

Public Document Pack

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 March 2020 at 6.30 pm

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

Councillor Colin Clarke, Lead Member for Planning
Councillor Ian Corkin, Lead Member for Customers and Transformation
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management and Governance
Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Property
Councillor Dan Sames, Lead Member for Clean and Green

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

Apologies for absence: Councillor Andrew McHugh, Lead Member for Health and Wellbeing
Councillor Richard Mould, Lead Member for Performance

Officers: Yvonne Rees, Chief Executive
Paul Feehily, Executive Director: Place and Growth (Interim)
Simon Furlong, Corporate Director - Communities
Claire Taylor, Corporate Director Customers and Organisational Development
Lorna Baxter, Director of Finance & Section 151 Officer
Nick Graham, Director of Law and Governance / Monitoring Officer
Gillian Douglas, Assistant Director: Social Care Commissioning and Housing
Robert Jolley, Assistant Director: Growth & Economy
David Peckford, Assistant Director: Planning and Development
Aaron Hetherington, Democratic and Elections Team Leader

Declarations of Interest

6. Future Funding Bicester Vision Community Interest Company (CIC).
Councillor Lynn Pratt, Non Statutory Interest, as Cherwell District Council's appointed outside body representative to Bicester Vision and through that appointment, a Director and member of the Executive Board of Bicester Vision and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

99 **Minutes**

The minutes of the meeting held on 24 February 2020 were agreed as a correct record and signed by the Chairman.

100 **Chairman's Announcements**

There were no Chairman's announcements.

101 **Future Funding Bicester Vision Community Interest Company (CIC)**

Prior to consideration of the report, the outgoing Chairman, Phil Shadbolt, the incoming Chairman, Lyndon Robinson, and the Partnership Manager, Grae Laws, of the newly incorporated, Bicester Vision CIC (Community Interest Company) gave a presentation about how their activities aligned with the Council's business plan and emerging Cherwell Industrial Strategy.

The Assistant Director – Growth and Economy submitted a report to consider whether to fund the company for a three-year period and delegate the final decision to the Corporate Director Communities, in consultation S.151 Officer and Lead Member for Economy, Regeneration and Property.

Resolved

- (1) That the presentation from Bicester Vision about their plans and how these align with the Council's business plan and emerging Cherwell Industrial Strategy be noted.
- (2) That authority be delegated to the Corporate Director Communities, in consultation with the S.151 officer and the Leader of the Council, to determine whether to support the funding of Bicester Vision for a three year term, in the sum of £15,000 per annum.

Reasons

Members are invited to receive the presentation and decide whether to continue the funding of the new CIC for a three year period.

Alternative options

Option 1: Withdraw support for Bicester Vision – this option was rejected because CDC may wish to continue supporting Bicester Vision.

Option 2: Explore other options for participating in some other public-private partnership in Bicester – this option was rejected because there are no other such partnerships in Bicester.

102 **Local Development Scheme**

The Assistant Director – Planning and Development submitted a report to seek approval of an updated Local Development Scheme (LDS) for the production of the Council's planning policy documents.

Resolved

- (1) That the updated Local Development Scheme (LDS) (Annex to the minutes as set out in the Minute Book) be approved.

Reasons

An updated Local Development Scheme (LDS) has been prepared. It provides a programme for the preparation of the Council's key planning policy documents that will be relevant to future planning decisions. The Council has a statutory responsibility to prepare and maintain an LDS. The LDS will be used by officers, the public, partners and developers and other stakeholders to monitor the production of documents and to plan for associated consultations. Approval of the LDS is needed to assist project management and ensure that the Council meets its statutory responsibilities for plan-making.

Alternative options

Option 1: Not to approve the LDS

The Council has a statutory responsibility to maintain an up to date LDS. If the Council did not prepare its own LDS the Secretary of State could impose one. Aside from that legal duty, not to approve the LDS could undermine the confidence of the public and stakeholders about the Council's plan-making programme. The LDS would need to be re-presented to the Executive at a future meeting or to the Lead Member for Planning.

Option 2: To reconsider the content of the LDS

The LDS has been prepared having regard to the Council's statutory responsibilities and current resources. It is considered by officers to be appropriate for the present and foreseeable circumstances.

103 **Housing Standards - Fees and Charges**

The Assistant Director Housing and Social Care Commissioning submitted a report to seek approval: of revised Houses in Multiple Occupation (HMO) licence fees and of those recoverable costs associated with the issue of certain notices and orders; the introduction of fees associated with advisory visits for landlords and for the issue of Empty Homes VAT-exemption letters; for the periodic review and setting of HMO licence fees to, in future, be delegated to the Assistant Director Housing and Social Care Commissioning;

and, of a revised *Recovery of Costs Policy* which sets out how recovery of certain enforcement costs will be applied and which, in future, makes the Assistant Director Housing and Social Care Commissioning responsible for reviewing and setting those costs.

Resolved

- (1) That the proposed House in Multiple Occupation (HOM) licence fee structure be approved.
- (2) That the revised administrative charges the Council can recover for certain notices and orders issued under the Housing Act 2004 be approved.
- (3) That the introduction of a fee for advisory visits be approved.
- (4) That the introduction of a fee for issuing Empty Homes VAT-exemption letters be approved.
- (5) That the delegation of future House in Multiple Occupation (HMO) Licence fee setting in accordance with the Housing Act 2004 and Orders under it to the Assistant Director Housing and Social Care Commissioning and Housing be approved.
- (6) That the Recovery of Costs Policy 2019 (Annex to the Minutes as set put in the Minute Book) which includes future delegation of the setting of recoverable costs to the Assistant Director Housing and Social Care Commissioning to the extent permitted by the Housing Act 2004 and Orders under it be approved.

Reasons

HMO licence fees

Revision of the Council's HMO fees is required as a consequence of legal rulings with which the Council must comply. The costs associated with processing and enforcing HMO licences have been thoroughly reviewed. The proposed HMO licence fee structure incorporates the changes required to ensure the Council is compliant, the newly reviewed costs incurred by the Council in carrying out its licensing function, and also recently determined corporate overheads. The proposed licence fee structure therefore reflects the real cost to the Council of its HMO licensing activity.

HMO licence fee structure also implements the introduction of a higher fee for new HMOs found operating without a licence as provided for by the HMO Licence Policy 2018. This revision reflects a reapportioning of the cost of the enforcement element of HMO licences and ensures landlords are paying proportionately towards enforcement costs, with non-compliant landlords contributing more.

Revised charges for notices and orders

The recoverable charges made by the Council were last set in 2016. They have been reviewed to take account of the Council's increased costs and also to more properly reflect corporate overheads following recent review. The

proposed recoverable costs reflect the true costs incurred by the Council in issuing relevant notices and orders under the *Housing Act 2004*.

Charges for advisory visits

It is judged appropriate for the Council to charge a fee for detailed advice it provides to landlords who are considering setting up new rental property, particularly new HMOs. Essential information about the Council's requirements are available free of cost but detailed, property-specific advice effectively replaces research and planning a landlord would otherwise have to undertake. It is legitimate and appropriate for the Council to charge for the time committed to this discretionary activity.

Charge for VAT-exemption letters

It is judged appropriate for the Council to charge a modest fee for undertaking the necessary research and providing written confirmation about long-term empty property which their owners can use to obtain VAT reductions. The proposed charge is simply intended to reimburse the officer time spent on reviewing the property history and producing each letter.

Setting of future enforcement fees

Delegation of HMO licence fee setting and recoverable costs setting to the Assistant Director, Housing and Social Care Commissioning will ensure these particular charges can be kept under close review, revised as and when required and that the calculations and justifications can be produced as necessary if challenged or appealed. The proposed delegation of recoverable costs is reflected in the proposed *Recovery of Costs Policy 2019* and that policy is dependent upon it. In the absence of such a policy, different arrangements will need to be established in order that recoverable costs can be set.

Alternative options

In connection with HMO licence fees:

Option 1: Failure to revise the HMO licence fees to split the charge associated with the application and enforcement processes would leave the Council open to legal challenge and is not therefore a supportable option. However, whilst accepting the principle of splitting the licence fees, the Executive could, if it wished, implement different fees to those proposed in the report. The proposed fee structure has been set to reflect the costs incurred by the Council and any changes would therefore risk being deemed arbitrary rather than being soundly based.

Option 2: The Executive could opt not to set different licence fees for compliant and non-compliant applicants. That course would fail to reflect the fact that the enforcement costs associated with the enforcement of the licensing regime are higher for poorly performing landlords and would mean all landlords being charged equally.

In connection with recoverable administrative costs:

Option 3: The proposed recoverable costs associated with the issues of enforcement notices etc. have again been based on a careful review of the Council's costs. The Executive could, if it wished, set different charges to

those proposed in the report but that course would leave the Council at risk of challenge that its charges were arbitrary rather than being soundly based.

In connection with charging for advisory visits:

Option 4: The Executive could determine that it will not charge for this activity or it could set different fees.

In connection with charging for VAT-exemption letters:

Option 5: The Executive could determine that it will not charge for this activity or it could set a different fee.

In connection with Setting of future HMO licence fees and recoverable costs

Option 6: The Executive could decide that future HMO licence fees and recoverable enforcement costs could be determined as part of the Council's fee setting process rather than delegated to the Assistant Director Housing and Social Care Commissioning. That would however risk them becoming divorced from the underpinning analysis necessary to support them in the event of challenge. Failure to adopt the revised Recovery of Cost Policy would also necessitate setting a different mechanism for establishing how Work-in-default costs are to be calculated.

104

Monthly Performance, Risk and Finance Monitoring - January 2020

The Executive Director: Finance (Interim) and Head of Insight and Corporate Programmes submitted a report which summarised the Council's Performance, Risk and Finance monitoring position as at the end of each month.

Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.

Reasons

The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.

This report provides an update on progress made so far in 2019-20 to deliver the Council's priorities through reporting on Performance, the Leadership Risk Register and providing an update on the financial position.

Alternative options

Option 1: This report illustrates the Council's performance against the 2019-20 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

105 **Urgent Business**

There were no items of urgent business.

The meeting ended at 7.24 pm

Chairman:

Date:

LDS March 2020

**CHERWELL DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
March 2020**

Draft for Executive



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

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1. Introduction

The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintains an LDS.

The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority has agreed (or proposes to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

Development Plan Documents must be prepared in accordance with the LDS.

This LDS was approved by the Council's Executive on **XXXXXX** and revises that previously approved on 3 December 2018. It updates the programme for the production of the Council's key planning policy documents.

2. Key changes since the last LDS

Key changes since approval of the last LDS in December 2018 include:

- significant progress on the Partial Review of the Cherwell Local Plan (Oxford's Unmet Housing Needs);
- the Mid Cherwell Neighbourhood Plan was made 14 May 2019;
- work on producing an Oxfordshire wide Joint Statutory Spatial Plan – the Oxfordshire Plan 2050 – has progressed.

These changes have informed preparation of this LDS.

3. Existing Development Plan

As at March 2020, the existing statutory Development Plan comprises:

- the Cherwell Local Plan 2011-2031 (Part 1) adopted in July 2015 (incorporating the re-adopted Policy Bicester 13);
- the saved policies of the adopted Cherwell Local Plan 1996 that have not been replaced (see Appendix 7 of the 2015 adopted Local Plan);
- the Hook Norton Neighbourhood Plan formally 'made' on 19 October 2015;
- the Bloxham Neighbourhood Plan formally 'made' on 19 December 2016;
- the Adderbury Neighbourhood Plan formally 'made' on 16 July 2018;
- the Mid Cherwell Neighbourhood Plan formally 'made' on 14 May 2019;
- the Oxfordshire Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted by the County Council on 12 September 2017);

- the saved policies of the Oxfordshire Minerals and Waste Local Plan 1996 (adopted by the County Council) that have not been replaced.

The **Cherwell Local Plan 1996** was adopted in November 1996 and policies were saved from 27 September 2007.

The **Cherwell Local Plan 2011-2031 (Part 1)** was completed and adopted by the Council on 20 July 2015. It incorporates Policy Bicester 13 re-adopted on 19 December 2016. The Plan presently comprises the main strategy document containing strategic development sites and policies.

The **adopted Policies Map** – a map of Cherwell which illustrates geographically the application of the policies in the adopted Development Plan (other than Minerals and Waste policies prepared by the County Council). An Interactive Adopted Policies Map is available on-line at www.cherwell.gov.uk.

4. Existing Supplementary Planning Documents

Supplementary Planning Documents (SPDs) provide further detail to Local Plan policies. They are statutory documents but do not form part of the Development Plan. The following SPDs have been completed to add further detail to the adopted Cherwell Local Plan 2011-2031:

- North West Bicester SPD – adopted on 22 February 2016
- Banbury Masterplan SPD – adopted on 19 December 2016
- Kidlington Masterplan SPD – adopted on 19 December 2016
- Developer Contributions SPD – adopted on 26 February 2018
- Cherwell Residential Design Guide SPD - adopted on 16 July 2018

5. Non-Statutory Local Plan

The Council also has a Non-Statutory Cherwell Local Plan 2011 which has not been withdrawn nor fully replaced. Originally produced as a replacement for the adopted Local Plan 1996, the Plan was subject to first and second draft deposit stages and pre-inquiry changes were incorporated. However, the decision was taken by the Council to discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process before the Public Inquiry. To avoid a policy void the Non-Statutory Cherwell Local Plan 2011 was approved by the Council as interim planning policy for development control purposes on the 13 December 2004. Over time, its policies are being superseded by new planning documents.

6. Statement of Community Involvement

The Council's Statement of Community Involvement (SCI) sets out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. The SCI was consulted upon from 29 January to 11 March 2016 and adopted by the Council on 18 July 2016.

7. Annual (or Authorities) Monitoring Reports (AMRs)

These are produced each year to monitor progress in producing Local Plans and Supplementary Planning Documents; on the implementation of policies; in meeting the district's housing requirement; and on the making of Neighbourhood Plans. They must include up-to-date information collected for monitoring purposes and, where relevant, include information on any applicable Community Infrastructure Levy and cooperation with prescribed bodies. AMRs are published on-line and supported by the publication of additional monitoring information as required.

8. Potential Neighbourhood Development Plans

Neighbourhood Plans can be produced by Town or Parish Councils or other relevant bodies to set out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular, specified neighbourhood area. They are not prepared by the District Council but are submitted to it ahead of independent examination and a referendum. They are not legally defined as Development Plan Documents but do become part of the statutory Development Plan once they have successfully passed a referendum.

In addition to the 'made' Hook Norton, Bloxham, Adderbury and Mid Cherwell Neighbourhood Plans (see section 3), the following Parishes presently either have designated Neighbourhood Areas, have made applications for an area to be designated, or are actively preparing plans:

- Deddington
- Shipton on Cherwell and Thrupp
- Weston-on-the-Green
- Bodicote
- Stratton Audley
- Merton.

9. Planning Policy Documents to be prepared by the Council

Planning policy documents that the Council is or will be working on are as follows:

1. **Partial Review of Cherwell Local Plan 2011-2031 (Part 1)** – prepared to meet a commitment in the adopted Local Plan to help Oxford with its unmet housing need. Submitted to Government for examination on 5 March 2018. Consultation took place on an Issues Paper from 29 January 2016 – 11 March 2016, on an Options Paper from 14 November 2016 – 9 January 2017 and on a Proposed Submission Document from 17 July 2017 to 10 October 2017. A preliminary hearing took place on 28 September 2018 and main hearings were held between 5 and 13 February 2019.

The Inspector's Post-Hearing Advice Note was received 13 July 2019. The Inspector advised that one major change was required to make the Plan sound. A Schedule of Proposed Main Modifications to address the concerns of the Inspector were consulted upon between 8 November 2019 and 20 December 2019 with a view to making a formal submission to the Planning Inspectorate

Upon adoption by the Council the Partial Review will become part of the statutory Development Plan.

2. **Oxfordshire Plan 2050** – a new countywide strategic plan being prepared jointly on behalf of the five district local planning authorities, with the support of the County Council, under Section 28 of the Planning and Compulsory Purchase Act 2004. Preparation is overseen by the Oxfordshire Growth Board. In 2018 a Draft Statement of Common Ground was published and a Project Board established. A first stage of public consultation was undertaken during February/March 2019. It is intended that a second stage of public consultation will be held in June/July 2020. Consultation on the proposed submission draft is scheduled for November/December 2020, followed by final submission in March 2021. The Plan is expected to be adopted in March 2022. Upon adoption by the Council it will become part of the statutory Development Plan.

3. **Cherwell Local Plan Review** – a review of the adopted Cherwell Local Plan to ensure key planning policies are kept up to date, to assist implementation of the Oxfordshire Plan and to replace the remaining saved policies of the 1996 Local Plan.
4. **Supplementary Planning Documents (SPDs)** – Banbury Canalside SPD – to be re-commenced supplemented by a delivery plan. This will provide additional detail to assist the implementation of Policy Banbury 1 of the adopted Cherwell Local Plan 2011-2031.
5. **Community Infrastructure Levy (CIL) Charging Schedule** – CIL comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Consultation on a preliminary charging schedule was undertaken from 12 February to 25 March 2016. A draft charging schedule was consulted upon from 14 November 2016 to 9 January 2017.

Work on a potential CIL was put on hold while a national policy review was undertaken and in anticipation of further Government guidance which has since been published. New work on CIL is now programmed to align with preparation of the Cherwell Local Plan Review.

The programme for preparing these documents is set out in the schedules below. The Council is expected to produce documents in accordance with the schedules. If significant changes in circumstances occur, the LDS will be reviewed.

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Schedule 9.1	Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Needs	
Strategic or Local Policies	Strategic Policies	
Subject Matter	Partial Review of Part 1 of the adopted Cherwell Local Plan 2011-2031 to help meet the identified unmet housing needs from elsewhere in the Oxfordshire Housing Market Area and arising infrastructure requirements. Builds upon countywide joint working and follows the 'Post SHMA Strategic Work Programme' agreed by the [then Shadow] Oxfordshire Growth Board on 20 November 2014. On 26 September 2016, the Oxfordshire Growth Board approved an apportionment of Oxford's unmet housing need (approximately 15,000 homes) to the Oxfordshire District Councils. Cherwell was asked to accommodate an additional 4,400 homes (2011-2031).	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Agreed Countywide Post-SHMA work programme	20 November 2014
	Formal Commencement (adoption of Local Plan Part 1)	20 July 2015
	District Wide Issues Consultation (Regulation 18)	29 January 2016 – 11 March 2016
	Countywide working on identifying the unmet need and apportionment	Completed 26 September 2016
	District Wide Options Consultation (Regulation 18)	14 November 2016 – 9 January 2017
	Preparation of Proposed Submission DPD	January 2017 to July 2017
	Consultation on Proposed Submission DPD	17 July – 10 October 2017
	Submission (Regulation 22)	5 March 2018
	Examination (Regulation 24)	March 2018 onwards
	Examination Hearings (Regulation 24)	28 September 2018; 5 - 13 February 2019.
	Submission of Main Modifications	25 February 2020 (TBC)
	Receipt and Publication of the Inspector's Report (Regulation 25)	April 2020 (estimate)
	Adoption (Regulation 26)	May 2020 (estimate)
		Notes: Programme following hearings subject to confirmation from the Planning Inspectorate.
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy team, input from other Council services, neighbouring authorities and consultees; consultancy support as required; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.2	Oxfordshire Plan 2050 <i>(note: programme reflects the timeline endorsed by the Oxfordshire Growth Board at a meeting on 24 September 2019 available at: http://democratic.southoxon.gov.uk/ieListDocuments.aspx?Cid=330&Mid=2473&Ver=4 - Item 25)</i>	
Strategic or Local Policies	Strategic Policies	
Subject Matter	Countywide spatial plan to manage development to 2050. Will provide strategic planning policies including for housing, employment, transport & infrastructure, biodiversity and responding to climate change.	
Geographical Area	Oxfordshire	
Status	Joint Development Plan Document (DPD)	
Timetable	Formal commencement	31 January 2018
	Initial Consultation (Regulation 18)	February/March 2019
	Consultation on Preferred Strategy (Regulation 18)	June/July 2020 (TBC)
	Consultation on Proposed Submission Draft Plan (Regulation 19)	November/December 2020 (TBC)
	Submission (Regulation 22)	March 2021 (TBC)
	Examination (Regulation 24)	June - September 2021 (estimated)
	Receipt and Publication of Inspector's Report	December 2021 (estimated)
	Adoption (Regulation 26)	March 2022 (subject to examination)
	Notes: Examination dates and subsequent programme subject to confirmation from the Planning Inspectorate and views of Inspector.	
Management Arrangements	A joint Plan by the five district Local Planning Authorities with the support of the County Council. Overseen by the Oxfordshire Growth Board - a joint committee of the six local authorities, together with key strategic partners. CDC Input: <ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Oxfordshire Growth Board: <ul style="list-style-type: none"> • Central Plan Team: <ul style="list-style-type: none"> • with consultancy support as required • advised by district officer Liaison Group • advised by Members' Advisory Group • reporting to Project Board (Heads of Planning) • reports to Growth Deal Programme Board & Growth Board • Growth Deal capacity funding CDC <ul style="list-style-type: none"> • input from Planning Policy, Conservation and Design service • input from other Council services on internal working group • consultancy support as required 	
Monitoring and review mechanisms	Oxfordshire Plan monitoring report & CDC Annual Monitoring Report	

Schedule 9.3	Cherwell Local Plan Review	
Strategic or Local Policies	Strategic and Local Policies	
Subject Matter	Planning policies to manage development and meet local priorities, to review & keep up-to-date existing planning policies, and to support implementation of the Oxfordshire Plan 2050. Will include the identification and delivery of strategic and non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses.	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Commencement	April 2020
	District Wide Issues Consultation (Regulation 18)	July - August 2020
	District Wide Options Consultation (Regulation 18)	February – March 2021
	Consultation on draft Plan (Regulation 18)	October - November 2021
	Consultation on Proposed Submission Plan (Regulation 19)	July– August 2022
	Submission (Regulation 22)	November 2022
	Examination (Regulation 24)	November 2022 – June 2023 (TBC)
	Examination Hearings (Regulation 24)	February/March 2023 (TBC)
	Receipt and Publication of the Inspector's Report (Regulation 25)	June 2023 (TBC)
	Adoption (Regulation 26)	July 2023 (TBC)
		Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy, Conservation and Design service, input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.4	Banbury Canalside Supplementary Planning Document (SPD)	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the development area of Canalside, Banbury. To be supported by a delivery plan.	
Geographical Area	Canalside including part of Banbury town centre	
Status	SPD	
	Continued Preparation & Engagement	March – September 2020
	Formal Consultation on draft SPD (Regulation 12/13)	September – October 2020
	Adoption (Regulation 14)	December 2020
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy, Conservation and Design service; input from other Council services, neighbouring authorities and consultees; consultancy resource.	
Monitoring and review mechanisms	Annual Monitoring Report	

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Schedule 9.5	Community Infrastructure Levy Charging Schedule	
Subject Matter	The purpose of CIL is to raise funds to deliver off-site infrastructure that will support the development proposed within Cherwell. This could include open space, leisure centres, cultural and sports facilities, transport schemes, schools among other requirements. The charging schedule providing the basis of the Levy and must be informed by an assessment of an infrastructure funding gap and the viability of different levels of Levy. There will be consultation and a public Examination.	
Geographical Area	Cherwell District	
Status	Levy	
	Re-commencement	March 2021
	Focused consultation on Draft Charging Schedule	October - November 2021
	Formal consultation on Draft Charging Schedule (Regulation 16)	July – August 2022
	Potential Submission of Charging Schedule (Regulation 19)	November 2022 (subject to Council decision)
	Examination (TBC)	November 2022 – June 2023
	Examination Hearings (TBC)	February/March 2023
	Receipt and Publication of the Inspector's Report (Regulation 23) (TBC)	June 2023
	Approval (TBC)	July 2023
	Notes: Examination and Hearing dates yet to be confirmed. Aligned to Local Plan Review.	
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Recovery of Costs Policy 2019

1. Recovery of costs associated with the service of notices etc. under Part-1 Housing Act 2004

- 1.1 The *Housing Act 2004* provides for the use of certain notices and orders to deal with house-condition issues. It also allows the Council to recover certain costs incurred in association with them.
- 1.2 Although the government may set a limit on the maximum amount that can be charged it has not done so. However, local authorities are expected only to charge the reasonable costs of enforcement and should take into account the personal circumstances of the person(s) against whom the enforcement action is being taken.
- 1.3 The Council's *Housing Health & Safety Rating Scheme Policy 2012* (HHSRS Policy) sets out the circumstances in which the various notices etc. will be used and costs recovered. That policy also allows for the Head of Service¹ to determine whether any variation to the stated approach is appropriate.
- 1.4 Unless the Head of Service considers that there is a legitimate reason for departing from the stated policy, the Council will recover the costs associated with taking all relevant enforcement actions.
- 1.5 This 2019 Policy continues the approach set in the 2012 version that the Council will recover a specified minimum charge (for the sake of clarity) but will recover an increased amount when it is judged appropriate to do so, taking into account the time spent on the relevant activities in any particular case². The additional charge is only likely to apply when for example, the enforcement action relates to a large, unusually complex or particularly defective premises (all of which will mean that the enforcement process takes more time).
- 1.6 The Head of Service will be responsible for determining (periodically) what the specified minimum charge will be and, in doing so, will take into account:
 - travelling costs (which may be standardised or averaged)
 - employment costs of relevant officers (which may be standardised or averaged)
 - Corporate overheads (which may be applied as a percentage addition to employment costs)
 - estimates of the time typically taken on the various relevant activities (which may be standardised or averaged)
- 1.8 The Head of Service will also specify periodically how, and in what circumstances, costs over and above the specified minimum charge will be determined.

¹ Currently the Assistant Director Housing and Social Care Commissioning

² For example: original inspection, the process of hazard rating or notice & schedule preparation (in the case of Improvement Notices only)

2. Recovery of costs associated with work-in-default

- 2.1 A number of the statutory notices used by the Council allow it to undertake work-in-default in the event that notice recipient(s) fail to carry out works required by those notices. The Council can then recover the costs it has incurred.
- 2.2 The Council will rely upon its *House Condition Enforcement Policy* in determining whether or not to undertake work-in-default in each particular case.
- 2.3 The Council will seek to recover all of the costs associated with undertaking work-in-default (including for example, time spent by its officers, administrative costs, contractor's costs, the cost of any specialist reports, supervisory costs etc.)
- 2.4 The Council will calculate the cost of officer time (for activities other than travel) on the basis of the actual time spent by officers on the chargeable activities and will charge that time at an appropriate hourly rate.
- 2.5 The Head of Service will be responsible for determining (periodically) what hourly rate or rates should be applied and in doing so, will take into account:
 - employment costs of relevant officers (which may be standardised or averaged)
 - Corporate overheads (which may be applied as a percentage addition to employment costs)
- 2.6 The Head of Service will also be responsible for determining (periodically) how travelling cost will be calculated and may determine that a standardised / average travelling cost should be used.
- 2.7 The Council will normally invoice the responsible person(s) for the cost of work but will in addition make the cost of work-in-default a charge on the relevant premises in all cases where the applicable legislation provides for that to be done. Accrued interest will be added to charges at an appropriate rate determined by the Council.
- 2.8 Any exceptions to this approach will be determined by the relevant Head of Service