wheeled bin for collection of residual waste (£20) at the current size of 180 litre;
 - 1 X brown wheeled bin for the collection of garden and food waste material (£20) at the current size of 240 litre;
 - 1 X brown kitchen caddy for the collection of food waste (£4) and transferral into the brown garden and food waste bin;
 - Capital investment in waste collection vehicles to service the new development (£42).
- 4.157. Where blocks of flats are proposed, waste collection should be through the use of communal collection containers or through provision of individual bins held in a communal location.
- 4.158. Communal bins stores should not be provided for groups of houses unless they are serviced by a private road. Communal bins should be housed in a covered storage area and the following issues should be taken into account: -
- Bin stores should be built to a specification that ensures they do not detract from the visual aspects of the local environment.
 - Stores should be no more than 5 metres from the kerbside or point where the vehicle would stop (vehicle access has to be proven rather than assumed)

- To provide sufficient space for residents to deposit their waste, a minimum of 1m must be provided in front of the containers
- Where more than one bin is to be placed in a storage area, the bins must be positioned so that they can be easily accessed without users having to move other bins. In short they must not be ranked or more than one deep
- A door or gate of a minimum opening of 1600mm should also be provided. Smaller doors for residents use can be provided in addition to this requirement
- Doors should open outwards, but not over the public highway or parking spaces
- A path leading from the kerbside to the bin store should be provided, with a minimum width of 1.5m. The path should be level or a gentle slope and should not contain steps
- Stores should not be behind gates or security barriers that would prevent them being emptied
- The structure must be robust enough to withstand everyday use
- Stores should not be behind designated parking bays or require the movement of containers past or through legally parked cars
- Communal bin compounds should be far enough away from housing units so as to reduce the impact of noise during bin use and collection but sufficiently close for easy use. Eliminating the need for collection vehicles to reverse will also assist in keeping noise to a minimum
- Dropped kerbs should be provided.

4.159 Bin storage areas should be a minimum 1.8 square metres per dwelling for houses/bungalows and 1.4 square metres per dwelling for flats or multi occupancy properties.

4.160. Local recycling banks or 'bring sites' shall be provided for recyclables not separated in domestic waste collection, such as glass and clothing. Recycling banks must include at least:

- 2 x Green glass banks
- 1 x Brown glass bank
- 2 x Clear glass bank
- 1 x Textile bank

4.161. Recycling banks (bring sites) are required to serve approximately every 500 dwellings. For residential developments a financial contribution towards the capital cost of providing collection banks shall be sought. Recycling banks (bring sites) currently

require the provision of 5 containers at a cost of £500 each. This equates to a cost of £5.00 per dwelling.

Size of Development	Contribution per dwelling
Developments between 1 and 199 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks
Developments over 200 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks. On-site provision of recycling bank including provision of land.

4.162 Where on-site contributions are required if this cannot genuinely be provided, a financial contribution equivalent to the cost of providing and equipping a local bring site shall be paid to the Council.

4.163 Waste and recycling bin contributions will be sought on occupation of new dwellings. The provision of recycling bring sites will be sought as early in the development as possible to serve the residents of the development.

4.164 The Council's Environmental Services department will be able to provide further advice on the Council's requirements.

Strategic Waste Management Contributions to Household Waste Recycling Centres

4.165 Oxfordshire County Council (OCC), as Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to provide Household Waste Recycling Centres (HWRCs). The Act requires that each HWRC is:

- Situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;
- Available for the deposit of waste at all reasonable times;
- Available for the deposit of waste free of charge by persons resident in the area.

4.166 Contributions will be required should there be a need to provide additional household waste recycling capacity resulting from new development. Further information on the developer contributions for these capital costs is available from OCC.

Appendix 2

APPENDICES

Draft for Executive

Appendix 1: Population Figures

This appendix sets out the assumed population generation rates per dwelling for Oxfordshire. Based on figures derived from OCC's Survey of New Housing (2008) and the 2014 SHMA mix, 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 – based on OCC Survey of New Housing 2008)

It should be noted that these figures are subject to change. The results of an updated survey of new housing are currently being collated and are due to be published in 2018.

The above occupancy rates will be applied to all residential development proposals of 399 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 (Years)	One Bed	Two Bed	Three Bed	Four Bed
Nursery (2-3)	0.00	0.05	0.10	0.12
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 – based on OCC 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.

Appendix 2: 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	Made available through the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RCIS)	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 (20%)
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	Made available through the Building Cost Information Service (BCIS) of the Royal Institute of	The PUBSEC index is compiled from bills of quantities of accepted tenders forwarded from

		Chartered Surveyors (RICS)	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 3: 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 (ages)	One Bed	Two Bed	Three Bed	Four Bed
Nursery (2-3)	0.00	0.05	0.10	0.12
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). Please note that survey updates may necessitate revised pupil generation figures.

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.

Table 1: Cost per pupil for extensions to existing facilities

	Total Cost per Pupil for Extensions (Cost base for indexation4Q16)
Nursery	£13,901
Primary	£13,901
Secondary	£21,033
Sixth Form	£22,454
SEN	£38,751

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.

Table 2: Contribution per dwelling

	1 Bed	2 bed	3 Bed	4+ bed
Nursery	£0	£695	£1,390	£1,668
Primary	£0	£2,363	£4,948	£6,471
Secondary	£0	£1,893	£4,415	£6,718
Sixth Form	£0	£225	£615	£1,434
SEN	£0	£115	£277	£396

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 Tables below give an indication of the likely costs of new educational infrastructure:

Cost of New Build Primary Schools

Size of School	Number of pupils accommodated		Cost (Excluding Land & Abnormals)	Cost Base
	aged 2-3	Aged 4-10		
1 Form Entry + nursery	60	210	£ 7,212,015	4Q 16
1.5 Form Entry + nursery	75	315	£9,166,019	4Q 16
2 Form Entry + nursery	90	420	£ 10,952,913	4Q 16

Cost of New Build Secondary Schools

Type of School	Number of Pupils accommodated	Cost (Excluding Land & Abnormals)	Cost Base
Secondary (11-16)	600	£ 17,847,000	4Q 16
Secondary (11-16)	900	£ 24,338,000	4Q 16
Secondary (11-16)	1200	£30,932,000	4Q 16
Secondary (11-18)	700	£21,438,000	4Q 16
Secondary (11-18)	1100	£30,288,000	4Q 16
Secondary (11-18)	1500	£39,145,000	4Q 16

Appendix 4: 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
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
		travel time (12km) rural areas Bowling greens, golf courses: 15 minute travel time (12km) Hockey: 20 minute travel time.		
Allotments	0.37ha per 1000 people	10 minute walk (800m)	0.2ha	275 dwellings

Appendix 5: 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 6: 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 (£)
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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 7: 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 generally 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, and /or landscaping being undertaken, 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 coordinated 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 8: Local Management Organisation Requirements for Public Open Space, Outdoor Sports Pitches and Play Areas

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 9: 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.

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). The cost per person for swimming pool provision is therefore £213.76 plus land costs and VAT.

Appendix 10: On-Site Community Facilities 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. In exceptional circumstances the Council may accept alternative management arrangements for the facility. These circumstances will be assessed on a case by case basis.

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 of a suitable temporary facility should be available to the residents on completion of the 100th dwelling.

Appendix 11: Community Hall Facilities

In accordance with the recommendation of the 2017 CCDS Study a required community hall facility standard of 0.185m² per person will be applied.

Capital Cost Estimates for Provision of New/Extended Community Hall Facility

	Capital Cost	Capital Cost/m ²	Cost per person
1 storey	£1,600,000	£2,315	£428
2 storey	£1,820,000	£2,633	£488
Hard landscaping	£331,000		£89
Soft landscaping	£10,000		£3
TOTAL			£520 (1-storey)
			£580 (2-storey)
Horizontal extension to existing community hall		£2,920	
Refurbishment of existing community hall		£2,482	

Costs are correct at 2017

Calculations are based on the construction of a 691sqm building.

The cost estimates are inclusive of main contractor preliminaries, overheads and profit, project/design team fees and client contingencies.

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). A list of typical maintenance tasks and costs is set out below:

Annual Costs (Repeated Each Year)	One off costs
Fire alarms and extinguishers	Electrical testing
Intruder alarms	Internal decoration
Boiler service and gas safety	Replacement boiler/water heaters
Water monitoring and legionella	Replacement extract fans
Emergency light maintenance	Replacement external lighting
Lift maintenance	Replacement shower fittings
Miscellaneous repairs	Replacement light fittings
Business rates	
Water rates	
Insurance	
Gas	
Electricity	

Guide Estimate for Commuted Sum for maintenance = £298.88 per m² (2017)

(Cost estimates are based on existing maintenance cost for community hall facilities in the District. However, actual commuted maintenance costs required from the developer will be assessed on a site by site basis).

Appendix 12: Community Development

On development sites in excess of 100 new dwellings, developers are expected to provide the costs of employing a community development worker as follows:

100>250 homes: 0.4 FTE for 1 year

250> 500 homes: 0.4 FTE for 2 years

500> 1000 homes: 0.8 FTE for 2 years

1000+ homes: 0.8 FTE for 2.5 years.

Community Development Workers should be in place once a certain threshold of new homes have been built. This threshold will be established on a case by case basis.

Appendix 13: Apprenticeships & Skills

Planning Obligations for Apprenticeships, Employment, and Training Plans (ESTPs)

How this Guidance will be applied

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 and (in the case of commercial developments) end user apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development, to be secured via S106 agreement. CDC is keen that the submission of ESTPs should not be unduly onerous for developers, hence an ESTP framework can be provided by CDC officers if required. This can be reproduced by developers and completed by filling in the relevant numbers.

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 encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations as a stated minimum figure 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 construction apprenticeships per 50 units
Non-residential uses	10,000 sq m of floorspace	2 construction apprenticeships and 2 end user apprenticeships per 10,000 sqm of floorspace GEA
Utilities and highways infrastructure applications	None	Subject to discussion with developers on a case by case basis

In essence, while Cherwell District Council is keen to achieve an increase in new 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 apprenticeships required by CDC are unrealistic because they are actually unable to be achieved.

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/ end user characteristics.

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

Approach to S106 Agreements

S106 agreements will require applicants (or their successors in title) to submit an Employment Skills and Training Plan, in line with a specimen framework attached to the agreement, before implementation of the development. S106 agreements will seek to ensure that this is approved by CDC in writing prior to implementation and for the applicants (or successors in title) to be guided by the contents.

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) and end user 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.

The S106 will seek to ensure that the ESTP contains a commitment to provide Cherwell District Council with yearly reports (the first due a year on from the commencement of development) which set out how the required number of construction apprenticeships are being delivered and in the case of commercial developments, another report two years after the completion of the development which sets out how the required number of end user apprenticeships are being delivered.

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.

APPENDIX 15: Health & Wellbeing – Calculation of Contributions

The following calculations are based on the formula and approach adopted by Oxfordshire Clinical Commissioning Group in July 2017.

Calculation of cost = occupancy x number of units in the development x £360 (as set out in the table below)

Size of Unit	Occupancy Assumptions based on size of unit	Health need/sum requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

Where the unit sizes are not specified (ie in outline applications) an average occupancy of 2.4 persons will be used to indicate the initial costs required until such time as the size of units are confirmed.

Indicative square meterage calculations historically used to determine the core General medical Services (GMS) space required for a practice.

No. of patients	2,000	4,000	6,000	8,000	10,000	12,000	14,000	16,000	20,000
Type of Premises	A	A	B	B	B	B	B	B	B
Gross Internal Area Allowance (sqm)	199	333	500	667	833	916	1,000	1,083	1,250

Type A assumes a single storey premises

Type B assumes a two storey premises with one staircase and one lift

Source: NHS Property Services Demand Assessment Tool

Appendix 16: Guide to Funding Mechanisms by Infrastructure Type

NOTE: The Council is not currently (October 2017) proceeding with the introduction of a CIL Charging Schedule. This table therefore only gives an indication of the appropriate funding mechanisms *should* the Council adopt CIL in the future.

Type	CIL	S106	Condition	S278
Housing				
Affordable Housing		✓		
Commuted offsite payments for the provision of affordable housing		✓		
Extra Care Housing		✓		
Transport (includes PRow)				
Site specific Highway and Access Impacts		✓		✓
Non-site specific Highway improvements	✓	✓		
Site specific sustainable transport		✓		✓
Non-site specific sustainable transport	✓	✓		
Highways Depots	✓			
Education				
On site Education (Primary, Secondary, 6 th Form, Special Educational Needs)		✓		
Education (Primary, Secondary, 6 th Form, Special Educational Needs)	✓	✓		
Onsite early years and childcare provision		✓		
Early years and childcare provision	✓	✓		
Skills and Training				
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)	✓	✓		
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				

Type	CIL	S106	Condition	S278
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		✓	✓	
Measures for implementation of the Air Quality Action Plan	✓	✓	✓	
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 landscaping	✓	✓		
Cemeteries	✓	✓		
Onsite Nature Conservation and Biodiversity		✓	✓	
Nature Conservation and Biodiversity	✓	✓		
Sustainable Construction		✓	✓	
Public Realm				
Site specific Public Art & Public Realm		✓	✓	
Heritage				
Archaeology			✓	
Heritage-related projects	✓	✓		

**Joint Corporate Strategy
2018-19**

"Protected, Green & Clean"

High quality Waste & Recycling services

High quality street cleansing

Reduce our carbon footprint & protect the natural environment

Protect the built heritage

Maintain district as a low crime area

Tackle environmental crime

Mitigate impact of HS2



South Northamptonshire Council

"Two Councils, one organisation"



**DISTRICT COUNCIL
NORTH OXFORDSHIRE**

"Great places to live, work, visit & invest"

"Thriving Communities & Wellbeing"

Provide and support health and wellbeing

Deliver welfare reform agenda

Safeguard the vulnerable

Enhance community resilience as part of emergency planning

Deliver affordable housing

Enhance leisure facilities

Prevent homelessness

Provide support to voluntary sector

Deliver the Masterplans for key economic centres:
Bicester/Banbury/Kidlington/Brackley/Towcester/Silverstone

Deliver innovative & effective housing schemes

Promote inward investment & business growth

Deliver the Local Plans for CDC & SNC

"District of Opportunity & Growth"

Increase tourism

Increase employment at strategic employment sites

Shared Organisational Plan

Operational Excellence
Rigorous Financial Management
Income optimisation
Commercial & Procurement excellence
Effective Governance
Alternative Delivery Vehicles

Public Value
24/7 access to services
Right first time, every time
Service at point of need
Efficient & effective services
Customer Service Excellence

Best Council to work for
Sustainable relationships with key partners
Culture of Innovation & Creativity
Effective People service
Employer of choice
Enabled through digitisation
Corporate Social responsibility

"Here to Serve"

Minute Item 101

CDC Earmarked Reserves

APPENDIX 5

Earmarked Reserves	Service Owner	Draft Accounts 31-Mar-2017	Transfer In	Transfer Out	Year End Review of Reserves	Estimated Balance 31-Mar-2018 Post Review	Budget Use of Reserves 2018/19	Budget Cont'ns to Reserves 2018/19	Estimated Balance 31-Mar-19
		£000	£000	£000	£000	£000	£000	£000	£000
General Fund:									
Building Control	Tony Brummell	(100)		76		(24)			(24)
Capacity Funding	Jenny Barker	(157)		157		0		(2)	(2)
Country Park Reserve	Kevin Larner	(100)				(100)			(100)
Elections	James Doble	(109)				(109)	8		(101)
Environmental Warranties	Paul Sutton	(1,000)				(1,000)			(1,000)
Graven Hill Equalisation Reserve	Paul Sutton	0				0		(1,529)	(1,529)
Hanwell Fields Open Space	Adrian Colwell	(79)				(79)			(79)
Home Improvement Agency	Tim Mills	(234)	(34)			(268)	40		(228)
Housing Reserve	Joanne Barrett	(91)	(23)	46	(31)	(99)		(25)	(124)
Work in Default reserve	Tim Mills	(100)				(100)			(100)
Joint External Bid-writer	Jenny Barker	(19)		11		(8)			(8)
Licensing	Nicolas Sutcliffe	(129)				(129)			(129)
Local Plan Charges	Adrian Colwell	(75)	(463)	370	168	0			0
NHB - Affordable Housing	Joanne Barrett	(577)	(278)			(855)	58	(271)	(1,068)
NHB - Economic Development	Adrian Colwell	(2,665)	(2,095)	118		(4,642)		(1,869)	(6,511)
NHB - Superfast Broadband	Adrian Colwell	(727)				(727)			(727)
Planning Control	Andy Preston	(350)	(92)	94	227	(121)		(90)	(211)
Corporate Projects	Paul Sutton	(514)		200	225	(89)			(89)
Retained Business Rates	Mandy Anderson	(2,205)		568		(1,637)			(1,637)
Sainsbury's Primary Authority	Jackie Fitzsimons	(55)				(55)			(55)
Self Insurance	Paul Sutton	(160)				(160)			(160)
Transformation and Commercial	Paul Sutton	(313)			305	(8)		(200)	(208)
VAT Deminimus	Paul Sutton	(500)				(500)			(500)
Welfare Reform	Belinda Green	(99)		42		(57)			(57)
Wheeled Bin Replacements	Ed Potter	(37)				(37)			(37)
Contributions to Health Bus	Nicola Riley	(40)				(40)			(40)
Performance Reward Grant ABG	Jackie Fitzsimons	(21)				(21)			(21)
Heat Network	Jenny Barker	(50)				(50)			(50)
Devolution Viability Work	James Doble	(12)	(22)	34		0			0
Healthy New Towns	Ian Davies	(20)		7		(13)			(13)
Horton General Towns	Ian Davies	(150)				(150)			(150)
Museum development	Ian Davies	(30)		15		(15)			(15)
Pensions Deficit	Paul Sutton	(3,396)		3,053		(343)		(1,675)	(2,018)
NEW Strategic Intelligence studies	Richard Ellis	0	(10)		10	0			0

Earmarked Reserves	Service Owner	Draft Accounts 31-Mar-2017	Transfer In	Transfer Out	Year End Review of Reserves	Estimated Balance 31-Mar-2018 Post Review	Budget Use of Reserves 2018/19	Budget Cont'ns to Reserves 2018/19	Estimated Balance 31-Mar-19
		£000	£000	£000	£000	£000	£000	£000	£000
New Car Parks APCOA Consultants fees	Ian Davies	0	(15)		15	0			0
NEW Art Development	Ian Davies	0	(80)	80		0			0
NEW Business Support Admin	Ian Davies	0	(15)			(15)	15		0
GF Earmarked Reserves		(14,114)	(3,127)	4,871	919	(11,451)	121	(5,661)	(16,991)
Earmarked Reserves from Grants & Contributions									
Area Based Grant	Rakesh Kumar	(83)				(83)			(83)
Bicester Fields Main Park	Adrian Colwell	(97)				(97)			(97)
Brighter Futures - Skills Reward Grant	Nicola Riley	(66)		44		(22)			(22)
Bicester Garden Town	Jenny Barker	(1,197)		629		(568)	433	(81)	(216)
Bicester Youth Bus	Jackie Fitzsimons	(65)				(65)			(65)
Broadfield Road Yarnton Sports	Sharon Bolton	(4)				(4)			(4)
Courtyard Youth Arts	Nicola Riley	(39)				(39)			(39)
Dovecote Milcombe	Adrian Colwell	(56)		35		(21)			(21)
Eco Town Revenue	Jenny Barker	(472)		282	160	(30)		(150)	(180)
Emergency Planning	Jackie Fitzsimons	(40)				(40)			(40)
Green Deal Pioneer Places	Jenny Barker	(67)				(67)			(67)
Homelessness Prevention	Joanne Barrett	(70)				(70)			(70)
New Burdens Grant	Paul Sutton	(248)				(248)			(248)
Housing and Planning Initiatives	Adrian Colwell	(322)				(322)			(322)
PCC - Community Safety Grant	Jackie Fitzsimons	(64)				(64)			(64)
Thames Valley Police	Jackie Fitzsimons	(86)				(86)			(86)
Sportivate Grant	Sharon Bolton	(33)				(33)			(33)
Active Women Grant	Sharon Bolton	(22)				(22)			(22)
Corporate Training	Paula Goodwin	0				0			0
Credit Union Development Officer	Joanne Barratt	(23)	23			0			0
Laburnham Cres Ambrosden	Adrian Colwell	(38)				(38)			(38)
Reserves - Grants & Contributions		(3,092)	23	990	160	(1,919)	433	(231)	(1,717)
Total Earmarked Reserves		(17,206)	(3,104)	5,861	1,079	(13,370)	554	(5,892)	(18,708)
General Fund		(2,906)				(2,906)			(2,906)
Total Reserves		(20,112)	(3,104)	5,861	1,079	(16,276)	554	(5,892)	(21,614)

Proposed Capital Programme - 2018/19 - 2022/23

Project Description	Year Approved	Project Owner	2017/18					2018/19				2019/20	2020/21	2021/22	2022/23	Total	
			Slippage B/Fwd	New Projects	Total Approved	Adjustments	Total	Existing Capital Projects	New Bids	Adjustments	Total						
			£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000						£'000
Executive Director of Wellbeing																	
Biomass Heating for Bicester Leisure Centre	2012/13	Sharon Bolton	14		14											14	
Customer Self-Service Portal and CRM Solution	2014/15	Natasha Barnes	80		80											80	
The Hill Youth & Community Centre	2015/16	Jane Norman	849		849											849	
Whitelands Farm Sports Ground	2016/17	Sharon Bolton	998		998	140		1,138								1,138	
Community Centre Refurbishments	2013/14	Nicola Riley	84		84	60		144								144	
Solar Photovoltaics at Sports Centre	2013/14	Sharon Bolton	80		80			80								80	
Football Development Plan in Banbury	2013/14	Sharon Bolton	20		20			20								20	
North Oxfordshire Academy Astroturf	2014/15	Sharon Bolton	150		150			150								150	
Stratfield Brake Repair Works	2014/15	Sharon Bolton	22		22			22								22	
Sports Centre Modernisation Programme	2007/08	Sharon Bolton	86		86			86								86	
Bicester Leisure Centre Extension	2016/17	Sharon Bolton	149		149			149								149	
Spiceball Leisure Centre Bridge Re-surfacing	2016/17	Sharon Bolton	30		30			30								30	
Empty Homes - Work-in-default (Recoverable)	2014/15	Ian Davies	100		100			100								100	
Woodgreen - Condition Survey Works	2015/16	Liam Didcock	9		9			9								9	
Disabled Facilities Grants	Annual	Ian Davies	493	375	868	930		1,798	375	(375)			375	375	375	2,923	
Discretionary Grants for Domestic Properties	Annual	Ian Davies	340	275	615			615	275				275	275	275	1,715	
Bicester Leisure Centre - Access Road Improvements	2017/18	Sharon Bolton		33	33			33								33	
Cooper School Performance Hall - Roof, Floor & Seating	2017/18	Sharon Bolton		136	136			136								136	
North Oxfordshire Academy - Astro Turf Pitch Replacement	2017/18	Sharon Bolton		340	340			340								340	
North Oxfordshire Academy - Replacement Floodlights	2017/18	Sharon Bolton		95	95			95								95	
North Oxfordshire Academy - Sports Pavilion Improvements	2017/18	Sharon Bolton		20	20			20								20	
Replacement Booking System	2017/18	Sharon Bolton		60	60			60								60	
Car Parks Improvement Project	2017/18	Ian Davies		650	650			650								650	
Cherwell Community Fund	2018/19	Ian Davies			0			0		100			100	100	100	300	
Coopers Sports Facility Floodlights	2018/19	Ian Davies			0			0		65			65			65	
Community Services Total			3,504	1,984	5,488	1,130		6,618	650	165	(375)	440	750	750	650	0	9,208
Upgrade & Enhancements to Abris Housing System		Joanne Barrett								33			33	33		66	
Housing			0	0	0	0	0	0	0	33	0	0	33	0	0	66	
Executive Director of Place and Growth																	
Bicester Community Building	-	Adrian Colwell	94		94	145		239								239	
NW Bicester Eco Business Centre	2016/17	Adrian Colwell	3,726		3,726	575		4,301								4,301	
East West Railways	2015/16	Scott Barnes	580	290	870			870	290				290	290	290	2,030	
Bicester Regeneration Projects Total			4,400	290	4,690	720		5,410	290	0	0	290	290	290	290	0	6,570
Build Programme	2012/13	Jane Norman	4,790	4,829	9,619			9,619								9,619	
Build Phase 1b	2018/19	Jane Norman								1,875			1,875	1,845	(2,500)	1,220	
Build Phase 2	2018/19	Jane Norman								6,500			6,500	4,500	(7,200)	3,800	
Regeneration			4,790	4,829	9,619	0	0	9,619	0	8,375	0	8,375	6,345	(9,700)	0	0	14,639
Executive Director of Environment																	
Glass Bank Recycling Scheme	2012/13	Ed Potter	8		8			8								8	
Energy Efficiency Projects	2014/15	Ed Potter	20		20			20								20	
Off Road Parking Facilities	2015/16	Ed Potter	18		18			18								18	
Vehicle Replacement Programme	Annual	Ed Potter	128	959	1,087			1,087	740				740	620	700	750	3,897
Wheeled Bin Replacement Scheme	2016/17	Ed Potter	170		170			170								170	
Urban Centre Electricity Installations	2016/17	Ed Potter	30		30			30								30	
Container Bin Replacement	2018/19	Ed Potter								20			20			20	
Banbury Market Improvements	2018/19	Ed Potter								20			20			20	
Public Conveniences	2018/19	Ed Potter								50			50	200		250	
Vehicle Lifting Equipment (Workshop)	2018/19	Ed Potter								30			30			30	
Vehicle Replacement Programme	2018/19	Ed Potter								35			35	240		275	

Project Description	Year Approved	Project Owner	2017/18					2018/19				2019/20	2020/21	2021/22	2022/23	Total
			Slippage B/Fwd	New Projects	Total Approved	Adjustments	Total	Existing Capital Projects	New Bids	Adjustments	Total					
			£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000					
Environmental Services Total			374	959	1,333	0	1,333	740	155	0	895	1,060	700	750	0	4,738
Executive Director of Finance and Governance																
HR / Payroll System replacement	2015/16	Paul Sutton	37		37		37				0					37
Graven Hill	-	Paul Sutton	13,148		13,148		13,148	600			600	13,000				26,748
Finance and Governance Total			13,185	0	13,185	0	13,185	600	0	0	600	13,000	0	0	0	26,785
Land & Property Harmonisation	2018/19	Rakesh Kumar			0		0		167		167	33				200
Law and Governance Total			0	0	0	0	0	0	167	0	167	33	0	0	0	200
Condition Survey Works - Solihull	2013/14	Chris Hipkiss	101		101		101				0					101
Bradley Arcade Roof Repairs - Solihull	2014/15	Chris Hipkiss	88		88		88				0					88
Improvements to Amenities to Orchard Way Shops - Solihull	2011/12	Chris Hipkiss	22		22		22				0					22
Orchard Way Shopping Arcade - front service area - Solihull	2015/16	Chris Hipkiss	288		288		288				0					288
Bicester Cattle Market Car Park Phase 2	2011/12	Chris Hipkiss	90		90		90				0					90
Thorpe Lane Depot - CCTV Replacement - Solihull	2015/16	Chris Hipkiss	25		25		25				0					25
Banbury Museum - Refurbishment Programme - Solihull	2016/17	Chris Hipkiss	38		38		38				0					38
Community Buildings - Remedial Works - Solihull	2016/17	Chris Hipkiss	150		150		150				0					150
Spiceball Riverbank Reinstatement	2016/17	Chris Hipkiss	50		50		50				0					50
Bolton Road Car Park	2016/17	Chris Hipkiss	74		74		74				0					74
Banbury Health Centre - Refurbishment of Ventilation, Heating & Cooling Systems	2017/18	Chris Hipkiss	0	270	270		270				0					270
Thorpe Way Industrial estate - Roof & Roof Lights	2017/18	Chris Hipkiss	0	100	100		100				0					100
Retail Unit A4 Pioneer Square Bicester	2017/18	Chris Hipkiss		135	135		135				0					135
Castle Quay 1 & 2	2017/18	Paul Sutton		500	500	68,000	68,500	62,000			62,000					130,500
Housing and IT Asset System - joint CDC/SNC	2018/19	Chris Hipkiss							50		50					50
Orchard Way - external decorations plus associated works and roof coverings to stairwells	2018/19	Chris Hipkiss			0		0		95		95					95
Retained Land - tarmacadum/walling works	2018/19	Chris Hipkiss			0		0		180		180					180
Thorpe Place Industrial Units - external painting, tarmacadum and door replacement	2018/19	Chris Hipkiss			0		0		175		175					175
Thorpe Way Industrial Units - external painting, tarmacadum and door replacement	2018/19	Chris Hipkiss			0		0		145		145					145
Horswefair Banbury - renewal of paving/trees to footpath areas between Highway and Car Park also around public toilets	2018/19	Chris Hipkiss			0		0		100		100					100
Thorpe Lane Depot - tarmac and drainage works to main yard	2018/19	Chris Hipkiss			0		0		110		110					110
All properties - EPC certification plus Compliance Works	2018/19	Chris Hipkiss			0		0		40		40					40
Property & Investments Total			926	1,005	1,931	68,000	69,931	62,000	895	0	62,895	0	0	0	0	132,826
Executive Director of Customers & Service Development																
Land & Property Harmonisation	2014/15	Tim Spiers	6	77	83		83				0					83
5 Year Rolling HW / SW Replacement Prog	Annual	Tim Spiers	0	50	50	(50)	0	50			50	50	50	50		200
Business Systems Harmonisation Programme	Annual	Tim Spiers	0	40	40	(11)	29	40			40	40	40	40		189
Upgrade to Uninterrupted Power Supply & Back up - Solihull	2014/15	Tim Spiers	337		337	50	387				0					387
Visualfiles Upgrade	2013/14	Tim Spiers	0		0	11	11				0					11
Microsoft Licensing Agreement	2015/16	Tim Spiers	0		0		0	110			110					110
IT Strategy Review	2017/18	Tim Spiers	139		139		139				0					139
Customer Excellence & Digital Transformation	2018/19	Tim Spiers					0		85		85					85
Unified Communications (inc Customer Services)	2018/19	James Tarrant					0		125		125					125
Information Technology Total			482	167	649	0	649	200	210	0	410	90	90	90	0	1,329
Capital Total			27,661	9,234	36,895	69,850	106,745	64,480	10,000	(375)	74,105	21,601	(7,870)	1,780	0	196,361

Cherwell District Council

Executive

5 February 2018

Draft Corporate Strategy Corporate Strategy and Revenue and Capital Budgets 2018/19
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Report of Executive Director – Finance and Governance and Interim Director

This report is public

Purpose of report

The Council is required to produce a balanced budget for 2018/19 as the basis for calculating its level of Council Tax. It has to base that budget on its plans for service delivery during the year, recognising any changes in service demand that may arise in future years.

The proposed budget and business plan for 2018/19, including the new cycle of growth strategies, are presented as an integrated report to demonstrate that the Council adopts a strategic approach to managing all of its resources, ensuring that the delivery of the Council's priorities for the district directs the allocation of financial resources.

1.0 Recommendations

The meeting is recommended:

- 1.1 To recommend the 2018/19 Corporate Strategy to Full Council (detailed in **Appendix 2**) and to delegate authority to the Interim Director, in consultation with the Leader of the Council to make any minor amendments to the plan as required before consideration by Full Council.
- 1.2 To consider and approve the draft budget in the context of the Council's service objectives and strategic priorities.
- 1.3 To approve and recommend the balanced budget to Full Council.
- 1.4 To note the impact of the proposed budget on reserves and recommend the reserves 2018/19 to full council, see **Appendix 5**.
- 1.5 To note the latest Medium Term Revenue Plan (MTRP) for 2017/18 to 2022/23, at **Appendix 6**; this will be the basis of the work of the Budget Planning Committee for the following year.

- 1.6 To recommend, subject to any further changes Members may wish to include tonight, the updated draft revenue budget for adoption by Full Council on 26 February 2018.
- 1.7 To consider and recommend a Council Tax increase to Full Council.
- 1.8 To recommend to full council the proposed 2018/19 capital programme set out in **Appendix 8**.
- 1.9 To delegate authority to the Executive Director – Finance and Governance, in consultation with the Lead Member for Financial Management to amend the contributions to or from general fund balances to allow the Council Tax to remain at the level recommended to Full Council following the announcement of the final settlement figures, any changes relating to Business Rates or as a result of any financial implications arising from recommendation 1.7, above.

2.0 Introduction

- 2.1 The proposed Corporate Strategy and Budget for 2018/19 are presented as an integrated report demonstrating that the Council adopts a strategic approach to managing all of its resources, ensuring that the delivery of the Council's priorities for the district directs the allocation of financial resources.
- 2.2 This report sets out the draft Corporate Strategy, which the Revenue and Capital budgets for 2018/19 are formulated from. The Corporate Strategy and budgets will be considered and approved by the Executive on the 5 February 2018 and will then form the basis of the council tax setting report which is due to be considered by Full Council on the 26 February 2018.
- 2.2 The report considers the impact of the provisional local government finance settlement, which was announced on 19 December 2017, on its Corporate Strategy, Budget and the Medium Term Revenue Plan.
- 2.3 The Council is in the final year of a five year Corporate Strategy, which will be reviewed and refreshed for 2019/20. The content of the plan has remained largely the same however the presentation of the plan has been updated. It is now represented as a “plan on a page” and will be supported by the key measures and KPI's that will demonstrate the successful delivery of the Plan.
- 2.4 Throughout the autumn and winter officers have been preparing the budget in line with the Corporate Strategy and budget guidelines approved by the Executive at its meeting of the 2 October 2017. A copy of the guidelines is included at **Appendix 1**.

3.0 Report Details

Corporate Strategy 2018/19

- 3.1 **Appendix 2** sets out the Corporate Strategy for 2018/19, which is derived from the Council's five year strategy. These inform the development of the annual budget and direct operational Service Plans for all services. This plan was considered and supported by the Overview and Scrutiny Committee on 23 January 2018.

- 3.2 The five year Business Strategy, the Medium-term Financial Strategy, the Annual Corporate Strategy, individual service plans and ultimately the appraisal targets of all individual employees demonstrate that the council has a clear and robust “golden thread” between resource availability and delivery of the council’s agreed strategic priorities. This is, in times of austerity, fundamental and will help us to provide effective leadership to all of our residents and businesses. It will also demonstrate that we are adopting a more mature and commercially aware approach to running our council.
- 3.3 The integration of services and management structures have created a single organisation on the inside, serving the two councils on the outside. This has recognised the similarities between the two Council areas, but also allowed sufficient flexibility to service the differences and unique elements of each.
- 3.4 The Corporate Strategy for 2018/19 recognises that continuing convergence and represents a joint plan for the two councils, in the form of a single “Plan on a Page”. **(See Appendix 2)**
- 3.5 The content of the plan represents a “light touch” review, broadly continuing with the themes and priorities within the two Councils’ five year strategic plans, but updating, where appropriate to align with emerging issues and challenges across the area.
- 3.6 A combined vision for the area articulates our overall ambition:-
“Great places to live, work, visit and invest”
- 3.7 Our three joint strategic themes break this vision down into the key areas of focus for the plans:-
- Protected, Green & Clean
 - Thriving Communities & Wellbeing
 - District of Opportunity & Growth
- 3.8 Priority workstreams within each of the strategic themes then start to articulate how we will deliver our ambitions
- 3.9 The delivery of the plan is underpinned and enabled through a joint organisational plan, illustrated on the Plan on a Page, as three pillars, representing the basis upon which we will continue to develop our organisation :-
- Operational Excellence – will ensure sound financial management, corporate governance and use of resources
 - Public value – will focus on the quality of the services and solutions that we provide to our broad range of customers and stakeholders
 - Best Council to work for – recognises that the services we provide rely on great people and effective, sustainable partnerships
- 3.10 The Corporate Strategy forms the basis of the Council’s performance management framework and progress will be reported quarterly.
- 3.11 Operational service plans set out detailed performance measures and targets for the forthcoming year. These will be finalised after Council has adopted the budget and Corporate Strategy.

- 3.12 Any Corporate Strategy needs to recognise and articulate the risks the organisation faces in being able to deliver the plan. A new Leadership Risk Register has been developed to align to the Corporate Strategy and is set out at **Appendix 3**.
- 3.13 As with the Financial and Performance information, this will be reviewed and reported into Committee on a regular cycle

Provisional Local Government Finance Settlement

- 3.14 On the 19 December 2017, the Secretary of State for Communities and Local Government, the Rt Hon Sajid Javid MP made a statement on the provisional local government finance settlement for 2018/19. The final settlement is likely to be announced towards the end of January 2018.
- 3.15 The provisional settlement contained no major changes related to the existing Medium Term Settlement, which has a further two years (2018/19 and 2019/20) to run. It also confirmed that the changes to New Homes Bonus scheme would be introduced as agreed i.e. a four year scheme with a baseline of 0.4%.
- 3.16 The relevant changes that were introduced included agreeing the 20% increase for planning fees, albeit that these must be used for service improvements and a 1% increase in the maximum Council Tax increase to 3%.
- 3.17 The settlement proposes RSG, Business Rates Baseline Funding and New Homes Bonus (NHB) for the next two years, until the revised 100% Business Rates Scheme can be introduced.
- 3.18 There were announcements regarding the new scheme, which included a consultation on the proposed "Fair Funding Review." This will form part of the new funding regime and along with a reset in growth will be used to "fairly" redistribute Business Rates to Local Authorities.
- 3.19 As with any redistribution methodology there will be winners and losers. Given the Council has generated significant growth and there will likely be a shift of resources for Social Care and geographical deprivation. We are likely to end up a loser on the redistribution, there is however likely to be a damping mechanism in place which restricts the amount that is lost.
- 3.20 Whilst the settlement itself did not result in changes for 2018/19 the Valuation Office Agency has revised the data on the change in rateable value between rating lists. This has impacted upon the tariffs and top ups, which affects the level of pooled business rates. The impact on Cherwell is an increase of £25k on the estimated pooled rates.

Fees and Charges 2018/19

- 3.21 The current proposed fees and charges for 2018/19 are attached at **Appendix 4** they have been completed in line with the budget guidelines and will form part of the 2018/19 budget book.
- 3.22 Although fees and charges produce significant income for the Council, there are factors that influence the Council's ability to set fees and charges: Some are set by Statute, others are set to break-even and some are outsourced to third parties.

- 3.23 This leaves the Council with fewer discretionary fees and charges to set, and this, in turn, reduces the impact on the overall budget.

Statutory fees and charges

Certain fees and charges are set by Government, and are outside the Council's control, for example planning application fees, and others, such as fees and charges related to gambling are subject to review by the Gambling Commission and the Department for Culture, Media and Sport.

Requirement to break-even

These are fees and charges which are set under regulations that place a requirement to break-even on the Council, for example building control fees and licensing. In these cases the charges are reviewed following completion of the expenditure budget so that a full assessment of break-even can be undertaken.

Fees and charges retained by third parties

The agreements that the Council has for leisure management include provisions to allow the management company to retain the income collected. In this case increases in fees and charges are linked to RPI in January each year.

Discretionary fees and charges

These are the fees and charges which the Council is free to set without restriction from legislation or regulation. Of the total income from fees and charges shown on the attached sheets, which exclude statutory charges, totalling £800,000, approximately half is discretionary. This is made up largely of sports and leisure and waste fees and charges.

Draft Revenue Budget

- 3.24 The initial Medium Term Revenue Plan (MTRP) for 2018/19 showed a funding gap of £0.45m. The budget presented in this report follows significant work by officers and the Budget Planning Committee in order to arrive at a balanced budget position. Table 1 (next page) shows the draft General Fund Revenue Budget for consideration by the Executive.

Table 1 - Revenue Budget 2018/19	Original Budget 2017/18	Proposed Budget 2018/19	Movement	Movement
	£000	£000	£000	%
EXPENDITURE				
Chief Executive	187	250	63	33
Wellbeing				
Communities	1,542	1,584	42	3
Leisure and Sport	3,638	3,564	(74)	(2)
Housing	2,091	2,038	(53)	(3)
Sub Total	7,271	7,186	(85)	(1)
Place & Growth				
Planning Policy and Development	1,407	1,444	37	3
Economy and Regeneration	1,692	1,513	(180)	(11)
Sub Total	3,099	2,957	(142)	(5)
Environment				
Environmental Services	5,170	5,886	716	14
Environmental Health and Licensing	(207)	16	223	(108)
Sub Total	4,963	5,902	939	19
Finance and Governance				
Law and Governance	1,130	1,198	68	6
Finance and Procurement	1,482	1,751	269	18
Property, Investment and Contract Management	(558)	(3,787)	(3,229)	579
Sub Total	2,054	(838)	(2,892)	(141)
Customers and Service Development				
IT Services	2,809	2,762	(47)	(2)
Strategic Marketing and Communication	317	326	9	3
HR, OD and Payroll	401	678	277	69
Performance and Transformation	526	594	68	13
Sub Total	4,053	4,360	307	8
NET COST OF SERVICES	21,627	19,817	(1,810)	(8)
Transfers to/from Reserves	(1,887)	3,451	5,338	(283)
Interest Payments	0	2,074	2,074	0
Interest on Investments	(1,954)	(2,935)	(981)	50
Pension Costs - Historic	4,985	257	(4,728)	(95)
Capital Charges	(4,002)	(4,002)	0	0
NET BUDGET REQUIREMENT	18,769	18,662	(107)	(1)
FUNDING				
Formula Grant Equivalent				
Business Rates Baseline	(3,564)	(3,673)	(109)	(3)
Revenue Support Grant	(1,105)	(637)	468	42
Sub Total	(4,669)	(4,310)	359	8
Grants Awarded				
Transfer to Parish Councils for CTRS	349	349	0	0
New Homes Bonus	(4,468)	(4,009)	459	10
Sub Total	(4,119)	(3,660)	459	11
Business Rates Growth				
Retained Business Rates	(2,231)	(2,600)	(369)	(17)
Pooling Gain	(1,562)	(910)	652	42
Renewable Energy	(213)	(287)	(74)	(35)
S31 Inflation Cap	0	(108)	(108)	(100)
NNDR Collection Fund Deficit	648	(223)	(871)	134
Sub Total	(3,358)	(4,128)	(770)	(23)
Council Tax Income				
Baseline	(6,377)	(6,377)	0	0
Taxbase increase	0	(129)	(129)	(100)
Council Tax Increase	0	0	0	0
Collection Fund	(246)	(58)	188	76
Sub Total	(6,623)	(6,564)	59	1
TOTAL INCOME	(18,769)	(18,662)	107	1
(SURPLUS) / DEFICIT	0	(0)	(0)	0

- 3.25 In order to balance the budget from the initial MTRP, further reductions in costs and increases in income were taken into account. The main drivers for this are summarised in Table 2 below and these adjustments have resulted in a balanced budget.

Table 2: Adjustments to proposed budget 2018/19

Movement Summary	£000
Employee Costs	380
Contracts and General Inflation	200
Major Pressures / Savings / Income	
Recycling Contract	600
Castle Quay & Property Management	(2,895)
Other Savings	(95)
Change to Net Cost of Services	(1,810)
Use of Reserves - NHB and Pension	610
Interest Paid - CQ & GH	2,074
Investment Income	(981)
Budget Requirement	(107)

Funded by	£000
Reduction in Formula Grant	359
Reduction in New Homes Bonus	459
Increase in Business Rates	(770)
Reduction in Council Tax	59
Net Funding Increase	107

Reserves 2018/19

- 3.26 The Budget Planning Committee reviews reserves as part of the budget monitoring process, the impact, on reserves, of the proposed budget are shown at **Appendix 5**. The proposed use of existing earmarked reserves and contributions to reserves are highlighted in the appendix.

Proposal for Council Tax 2018/19

- 3.27 The current level of council tax is £123.50 p.a. at Band D. This has been the level of Council Tax for the last 8 years.
- 3.28 The table below sets out details of potential Council Tax increases of 0%, 1%, 2% and 3% and their impact upon the Band D and Budget 18/19.

	0%	1%	2%	3%
Band D	123.5	124.7	126.0	127.2
Taxbase	52,681.6	52,681.6	52,681.6	52,681.6
Income	£6,506,178	£6,571,239	£6,636,301	£6,701,363
Increase		£65,062	£130,124	£195,185

3.29 The Committee will need to make a recommendation on the proposed level of Council Tax increase for 2018/19.

The Future – Medium Term Financial Strategy 2019/20 to 2022/23

3.30 The coming years will present further challenges, which in the main will result from the move towards the 100% Business Rates regime from 2020/21. The actions the Council has taken in recent years with investments in Graven Hill, Castle Quay and Crown House allied to the strong track record and commitment in delivering efficiencies place it in a strong position to be successful in the Medium Term.

3.31 It is of course important not to become complacent especially given the level of uncertainty surrounding funding from 2020/21. The forward planning together with the joint working with South Northamptonshire Council (and any other partners that we collaborate with), combined with our commitment to identifying alternative sources of income and commercial practice to provide financial independence strengthens our position to meet the forecast challenges of future years. The Council will update its MTRP forecast to be included in the 2018/19 budget book and this is shown at **Appendix 6**.

Capital Programme 2018/19

3.32 A list of capital bids is attached at **Appendix 7** together with the detailed bid appraisal forms.

3.33 A proposed capital programme for five years from 2017/18 is attached as **Appendix 8**. This includes bids submitted for 2017/18 and the six items that are included on a five year rolling programme:

- Disabled Facilities Grants
- Discretionary Grants for Domestic Properties
- Vehicle Replacement Programme
- East West Rail Contribution
- Hardware and Software Replacement Programme
- Business Systems Replacement Programme

Capital Financing

Capital Expenditure and Financing	2017/18 Revised	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate
	£m	£m	£m	£m	£m	£m
Total Expenditure	106.7	74.1	21.7	1.8	1.8	1.8
Capital Receipts	1.1	1.1	1.1	10.7	1.1	1.1
Government Grants	0.4	0.4	0.4	0.4	0.4	0.4
Revenue - MRP	0.0	1.5	1.5	1.5	1.5	1.5
Borrowing	105.2	71.1	18.7	-10.8	-1.2	-1.2
Total Financing	106.7	74.1	21.7	1.8	1.8	1.8

Treasury Management Strategy 2018/19

- 3.34 There is a significant increase in interest on balances as a result of the Council's decision to set up, and invest in the Graven Hill Company. Interest payable by Graven Hill to the Council in 2018/19 is estimated at £1.249m. In addition a commitment fee of £0.661m is also payable, giving total income of £1.91m from the project in 2018/19.
- 3.35 The Council's investment income budget for 2018/19 has been compiled on the basis of close tracking of actual and likely interest rates and with the help of external advice. The emphasis has been on investments with the least risk for the Council's money and this, along with the continued low interest rates on offer and the agreed use of capital receipts has led to continuing low levels of investment income built into the budget. In budgetary terms this is prudent and places the Council at less risk of exposure in-year. A revised Treasury Management Strategy is attached as Appendix 9 and has been recommended to Full Council by the Accounts, Audit and Risk Committee.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The above narrative alongside the appendices represents the draft business, risk register and budget for 2018/19 for approval by the Executive. If agreed, they will be recommended to Full Council on the 26 February and be considered alongside the setting of the 2018/19 Council Tax.

5.0 Consultation

Public Consultation

- 5.1 The development of the Council's Corporate Strategy and budget is shaped by undertaking public consultation including using the Citizen's Panel and an annual customer satisfaction survey.
- 5.2 In addition, the draft budget has been available on the Council's consultation portal for comment.

Other Consultation

- 5.3 As part of our commitment to a whole Council approach to the setting of the budget and our priorities for the year ahead, the Council's Overview and Scrutiny Committee has been invited to help shape the proposed Corporate Strategy for 2017/18.
- 5.4 During its meeting on 18 January 2017, Scrutiny Committee offered a number of suggested changes to the draft Corporate Strategy for 2017/18 which have subsequently been considered and incorporated.
- 5.5 The Budget Planning Committee has considered the budget through its meetings during July 2016 to February 2017.
- 5.6 The corporate values, forming part of the operational excellence strategy have been the subject of consultation with the Managers' Forum and Unison.

6.0 Alternative Options and Reasons for Rejection

- 6.1 This report presents a draft analysis of the Council's revenue and capital budget and Corporate Strategy for 2018/19. They will be presented together to the Executive on 5 February and Full Council on the 26 February to support the setting of the Council Tax at the same meeting.
 - 6.2.1 It is a legal requirement to set a balanced budget and the recommendations as set out and directed by the Corporate Strategy represent what is believed to be the best way of achieving this.
 - 6.2.2 Members could decide not to agree the recommendations or to present alternative budget proposals but that would run counter to the detailed budget setting process that has taken place as part of the formulation of this budget.

7.0 Implications

Financial and Resource Implications

- 7.1 The financial effects of the revenue budget are identified in the report. The new capital schemes are detailed in Appendix 6. Any decisions made in relation to on-going expenditure or income in the budget for 2018/19 will have repercussions in future years when current forecasts indicate the financial environment is likely to become increasingly difficult. The Council has a statutory duty to set a balanced budget and could be subject to the intervention of the Secretary of State if it failed to do so.

Comments checked by:

Cecilie Booth, Interim Assistant Director of Finance, 01295 221731

cecilie.booth@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2. The Council is legally required to set a balanced budget which the recommendations will achieve if recommended by Executive and approved by Full Council. Due consideration of external responses to consultation is also required and I am informed has taken place as part of the budget process.

Comments checked by:
Nigel Bell, Interim Legal Services Manager, 01295 221687
nigel.bell@cherwellandsouthnorthants.gov.uk

Risk Management

- 7.3 The Corporate Strategy and Budget position are reflected with the new Leadership Risk register, which is attached to the report as **Appendix 3**. The register reflects that where there are significant risks these are being managed and mitigated appropriately. The risk register is updated on a regular basis and reported to the Accounts, Audit and Risk Committee.

Comments checked by:
Louise Tustian, Team Leader - Strategic Intelligence and Insight Team 0129
221786
louise.tustian@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.4 Impact assessments will be carried out in advance of setting the 2018/19 budget.

Comments checked by:
Caroline French, Business Transformation Project Officer, 01295 221586
caroline.french@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: Yes

Wards Affected

Not applicable

Links to Corporate Plan and Policy Framework

Enhancing the Council Performance

Lead Councillors

Councillor Barry Wood, Leader of the Council &
Councillor Tony Ilott – Lead Member for Financial Management

Document Information

Appendix No	Title
Appendix 1	Budget Guidelines 2018/19
Appendix 2	Corporate Strategy 2018/19
Appendix 3	Risk Register 2018/19
Appendix 4	Fees and Charges 2018/19
Appendix 5	Use of Reserves 2018/19
Appendix 6	MTRP 2017/18 to 2022/23
Appendix 7	New Capital Bids 2018/19
Appendix 8	Capital Programme 2018/19 – 2022/23
Appendix 9	Treasury Management Strategy 2018/19
Background Papers	
None	
Report Author	Paul Sutton, Executive Director – Finance and Governance Richard Ellis – Interim Director