

Public Document Pack



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Executive
Date: Monday 6 July 2020
Time: 6.30 pm
Venue: Virtual meeting

Membership

Councillor Barry Wood (Chairman)
Councillor Colin Clarke
Councillor John Donaldson
Councillor Andrew McHugh
Councillor Lynn Pratt

Councillor George Reynolds (Vice-Chairman)
Councillor Ian Corkin
Councillor Tony Ilott
Councillor Richard Mould
Councillor Dan Sames

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. Petitions and Requests to Address the Meeting

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

4. Minutes (Pages 7 - 12)

To confirm as a correct record the Minutes of the meeting held on 16 June 2020.

5. Chairman's Announcements

To receive communications from the Chairman.

6. **Financial Monitoring Report**

** Please note this report will follow as it is currently being reviewed and finalised **

Report of Director of Finance

7. **Move-on Plans for Homeless People Accommodated During the Pandemic and Adoption of an Introductory Tenancies Policy** (Pages 13 - 20)

Report of: Assistant Director, Housing and Social Care Commissioning and Assistant Director, Growth and Economy

Purpose of Report

The purpose of the report is to outline our plans for helping people accommodated in hotels during the pandemic to move on to settled or interim accommodation.

The report also recommends adoption of a policy for Introductory Tenancies for all new tenants housed by the Council. This policy will enable Housing Services to move on a number of homeless households from emergency and temporary accommodation post-pandemic and in the future.

Recommendations

The meeting is recommended to:

- 1.1 note the cost implications of supporting rough sleepers and single homeless people to move on from accommodation provided during the pandemic and to recommend to Council that budget provision be made to cover these costs should alternative funding be unavailable.
- 1.2 agree that all future tenants of residential Council properties will be offered an Introductory Tenancy, whether constructed pursuant to the Build! scheme or otherwise.
- 1.3 delegate responsibility to the Assistant Director Growth and Economy to produce and implement the detailed Introductory Tenancies policy and procedure.

8. **Peat Free Compost** (Pages 21 - 26)

Report of the Assistant Director: Environmental Services

Purpose of report

To set out the use of compost in the Landscape Maintenance Contract and how the amount of peat present in the growing medium for the urban centre floral units is being reduced. Peat is a non-renewal resource and using up large amounts of peat can be damaging to the environment in releasing stored carbon and damage finite areas of peat bog land

Recommendations

The meeting is recommended:

- 1.1 To note that the Landscape Maintenance Contractor uses no peat based products in any of the Grounds Maintenance activities.
- 1.2 To note that in 2020 the floral & bedding plants are grown in 50% peat free compost
- 1.3 To note that the percentage of peat free compost used by the floral unit & bedding plant supplier will increase beyond 50 % over the next few years and be fully peat free as soon as practicable & well before 2030;

9. Oxfordshire Growth Board Terms of Reference and Memorandum of Understanding (Pages 27 - 50)

Report of Assistant Director - Growth and Economy

Purpose of report

This report proposes a revised Terms of Reference and Memorandum of Understanding for the Oxfordshire Growth Board, which requires approval by each of the Oxfordshire Council Cabinets / Executive. These are presented for consideration following a recent public review of the Growth Board's role and functions, which has helped to inform the revisions made.

Similar reports to this one will be considered by respective Cabinets/Executives throughout Oxfordshire during July and early part of August 2020 as set out in paragraph 3.9.

Recommendations

The meeting is recommended to:

- 1.1 Approve the Terms of Reference (ToR) and Memorandum of Understanding (MoU) at Appendices One and Two respectively.
- 1.2 Delegate authority to the Chief Executive, in consultation with the Leader and the Growth Board, to make minor amendments to these documents, the scale and nature of which does not result in terms that are substantially different from those approved in this report

10. Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper (Pages 51 - 150)

** Please note that due to the size of the document, Appendix 3 to this report is being published as a supplement to the main agenda **

Report of Assistant Director – Planning and Development

Purpose of report

To seek approval of a community involvement consultation paper for a new district-wide Local Plan Review.

Recommendations

The meeting is recommended:

- 1.1 To approve the community involvement consultation paper at Appendix 1 for the purpose of public consultation.
- 1.2 To approve the addendum to the Council's Statement of Community Involvement at Appendix 2 in response to the COVID19 pandemic.
- 1.3 To authorise the Assistant Director – Planning and Development to agree the start date for consultation, and any necessary presentational or other minor changes to the documents prior to commencement, with the Lead Member for Planning.

11. Weston-on-the-Green Neighbourhood Plan: Second Examiner's Report (Pages 151 - 188)

** Please note that due to the size of the document, Appendix 3 to this report is being published as a supplement to the main agenda **

Report of Assistant Director - Planning and Development

Purpose of report

To consider a second Examination Report for the Weston-on-the-Green Neighbourhood Plan and determine whether the Plan, incorporating modifications should proceed to a referendum.

Recommendations

The Executive is recommended:

- 1.1 To approve all the Examiner's recommendations and modifications (Appendices 1 and 2) to enable the Plan, incorporating the recommended modifications (Appendix 3), to proceed to a referendum.
- 1.2 To authorise the issue of a 'decision statement' confirming the Executive's decision including that the Plan will now proceed to a referendum.
- 1.3 To authorise the Assistant Director – Planning and Development to make any minor presentational changes and corrections necessary to ready the Plan for referendum.

12. Appointment of Representatives to Partnerships, Outside Bodies and Member Champions 2020/21 (Pages 189 - 194)

Report of Corporate Director – Commercial Development, Assets and Property
(Interim Monitoring Officer)

Purpose of report

To appoint representatives to Partnerships and Outside Bodies and Member Champions for the municipal year 2020/2021.

Recommendations

The meeting is recommended:

- 1.1 To make and cease appointments to partnerships, outside bodies and Member Champions for 2020/2021 as set out in Appendix 1 to this report.
- 1.2 To delegate authority to the Monitoring Officer, in consultation with the Leader, to appoint Members to outstanding vacancies and make changes to appointments as may be required for the 2020/2021 Municipal Year.

13. Urgent Business

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

14. Exclusion of the Press and Public

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

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

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

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

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

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

in maintaining the exemption outweighs the public interest in disclosing the information.”

15. Bicester Garden Town Capital Funding - Junctions Improvement (Pages 195 - 204)

Exempt report of Assistant Director Growth and Economy

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

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

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

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

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

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

Access to Meetings

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

Mobile Phones

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

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
democracy@cherwellandsouthnorthants.gov.uk, 01295 221589

Yvonne Rees
Chief Executive

Published on Friday 26 June 2020

Cherwell District Council

Executive

Minutes of a meeting of the Executive held as a Virtual meeting, on 16 June 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 Members for Customers and Transformation
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management and Governance
Councillor Andrew McHugh, Lead Member for Health and Wellbeing
Councillor Richard Mould, Lead Member for Performance
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

Officers: Yvonne Rees, Chief Executive
Claire Taylor, Corporate Director Customers and Organisational Development
Steve Jorden, Corporate Director Commercial Development, Assets & Investment & (Interim) Monitoring Officer
Lorna Baxter, Director of Finance & Section 151 Officer
Sukdave Ghuman, Head of Legal Services
Natasha Clark, Governance and Elections Manager

12 **Declarations of Interest**

9. CSN.

Claire Taylor, Declaration, as the MD of CSN and would leave the meeting for the duration of the item.

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

There were no petitions or requests to address the meeting.

14 **Minutes**

The minutes of the meeting held on 1 June 2020 were agreed as a correct record and would be signed by the Chairman in due course.

15 **Chairman's Announcements**

There were no Chairman's announcements.

16 **Covid 19 Recovery Planning: Re-start, Re-cover, Re-new**

The Chief Executive submitted a report to set out Cherwell District Council's approach to post COVID-19 planning and recovery following the national period of lockdown and a prolonged period of operation within an emergency response context.

In introducing the report, the Chief Executive explained that the council was planning to adopt a three phased approach to recovery planning, considering the immediate horizon and how services are restarted, the transitional horizon, how we adapt and implement preparedness plans for a local outbreak and the longer term including the economic and social consequences of the pandemic.

At the discretion of the Chairman, Councillor Woodcock addressed Executive. In response to Councillor Woodcock's comments regarding financial uncertainty and ongoing financial challenges, the Chairman commented that it was important to continue planning despite the ongoing financial uncertainties and the report set out the way forward.

Resolved

- (1) That the contents of the report be noted and the approach to planning for recovery for the immediate, transitional and longer term be endorsed.
- (2) That officers be requested to continue to work within the Thames Valley Local Resilience Forum (TVLRF) framework with a specific place-based focus on the needs of Cherwell District within that context.
- (3) That it be agreed that the Joint Cherwell District and Oxfordshire County Council's Member Partnership Working Group co-ordinates all partnership related recovery work.
- (4) That the financial impacts be noted and officers be requested to prepare financial and transformational plans which align with the organisation's policy response to COVID and its impacts and should include refreshing the medium-term financial plan and savings targets, renewing the Council's corporate plan and undertaking consultation and impact assessments as required.

- (5) That it be noted that the Council's workforce has been key to the Cherwell response to the pandemic and senior officers be asked to ensure there are effective organisational development plans in place to engage, support and develop the workforce to address the short, medium and long-term consequences of COVID-19.

Reasons

This report sets out an overarching approach for the Cherwell District Council to shape and coordinate its approach to immediate, transitional and long-term recovery. The council is recommended to continue to work within the Thames Valley resilience forum framework (TVLRF) and contribute to the Oxfordshire response to COVID-19 as part of the Local Health Protection Board. Appendix 4 (annex to the Minutes as set out in the Minute Book) sets out the emergency response, council recovery and Oxfordshire Health Protection Board governance structures to ensure transparency and assurance.

The council recognises that the pandemic will have far reaching consequences in terms of social, economic, health and community impacts and will seek to develop new policy and service delivery arrangements in response. The strategy by which it will do this is set out at appendix 1 (annex to the Minutes as set out in the Minute Book).

The council's staff are essential to the successful delivery of services and as part of recovery and renewal relevant support and organisational development will need to be undertaken. Likewise, the financial impacts of the pandemic are significant, and the council will need to respond with budgetary plans and proposals including a new medium-term financial plan.

The council will seek to engage with partners, communities and stakeholders as part of its response, and the report sets out the use of customer and community engagement as well as impact assessment as part of the process.

Finally the report provides an overview of the current operational status at appendix 3 (annex to the Minutes as set out in the Minute Book) and proposes a policy at appendix 2 (annex to the Minutes as set out in the Minute Book) with regards to how the council's buildings will be opened.

Alternative options

No alternative options have been set out. Recovery, service restart and renewal are essential to the long-term sustainability and wellbeing of the district, failure to plan effectively will likely increase the risk faced by the Council to its long-term sustainability and operational effectiveness.

17 Urgent Business

There were no items of urgent business.

18 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.

19

CSN

The Corporate Director Commercial Development, Assets and Investment submitted an exempt report relating to CSN.

On behalf of Executive, the Chairman thanked all CSN staff for their ongoing hard work and support to residents and businesses across the district during the coronavirus pandemic.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) That the exceptional contribution of CSN staff to the delivery of services to both Cherwell District and South Northamptonshire Councils during the Covid outbreak be recorded.

Reasons

As set out in the exempt minutes

Alternative options

As set out in the exempt minutes

The meeting ended at 7.15 pm

Chairman:

Date:

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Cherwell District Council

Executive

6 July 2020

<p style="text-align: center;">Move-on Plans for Homeless People Accommodated During the Pandemic and Adoption of an Introductory Tenancies Policy</p>

**Report of: Assistant Director, Housing and Social Care
Commissioning and Assistant Director, Growth and Economy**

This report is public

Purpose of Report

The purpose of the report is to outline our plans for helping people accommodated in hotels during the pandemic to move on to settled or interim accommodation.

The report also recommends adoption of a policy for Introductory Tenancies for all new tenants housed by the Council. This policy will enable Housing Services to move on a number of homeless households from emergency and temporary accommodation post-pandemic and in the future.

1.0 Recommendations

The meeting is recommended to:

- 1.1 note the cost implications of supporting rough sleepers and single homeless people to move on from accommodation provided during the pandemic and to recommend to Council that budget provision be made to cover these costs should alternative funding be unavailable.
- 1.2 agree that all future tenants of residential Council properties will be offered an Introductory Tenancy, whether constructed pursuant to the Build! scheme or otherwise.
- 1.3 delegate responsibility to the Assistant Director Growth and Economy to produce and implement the detailed Introductory Tenancies policy and procedure.

2.0 Introduction

Tackling Homelessness During the Pandemic

- 2.1 A total of 65 single homeless people and rough sleepers have been accommodated by the District Councils during the pandemic. The Ministry for Housing, Communities and Local Government (MHCLG) directed local authorities to provide emergency accommodation to people who were sleeping out by 27th March 2020. Since then we have continued to accommodate people verified as rough sleeping or who would be sleeping rough without our help.
- 2.2 Several people have moved on to settled accommodation already or have abandoned the hotel accommodation or refused an offer of accommodation. This means we are currently accommodating 38 individuals and 1 couple i.e. 39 households.
- 2.3 In addition we have 39 single people in supported accommodation who were accommodated pre-Covid whom we are also working with to support move-on wherever possible and create capacity in the system (5 people in extended 'winter beds', 11 people in O'Hanlon House hostel, 10 people with complex needs in the Cherwell Project beds via Homeless Oxfordshire in Oxford, 13 people in Connection Support supported accommodation for people with lower support needs). There are also 6 young people who will not be transitioned in the recommissioning of the Young Persons Supported Pathway who are looking to Cherwell for move-on options by the end of September 2020.
- 2.4 Emergency accommodation is being provided at hotels in Oxford, Bicester and Banbury and in our existing contracted temporary accommodation next to the Musketeer in Banbury. Our arrangements with hotels will come to an end at the end of July. The Government's recovery strategy identifies 4th July as the date on which the hospitality sector can reopen. We therefore need to be alive to the fact that hotels will cease to be available to us in the coming weeks.
- 2.5 We are now focussed on ensuring no one has to return to the streets (wherever possible) and the Housing Team's efforts are focussed on this work. We are also seeing a rise in families seeking housing help including a higher than average level of applications for social housing.

Introductory Tenancies

- 2.6 At present all Council tenancies are secure tenancies. This means that the process for obtaining possession can be lengthy and expensive especially if the possession is for rent arrears. The use of introductory tenancies allows the Council to end the tenancy at the end of the introductory period if the introductory tenant breaches the terms of the introductory tenancy. There is still a requirement to give 4 weeks' notice but the use of this form of tenancy would allow the Council to take higher risk tenants such as rough sleepers

and homeless people with support needs. This will ensure that the government and council objective of no one returning to the streets after the pandemic can be more successfully achieved.

- 2.7 The difference between the 2 tenancies is explained in this report. The report summarises the legal position regarding the use of Introductory Tenancies and the action required to permit their use by the Council.

3.0 Report Details

Move On Plans

- 3.1 To successfully move all rough sleepers and single homeless people accommodated as a result of covid-19 we estimate that the following resources are required :

8 x Housing First placements @ £10k per person/couple per annum = £80k
(NB this is predicated on being able to get registered providers to offer properties that can be used for the Housing First model where a tenancy is offered subject to high level support being put in place).

20 x floating support provision for those being rehoused in the private rented sector and in social housing @ £3.5k per person/couple per annum = £80k

Additional fixed term post to source additional private rented sector accommodation using Cherwell Bond Scheme and to undertake customised negotiation with landlords : 1 full-time equivalent for 12 months including on-costs = £40k

Total = £200k, 1st July 2020 to 30 June 2021 or £150k pro-rata for 2020/21.

(NB we expect some people to be able to return to accommodation with family or friends and some to be able to enter the Adult Homeless Pathway or potentially the Young People's Pathway (we have a small number of under 25s accommodated) which is already jointly funded by Oxfordshire County Council, Cherwell District Council and the other district councils).

- 3.2 We expect MHCLG to open a bidding round for capital and revenue funding to support the delivery of housing specifically for rough sleepers. This is part of the Government's pledge to deliver 6,000 homes for rough sleepers, with 3,300 of these to be delivered in 2020/21. Should Cherwell District Council be successful in this bidding round we would expect any revenue funding secured to cover some or all of the estimated move on costs. However this remains an unknown at this stage. As a result of the covid-19 pandemic and the accommodation of many more single homeless people in temporary accommodation we have an opportunity to prevent many people returning to street homelessness. Some people could potentially move into a council Build! property but this carries a risk for the council due to the complexity and needs of the individuals involved.

- 3.3 The next section describes how, by offering introductory tenancies, we will be able to help more homeless people into accommodation and at the same time mitigate the risk to the council of protracted eviction procedures, should the need to evict anyone arise. Housing Services will be putting in place support to individuals to ensure tenancies are sustained and people are able to stay in their accommodation long term. But it is important to have the option to end the tenancy and free up the accommodation quickly for someone else in housing need, should it be necessary to do so.

Introductory Tenancies

Housing Act 1996

- 3.4 Under section 124 of the Housing Act 1996 Local Housing Authorities may elect to operate an Introductory Tenancy regime. The Act provides that when such an election is in force every periodic tenancy of a dwelling-house entered into or adopted by the Local Housing Authority shall, if it would otherwise be a Secure Tenancy, be an Introductory Tenancy. The exception to this is where someone is already a Secure Tenant of a local authority immediately before the offer or where a Secure Tenancy is being assigned including in the case of a mutual exchange.

How does the Introductory tenancy differ from a secure tenancy?

- 3.5 An Introductory Tenancy enables a Local Housing Authority to permit a prospective Secure Tenant of a residential Council dwelling to occupy such premises on an introductory basis before being granted a full Secure Tenancy following a trial period of good behaviour.
- 3.6 An Introductory Tenancy differs from a Secure Tenancy in the following ways:-
- Introductory Tenancies enjoy no immediate security of tenure, meaning that no specific grounds to commence possession proceedings need be satisfied, although most landlords of Introductory Tenants will cite one or more grounds, such as rent arrears or anti-social behaviour, as a reason for giving notice to end that Introductory Tenancy.
 - An Introductory Tenancy will last for one year with the opportunity for the landlord to extend it for up to 6 months if there is any doubt about the tenant's ability to conduct their tenancy.
 - There is no right to assign or transfer an Introductory Tenancy, take in lodgers or make improvements.
 - Introductory Tenants do not enjoy the Right to Buy their property, although time as an Introductory Tenant does count towards a future discount.
 - There is no right to vote prior to any transfer to a new landlord.

- 3.7 Once the Introductory Tenancy period has expired the tenant will become a full Secure Tenant of the Council (meaning the tenant can normally live in the property for the rest of their life, as long as they do not breach the conditions of the tenancy).
- 3.8 Most landlords consider Introductory Tenancies to be an effective tool to respond to and deal with anti-social behaviour or other breaches of tenancy such as rent arrears among new tenants. Part of the process involves the right for any tenants to request a review of a decision to give them notice to vacate, which can lead to a productive dialogue and delaying any eviction. Even when notice has been served the process to the point of eviction can still take up to 3 months.
- 3.9 The vast majority of properties advertised through the Council choice-based lettings scheme ('Homechoice') are from registered providers and are offered initially as a twelve or eighteen month starter tenancy (the introductory tenancy equivalent for RPs). Tenants understand that this will lead to an assured or assured shorthold tenancy if the starter tenancy goes well and both parties are happy that the tenancy should continue. In other words, introductory/starter tenancies have become standard practice for both social landlords and tenants alike and provide a probationary period with the ability to end the starter / introductory tenancy more straightforwardly if the tenancy proves unsuccessful.

4.0 Conclusion and recommendation

- 4.1 We expect to make a funding bid to MHCLG for move on support costs but recommend agreeing in principle to fund the necessary move on costs to avoid the risk of rough sleepers returning to the streets.
- 4.2 The use of Introductory Tenancies is common practice within the social housing sector. It allows landlords to monitor the new tenant's behaviour and offer support if there are issues relating to rent arrears and anti-social behaviour which may impact on the Introductory Tenancy becoming a Secure Tenancy after one year, or 18 months with an extension. The Build team housing management staff provide considerable support to help tenants in their first year with the Council and it is unusual for any action to be taken without exploring many options with external partners such as Connection and Citizens Advice.
- 4.3 It is recommended that Cherwell District Council elect to use this form of tenancy.

5.0 Consultation

There has been close joint working with Oxfordshire County Council and the other District Councils to plan move on from hotels and ensure consistent

strengths based move on plans are produced for all individuals accommodated.

Housing Services and Growth and Economy have worked together to ensure the introductory tenancy approach supports the rehousing of single homeless people as a result of covid-19 and that the approach is in line with other registered providers that let their properties through Cherwell District Council's choice based letting scheme.

6.0 Alternative Options

If the costs of supporting move on plans are not covered there is a high likelihood of the majority of rough sleepers returning to the streets in July/August 2020.

If a scheme for Introductory Tenancies is not introduced then any tenant offered a tenancy of a Council residential dwelling will potentially enjoy full secure status by default. Introductory Tenancies will help ensure the Council's ability to easily end a tenancy as a result of tenant misconduct during the Introductory period is preserved.

7.0 Implications

Financial and Regulatory

- 7.1 The estimated costs of move on are set out at 3.1. If funding cannot be secured via a bid to MHCLG it would need to be found by the District Council from existing resources.
- 7.2 There are no direct financial implications from the implementation of introductory tenancies, although the management of the tenancies during the introductory period will require careful oversight to ensure that rent arrears do not build up causing budgetary challenges. Conversely the ability to manage tenancies will allow the Council to minimise longer term challenges that might have previously arisen with tenancies.
- 7.3 The Council will review the new arrangement after its first year of operation to assess the success, and the impact of the scheme operationally and financially.

Comments checked by :
Dominic Oakeshott, Assistant Director (Interim) – Finance.
dominic.oakeshott@cherwell-dc.gov.uk

Legal

- 7.4 The Housing Act 1996 (Section 124) requires that, before a local housing authority can operate an introductory tenancy regime in its area, it must

formally elect to do so. The recommendation sought in this report seeks to fulfil that objective.

Comments checked by:

Richard Hawtin, Team Leader – Non-contentious, 01295 221695,
richard.hawtin@cherwell-dc.gov.uk,

Risks

- 7.5 As identified, there is a high risk of the majority of rough sleepers returning to the streets post covid-19 if we are unable to support move-on in to interim accommodation, tenancies with floating support and Housing First tenancies.
- 7.6 If the recommendation to allow introductory tenancies is not approved this will lead to delays in obtaining possession and as a consequence could mean higher arrears or longer periods of anti-social behaviour which will impact on other tenants and could lead to a higher level of complaints. This will be managed as part of the services operational risk register and escalated to the Leadership Risk Register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Team Leader – Performance, 01295 221556,
celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Housing that meets your needs – support the most vulnerable people

Lead Councillor

Cllr John Donaldson, Lead Member for Housing
Cllr Lynn Pratt, Lead Member for Economy, Regeneration and Property

Document Information

Appendix No	Title
n/a	none
Background Papers	
None	
Report Author	Gillian Douglas
Contact Information	gillian.douglas@cherwell-dc.gov.uk

Cherwell District Council

Executive

6 July 2020

Peat Free Compost

Report of the Assistant Director: Environmental Services

This report is public

Purpose of report

To set out the use of compost in the Landscape Maintenance Contract and how the amount of peat present in the growing medium for the urban centre floral units is being reduced. Peat is a non-renewal resource and using up large amounts of peat can be damaging to the environment in releasing stored carbon and damage finite areas of peat bog land

1.0 Recommendations

The meeting is recommended:

- 1.1 To note that the Landscape Maintenance Contractor uses no peat based products in any of the Grounds Maintenance activities.
- 1.2 To note that in 2020 the floral & bedding plants are grown in 50% peat free compost
- 1.3 To note that the percentage of peat free compost used by the floral unit & bedding plant supplier will increase beyond 50 % over the next few years and be fully peat free as soon as practicable & well before 2030;

2.0 Introduction

- 2.1 Officers at Cherwell District Council have been asked to report on the compost used in the delivery of the Landscape Service following a motion at the Council meeting on 24 February 2020 (See Appendix 1).
- 2.2 This Council manages a Landscape Maintenance contract providing services for this Council, Bicester Town Council, Brackley Town Council , Kidlington Parish Council, Oxfordshire County Council and South Northamptonshire Council. This contract was awarded for an initial period of 6 years in 2018 years with an option to extend for a further 3 years in 2024.
- 2.3 The contractor, Continental Landscapes Ltd is required to recycle 100% of all green waste produced through grounds maintenance activities, this is then used as a soil improver and as a mulch for shrub/woodland areas.

- 2.4 Floral units and bedding plants are produced under a contract with Baginton Nurseries. This is a contract was awarded in 2020 for an initial period of 2 years with an option to extend for a further two years in 2022.
- 2.5 Baginton Nurseries are committed to reducing the use of peat in the production of the Councils Floral Units. In 2020 the supply of the floral units and bedding plants will be grown in a 50% peat free compost mix.
- 2.6 The Government has set two targets
 - a) Retail use of peat to cease by 2020, for the domestic market.
 - b) Commercial use of peat to cease by 2030, recognising that the further development of alternative products to fully replace peat is required to deliver the same plant quality.

3.0 Report Details

- 3.1 The Landscape Maintenance Contract with Continental Landscape Ltd covers a range of green open space activities including grass cutting, tree maintenance, shrub maintenance and maintenance of floral displays and hanging baskets.
- 3.2 During the summer months a range of floral displays and hanging baskets are installed in three urban centres. These displays are important to enhance the appearance of the urban centres and to help instil pride of place in the local areas. Once installed these displays are fed & watered on a weekly basis.
- 3.3 The bedding plants for these arrangements are supplied via a contract by Baginton Nurseries. In 2020 the growing medium used will be a 50% peat free compost.
- 3.4 The Horticultural Industry have an agreement with government to move to peat free compost. The aim is for retail to move to peat free in 2020 and commercial growers to 2030 to allow the industry to replace peat based composts
- 3.5 Peat free products, currently available, are physically different to peat and react differently with regards to growing, irrigation and feeding. The net effect has been that most growers of short-term seasonal bedding plant crops have incrementally moved towards peat free use by reducing the peat content by up to 25%.
- 3.6 Our supplier Baginton Nurseries have increased the peat free element in the compost from 40% in 2019 to 50% for 2020, demonstrating environmental awareness and commitment to achieving the Government's target to cease the use of peat by 2030.
- 3.7 At this time, without a suitable replacement on the market, any further reduction beyond 50% will cause major problems with plant quality, the need for increased irrigation and fertiliser application, risk to the sustainability of plants throughout the growing season.
- 3.8 There would be financial implications if the decision is made to move away from the Government target to cease the use of peat before 2030. Contract costs for both the production of floral displays and their maintenance will increase due to the requirement to increase watering and feeding. Although formal contract negotiations

to vary the contract with our two suppliers has not been undertaken, from informal discussions Officers anticipate there would be a potential for a £10k increase in nursery production costs and up to £90k increase in maintenance costs.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is minimising the use of peat based composts with the only area peat is present is in the growing of plants for floral displays & hanging baskets.
- 4.2 Commercial nurseries are moving towards becoming peat free by 2030. Moving too early to peat free is likely to result in a significant risk of additional costs.

5.0 Consultation

At this stage consultation has been limited to informal discussions with both contract suppliers.

If a change is recommended there would be need to consult with urban centre stakeholders, Town and Parish Councils, businesses and potentially the Councils sponsors.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified

Option 1: To reduce the amount of peat in the floral displays and bedding plant production so that they are peat free before 2030.

Option 2: To move to peat free compost early and have additional annual contract costs, a potential reduction in income with the risk of lowering the standard of appearance of the Urban Centres.

7.0 Implications

Financial and Resource Implications

- 7.1 There are potential implications for up to £100k increase in expenditure and a reduction in commercial sponsorship income, resulting in a significant increase against the revenue budget

Comments checked by:
Karen Dickson Strategic Business Partner
01295 221900 karen.dickson@cherwell-dc.gov.uk

Legal Implications

- 7.2 There are no legal implications to this report unless a preference for other Options dictates significant change to the contract for the growing of floral and bedding

plants, in which event the legal services team will assist client officers by documenting any variations agreed in an auditable change process.

Comments checked by:

Richard Hawtin, Team Leader: Non-contentious, Email: richard.hawtin@cherwell-dc.gov.uk, Telephone: 01295 221695

Risk Implications

- 7.3 There is risk to the Council's reputation through the poor appearance of floral displays in the urban centres of Banbury, Bicester and Kidlington is the plants are not properly maintained. This risk is managed as part of the operational risk register and as part of the contract.

Comments checked by:

Louise Tustian Head of Insight & Corporate Programme Email: Louise.Tustian@cherwell-dc.gov.uk, Telephone :01295 221786

8.0 Decision Information

Key Decision

Financial Threshold Met	No
Community Impact Threshold Met	No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell: Safe, Clean and Green

Lead Councillor

Councillor Dan Sames, Lead Member for Clean and Green

Document Information

Appendix No	Title
1	Motion submitted to the 24 February 2020 Council meeting
Background Papers	
None	
Report Author	Ed Potter, Assistant Director: Environmental Services
Contact Information	0300 003 0105 ed.potter@cherwellandsouthnorthants.gov.uk



Council

Monday 24 February 2020

Agenda Item 9, Motions

Motion Proposer: Councillor Hannah Banfield

Motion Seconder: Cllr Dan Sames

Topic: Peat-free Compost

Motion

This council agrees to use only peat-free compost for our horticultural procedures. In making this commitment we will conserve this diminishing natural resource, as our UK peatlands and the peatlands located within The Republic Of Ireland, play a vital role in absorbing and storing large amounts of carbon dioxide and thus help to mitigate climate change.

Proposer of Amendment: Cllr Ian Middleton

Seconder of Amendment: TBC

Motion with Amendments

This council agrees to use only peat-free compost for our horticultural procedures. In making this commitment we will conserve this diminishing natural resource, as our UK peatlands and the peatlands located within The Republic Of Ireland, play a vital role in absorbing and storing large amounts of carbon dioxide and thus help to mitigate climate change.

The council already has access to huge amounts of 'homegrown' naturally peat-free compost and this should be the first choice when these materials are required. As a general principle the council should only use compost and soil improvers generated through its own waste recycling and composting facilities and avoid the use of commercially produced compost in all but the most exceptional circumstances. This will not only be cheaper, it will also avoid the additional carbon created in the manufacture, packaging and distribution of commercially produced composts.

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Cherwell District Council

Executive

6 July 2020

<p>Oxfordshire Growth Board Terms of Reference and Memorandum of Understanding</p>

Report of Assistant Director - Growth and Economy

This report is public

Purpose of report

This report proposes a revised Terms of Reference and Memorandum of Understanding for the Oxfordshire Growth Board, which requires approval by each of the Oxfordshire Council Cabinets / Executive. These are presented for consideration following a recent public review of the Growth Board's role and functions, which has helped to inform the revisions made.

Similar reports to this one will be considered by respective Cabinets/Executives throughout Oxfordshire during July and early part of August 2020 as set out in paragraph 3.9.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Approve the Terms of Reference (ToR) and Memorandum of Understanding (MoU) at Appendices One and Two respectively.
- 1.2 Delegate authority to the Chief Executive, in consultation with the Leader and the Growth Board, to make minor amendments to these documents, the scale and nature of which does not result in terms that are substantially different from those approved in this report, which support the operational efficiency of the Growth Board's work.

2.0 Introduction

- 2.1 The Oxfordshire Growth Board ("the Board") was established in 2014 as a Joint Committee¹ of the six councils of Oxfordshire, together with key strategic partners. It was set up to facilitate and enable joint working on matters concerning economic development, strategic planning and growth. The Board's establishment was

¹ Under s101 (5), 102 Local Government Act 1972 (LGA 1972) and s9EB Local Government Act 2000 (LGA 2000) and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.

premised on strengthening partnership arrangements throughout Oxfordshire for pragmatic working on key strategic issues. It has successfully done this by overseeing the delivery of cross-county projects that the councils of Oxfordshire were seeking to deliver in a collaborative way – between local authorities, the Local Enterprise Partnership (OxLEP) and wider partners and stakeholders.²

- 2.2 On 24 September 2019, the Board agreed to carry out a formal review of its role and function to ensure that the most pragmatic and effective arrangements are in place to enable collaboration and delivery on Oxfordshire wide priorities. The review welcomed the views of the public, partners and councillors through several engagement exercises including workshops and an online survey; with over 250 contributions received.
- 2.3 The review found that there have been a series of unique successes and opportunities realised through the Growth Board collaboration and the duty to cooperate, including securing over £500m of investment in Oxfordshire in recent years. There were however areas identified for improvement concerning communication and the integration of environmental issues within the Board's work. On 28 January 2020, the Board requested that the recommended outcomes of the review be developed into more detailed proposals. A more comprehensive report concerning progress against the outcome of that review will be presented to the Growth Board on 28 July 2020.
- 2.4 The revised Terms of Reference and Memorandum of Understanding for the Growth Board have been updated to take account of the conclusions from the review. These documents are matters for decision within the remit of each local authority Cabinet / Executive and are appended to this report for approval. Each local authority must agree to these amendments before they can take effect.
- 2.5 Before further progress is made in implementing the outcomes of the Growth Board review, it is critical that a robust baseline of core governance documents is agreed, on which further changes can build. Whilst the local, regional and national context continues to evolve concerning the role of Growth Boards and sub-regional governance structures across the Oxford to Cambridge Arc, there is, and there will continue to be, a need to keep these documents under regular review.
- 2.6 In this respect, the adoption of these documents represents stage one of two in implementing outcomes from the Growth Board review. Subject to the new purpose and ToR being agreed by all six local authorities, stage two will take a more detailed look at opportunities to update the Board's operating arrangements to reflect the increasing importance of protecting the environment and tackling climate change. This will include assessing how the Board interacts with emerging proposals for a Local Nature Partnership for Oxfordshire. Any recommended changes will be presented for agreement at the appropriate level.

² As a Joint Committee, the Board may discharge executive functions if delegated to it by each constituent local authority, but each constituent authority retains the ability to exercise all executive and non-executive functions generally and specifically in relation to economic development including where applicable provision of housing, strategic spatial planning and strategic transport planning.

3.0 Report Details

Growth Board Terms of Reference

- 3.1 The Growth Board's revised ToR now have a clear purpose from the outset, with an emphasis on sustainable development, the pursuit of a zero-carbon future, and the oversight of delegated programmes of work within this remit as required. This includes amendments throughout to give a greater emphasis on sustainability in the Board's work, reflecting feedback received during the review. This is perhaps the most significant change in how the Board is organised, reflecting the specific importance of environmental preservation and tackling climate change in Oxfordshire's future. An early draft of this new purpose received positive feedback from some public contributors to the review, as well as formal support from the Board's cross-party and cross-authority Scrutiny Panel in January 2020. Once this new purpose receives the relevant approvals, it can be communicated more widely and integrated as a key element of ongoing work.
- 3.2 The name of the Growth Board has also been scaled back significantly in the ToR in favour of reference to the "Joint Committee." The review recognised that several public contributors were critical of the Board's name, often citing that it did not take account of the importance of sustainability and the environment.
- 3.3 When the previous ToR were last considered in April 2018, the ToR for the Advisory Sub-Groups and the Scrutiny Panel were still in development. Now that they have been established, the Board's ToR does not need to list the specific detail of how each of these external groups will operate. The revised ToR instead now summarise in general terms the role of these groups and redirects to the separate ToR that now exist. Both the Advisory Sub-groups and the Scrutiny Panel are non-statutory and, whilst they are a critical component of the Board's work, they do not hold any formal decision-making powers.
- 3.4 Non-voting members have been renamed as associate members. This has been done in order to move away from voting terminology being a defining feature of their role. Instead, the associate status brings a parity of esteem between colleagues on the Board. The revised draft does however retain the distinction that associate members will not be able to vote on local authority matters.
- 3.5 Included in the new ToR is a provision to request a subscription fee from each member of the Board. This is to raise the visibility and transparency of the need for continued joint funding arrangements for the Board's work to be delivered. The Board currently has a spending pot for administrative costs of approximately £24k which has no current commitment to top up. Separately, approximately £118k in staffing costs are divided equally and recharged in arrears to all six local authorities each year. Subscription fees will enable a more formalised budgeting structure to exist for the Board's operations, and for budget approval to be recommended to each authority in February. This will bring greater visibility to the ongoing costs and improve our ability to plan for future budget rounds.
- 3.6 As required under the emerging Oxford to Cambridge Arc governance arrangements, provision has been included in the ToR for the Growth Board to appoint representatives to relevant bodies as required. It is anticipated that greater clarity will come forward in the next year about the precise implications of the emerging Arc concept, and the role of local authorities and the Board in that process.

- 3.7 Provision has been included in the new ToR for members to withdraw from the Board, which provides certainty around the process if this were to occur. Importantly, it specifies periods of notice which will allow enough time for withdrawal to take place, and for budget impacts to be assessed.

Memorandum of Understanding

- 3.8 The Memorandum of Understanding between Oxfordshire County Council and the Growth Board was established in April 2018. This is principally an operational document to support the administration of the Board's work. A revised version is included at Appendix 2 for agreement, which must also be agreed by each of the partner local authority Cabinets. The updated MoU provides greater operational clarity concerning the handling freedom of Information requests related to the Growth Board. Several minor changes have also been included to mirror the terminology and arrangements now included in the revised ToR for the Growth Board.

Timescales

- 3.9 The list of meeting dates below sets out a timetable for the ToR and MoU being considered by each local authority Cabinet / Executive. Pending agreement by all local authorities, the revised ToR and MoU will take effect from 7 August 2020; the date on which the last council's Cabinet meets to approve the revised documents.

- Cherwell District Council: 6 July 2020
- South Oxfordshire District Council: 9 July 2020
- Oxford City Council: 15 July 2020
- Oxfordshire County Council: 21 July 2020
- West Oxfordshire District Council: 22 July 2020
- Vale of White Horse District Council: 7 August 2020

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Oxfordshire Growth Board carried out a formal review of its role and function to ensure that the most pragmatic and effective arrangements are in place to enable collaboration and delivery on Oxfordshire wide priorities. The revised Terms of Reference and Memorandum of Understanding for the Growth Board have been updated to take account of the conclusions from the review.

5.0 Consultation

None on this report. Although, there has been a detailed programme of consultation on the Growth Board review.

6.0 Alternative Options and Reasons for Rejection

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

Option One: Withdrawal of CDC from ongoing participation from the Growth Board – this was rejected mainly because Cherwell is an integral part of Oxfordshire and it would disadvantage Cherwell residents, communities and businesses from taking advantage of future opportunities, generally, and, in future, possible future funding streams.

Option Two: Keeping the Growth Board as it was – this was rejected because there was evidence that the Growth Board needed to realign itself to changing circumstances and demands.

7.0 Implications

Financial and Resource Implications

- 7.1 The introduction of a subscription fee will enable greater transparency and forward planning in the budgeting for the Growth Board's support arrangements between the County Council as the accountable body and the remaining five participating Councils across Oxfordshire. These are not new costs for the Board's management, but instead a clearer process by which budgeting, and cost sharing can be undertaken. The subscription will be linked to the overall running costs of the Growth Board and will be met from within the existing Growth and Economy budget. Based on the current running costs of approximately £120,000 per annum this would result in an equal subscription of £20,000 per Council for the six participating Councils.

Comments checked by: Dominic Oakeshott - Assistant Director Finance (Interim), 0300 003 0110; Email: dominic.oakeshott@cherwell-dc.gov.uk

Legal Implications

- 7.2 The Oxfordshire Growth Board is a Statutory Joint Committee³. As such, agreement to the revised ToR and MoU is an executive function which falls to the respective local authority Cabinets/Executives to agree.

Comments checked by:
Richard Hawtin, Team Leader – Non-contentious; Tel: 01295 221695; Email: richard.hawtin@cherwell-dc.gov.uk

Risk implications

- 7.3 There is a risk that by not participating in the Growth Board structures that Cherwell residents, communities and businesses might be disadvantaged from taking advantage of future opportunities, generally, and possible, future, funding streams.
- 7.4 There is a risk that the Board may not fulfil its obligations and so there is a need to ensure that appropriate structures and governance arrangements are put in place to enable the Board to function in the correct manner. Such arrangements are already in place and are reviewed on a sufficiently regular and timely basis as part of the

³ Under s101 (5), 102 Local Government Act 1972 and s9EB Local Government Act 2000, pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012

board risk register. Any escalations of risks will be fed into the Leadership Risk Register as and when appropriate.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes Communications, Strategy and Insight 01295 221786 Louise.tustian@cherwell-dc.gov.uk.

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

The work of the Growth Board contributes to all four strategic priorities within the Council's 2020-2021 Business Plan; Housing that meets your needs, Leading on environmental sustainability, creating an enterprising economy with strong and vibrant local centres and healthy, resilient and engaged communities. It also contributes to the themes of healthy places, partnerships, customers and continuous improvement.

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
One:	Revised Growth Board Terms of Reference.
Two:	Revised Growth Board Memorandum of Understanding.
Background Papers	
None	
Report Author	Robert Jolley Assistant Director – Growth and Economy and SRO for Growth Deal - Cherwell District Council.
Contact Information	robert.jolley@cherwell-dc.gov.uk DDI: 01295 221688

**Oxfordshire Growth Board Joint Committee
Terms of Reference
June 2020**

1.0 Purpose

- 1.1 Oxfordshire’s growing economy is set to create challenges and opportunities for the County related to housing, infrastructure, public services and the environment. These issues will best be addressed through joined up planning between local councils which prioritises sustainable development and quality of life. Collective planning, where it makes sense to do so, will be the most effective means of minimising the unwanted impacts of a growing economy, whilst leveraging the maximum benefit from the opportunities it brings for our existing and future communities.
- 1.2 The Oxfordshire Growth Board (“Joint Committee”) will:
- 1.3 Coordinate local efforts to manage economic, housing and infrastructure development in a way that is inclusive and maximises local social and environmental benefits;
- 1.4 Support the development of local planning policy that meets the UK Government’s stated aim of net zero carbon by 2050, and contributes towards biodiversity gain whilst embracing the changes needed for a low carbon world; and,
- 1.5 Seek to secure funding in the pursuit of these aims and oversee the delivery of related work programmes delegated to it by the Joint Committee’s constituent local authority members.

2.0 Membership

- 2.1 The Joint Committee’s core membership includes the local authorities within Oxfordshire comprising, Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council, West Oxfordshire District Council and Oxfordshire County Council. Voting rights are reserved to local authority members only.
- 2.2 It also includes co-opted associate members from those organisations listed below:
 - Chair of OxLEP
 - Chair, Oxfordshire Skills Board
 - Universities Representative
 - OXLEP Business Representative-Bicester
 - OXLEP Business Representative-Oxford City
 - OXLEP Business Representative-Science Vale
 - Homes England Representative
 - DEFRA Agencies Representative
 - Oxfordshire Clinical Commissioning Group Representative

- 2.3 When considering transport infrastructure matters, Network Rail and Highways England will have the right to attend as associate members.
- 2.4 As the Joint Committee is constituted to be able to discharge executive functions if delegated to it by the constituent authorities, then the appointed person must be from the Executive of the constituent authorities. There should be one member from each constituent authority.
- 2.5 Each constituent authority shall appoint a substitute (also being an Executive member). The substitute member shall have the same rights of speaking and voting at the meetings as the member for whom the substitution is made.
- 2.6 The Joint Committee, with the agreement of the local authority members, may co-opt other associate members to its membership where it is considered conducive to the effective consideration of any matter.
- 2.7 The Joint Committee may appoint representatives to the other outside bodies for which the Committee has membership.

3.0 Governance

- 3.1 The Oxfordshire Growth Board is a Joint Committee under s101 (5), 102 Local Government Act 1972 (LGA 1972) and s9EB Local Government Act 2000 (LGA 2000) and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 3.2 Notwithstanding the above each constituent authority will retain all non-executive and executive functions generally and specifically in relation to economic development, housing provision, strategic spatial planning and strategic transport planning.
- 3.3 The Joint Committee will meet in public subject to the provisions of s100 LGA 1972 as amended by the Local Government (Access to Information) Act 1985. The Joint Committee will be hosted under local government arrangements and chairing will be rotated between the local authorities on an annual basis in line with the arrangements at 9.1.
- 3.4 The policy advice and support will be provided by the Joint Committee's Executive Officer Group (Chaired by the Growth Board Director), Section 151 Officer and Monitoring Officer, reporting to the Chief Executive Group of the constituent authorities.
- 3.5 The resources and capacity required to deliver the Joint Committee's work programmes, and the work of any associated sub groups, will be agreed by the Chief Executive Group.

4.0 General functions

- 4.1 To facilitate and enable collaboration between local authorities and key partners to manage economic, housing and infrastructure development in a way that is inclusive and maximises local social and environmental benefits.

- 4.2 To facilitate strategic alignment of spatial, economic and infrastructure plans in a way that is environmentally, economically and socially sustainable in order to safeguard Oxfordshire's unique historical, cultural and environmental character.
- 4.3 To facilitate collective engagement of Joint Committee Partners with other national, regional and sub-regional bodies on matters concerning infrastructure and strategic planning and where relevant, comment on wider proposals and decisions from national agencies, where these have a strategic impact on Oxfordshire.
- 4.4 To act as the voice of Oxfordshire to Government and other national and Sub National bodies to ensure Oxfordshire's infrastructure and housing needs are recognised in future investment priorities and funding.
- 4.5 To provide a strategic partnership forum for the identification and development of sustainable strategies and plans for Oxfordshire related to spatial planning, economic development, housing and transport.
- 4.6 To coordinate the prioritisation of funding from devolved funding sources for infrastructure schemes, where this funding is not already within the remit of the Local Transport Authority, to ensure that decisions are made in one place and supported by all relevant partners and stakeholders.
- 4.7 To oversee the delivery of detailed work programmes as delegated to the Joint Committee by the constituent authorities, as set out under specific functions at 5.0.
- 4.8 To bid for the allocation of resources and investment to support the above purposes.

5.0 Specific Functions

Strategic Planning

- 5.1 To oversee joint work on cross border issues to ensure partners meet the requirements of the Duty to Cooperate under S33A of the Planning and Compulsory Purchase Act 2004 and wider national planning policy.
- 5.2 To assess whether strategic spatial planning, infrastructure and public services are integrated and delivered in a sustainable way, and to make recommendations to encourage this.
- 5.3 To monitor the production of collective spatial plan studies as determined by the Joint Committee (including the Oxfordshire Plan 2050).
- 5.4 To act as the voice of Oxfordshire in respect of the emerging Oxford to Cambridge Arc and to appoint representatives on behalf of the Joint Committee as required.

The Oxfordshire Housing and Growth Deal

- 5.5 To oversee and facilitate delivery of the Oxfordshire Housing and Growth Deal (“the Deal”), including:
- 5.6 To prioritise and allocate all funding from the Deal and from the Accountable Body to the body responsible for delivery of projects.
- 5.7 To approve and monitor the implementation of work programmes for the delivery of the Deal (including infrastructure, affordable housing funding and capacity funding).
- 5.8 To oversee the delivery of a productivity stream work programme to be delivered by OxLEP.
- 5.9 To monitor the production of the Oxfordshire Plan 2050 (under Section 28 of the Planning and Compulsory Purchase Act 2004) and associated work programmes. The draft plan will be subject to examination and the adoption of the plan will require a decision by each constituent authority at key milestones.
- 5.10 To establish Advisory Sub Groups to oversee delivery of work programmes to meet the agreed milestones and targets set out in the Deal relating to Infrastructure, Affordable Housing and the Oxfordshire Plan 2050.
- 5.11 To receive and publish quarterly performance and finance monitoring reports as set out in the Deal Delivery Plan.
- 5.12 To seek agreement on alignment between national and regional and local funding streams in the fields of activity listed above and prioritise competitive funding bids made on behalf of the Joint Committee or where the bid process is Oxfordshire wide.

6.0 Voting

- 6.1 Only local authority Members (or their substitutes) shall be designated as voting members and shall be entitled to one vote on items of business considered by the Joint Committee, although members intend to agree matters on a unanimous basis where possible.
- 6.2 A majority vote shall be required. In the event of there being an equal number of votes for and against a particular proposition, a casting vote by the Chair may be exercised.

7.0 Quorum and Safeguard

- 7.1 The quorum for a meeting shall be four voting members.
- 7.2 Where the effect of a particular proposition, if adopted by the Joint Committee on a majority basis, would give rise to policy, contractual or financial implications for a constituent authority that it does not support, that authority may opt out of participation in that proposition in so far as it affects their authority before any vote is taken but this

will not prevent the other parties proceeding with the proposition. In respect of other matters, all other voting will be on a normal majority basis.

- 7.3 Normal rules as to declarations of interest to be applied to local authority members in accordance with the respective Council's Code of Conduct.

8.0 Accountable Body

- 8.1 The Accountable Body for the Joint Committee is Oxfordshire County Council. It will provide Section 151 and Monitoring Officer roles to the Committee in accordance with the Memorandum of Understanding between Oxfordshire County Council and the Joint Committee.
- 8.2 The County Council's Director of Finance (Section 151 Officer) will provide the Joint Committee with quarterly financial reports for funding that has been allocated directly to Oxfordshire County Council as the Accountable Body. These reports will provide the Joint Committee with an overview of the funds spent and funds committed against funds allocated.
- 8.3 For those programmes and funding streams where another local authority is the Accountable Body, the relevant Section 151 Officer will provide the financial and performance information to the County Council's Section 151 Officer, for integration into the quarterly reporting process.

9.0 Meetings

- 9.1 The Chair and Vice-Chair of the Joint Committee will be elected at the first meeting in each Growth Board year, which runs from 1 June to 31 May.
- 9.2 The Growth Board Director shall be responsible for convening meetings in consultation with the Chief Executive of the authority which holds chairing responsibilities.
- 9.3 Meetings shall usually be held six times each year. However, meetings may be called by the Chair, Monitoring Officer, Chief Executive Group, or any three voting members of the Joint Committee, in circumstances where business cannot be reasonably deferred to the next scheduled meeting.
- 9.4 Agendas and minutes will be published, and meetings held in public, in accordance with the requirements set out in the Local Government (Access to Information) Act 1985. A Forward Plan of items to be considered will be published online each month, and included with each agenda.
- 9.5 Public speaking procedures will be established in line with a separate protocol as agreed by the Joint Committee.

10. Advisory Sub Groups

- 10.1 The Joint Committee will establish Advisory Sub Groups to oversee specific work programmes or broader thematic areas as required. Sub groups, reporting into the Joint

Committee, will be managed in accordance with separately published terms of reference as agreed by the Joint Committee.

10.2 The role, remit and membership of Advisory Sub Groups will be reviewed regularly to ensure they remain flexible to the demands of ongoing and new programmes of work.

11. Scrutiny Arrangements

11.1 The Joint Committee will establish a non-statutory Scrutiny Panel with a cross party membership of councillors from each constituent local authority, with a role to review decisions and actions taken by the Joint Committee. The Scrutiny Panel, reporting into the Joint Committee, will be managed in accordance with separately published terms of reference as agreed by the Joint Committee.

11.2 The Scrutiny Panel will not be strictly constituted in accordance with the statutory provisions of the LGA 2000, and will therefore not impact on the statutory overview and scrutiny responsibilities of the constituent authorities under the LGA 2000.

12. Funding Contributions

12.1 The budget for the Joint Committee's administration will be endorsed no later than 1 December of the preceding financial year by the local authority membership of the Growth Board. The cost of meeting the expenditure planned in the budget shall, to the extent not met from other sources, be divided among all members of the Joint Committee, with discretion to vary fees between associate and local authority membership.

12.2 The budget endorsed by the Joint Committee will subsequently be recommended to each Local Authority member for approval during the February budget setting process.

13. Withdrawal

13.1 If any member determines that they no longer require membership to the Joint Committee, they may give written notice to the Growth Board Chair and Director no later than 1st January preceding the financial year to which the budget will apply. Unless they withdraw that notice in writing, they shall cease to be a member from 1st April of that year. Any member which has not given due notice shall be obliged to pay its subscription for the next year.

14. General principles

14.1 These Terms of Reference will be reviewed at regular intervals to ensure they remain fit for purpose and flexible to meet the requirements of ongoing and future work. Any changes to the Joint Committee's powers or functions will be a matter for each constituent authority to agree.

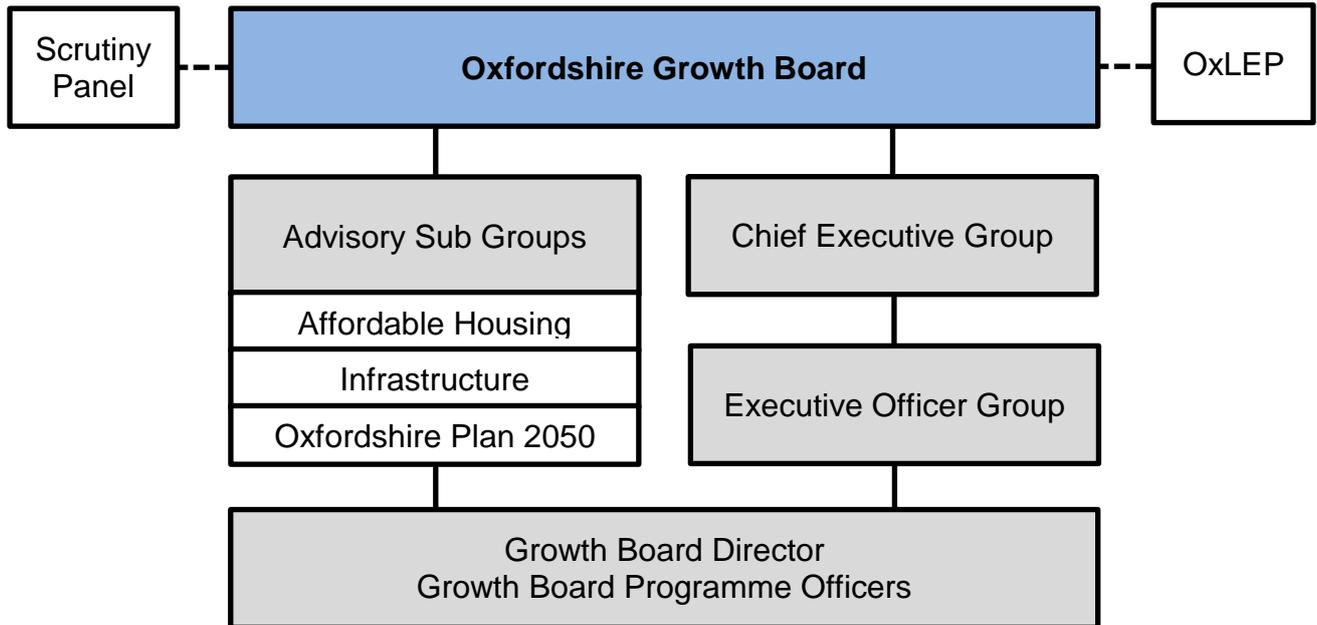
14.2 In adopting these terms of reference, members of the Joint Committee agree to support the purposes of the Joint Committee by ensuring that in their decision making, they:

- Collaborate and cooperate with each other

- Are open and accountable to each other
- Adhere to all relevant statutory requirements
- Deploy appropriate resources
- Act in good faith

14.3 These principles are not intended to be legally binding, and no legal obligations or rights shall arise from this.

Appendix 1 – Oxfordshire Growth Board High Level Governance (June 2020)



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Appendix Two **CONFIDENTIAL**

Oxfordshire Growth Board Memorandum of Understanding June 2020

This memorandum of understanding is made by and between the Parties:

- i) Oxfordshire County Council of County Hall, New Road, Oxfordshire OX1 1ND (“OCC”)
- ii) Oxfordshire Growth Board; a joint committee formed by Cherwell District Council, Oxford City Council, Oxfordshire County Council, South Oxfordshire District Council, Vale of White Horse District Council and West Oxfordshire District Council.

The local authorities listed above comprising the county, city and district councils are together referred to as “the Parties” and each a “Party.” Individual constituent members of the Growth Board are as each a “Council.”

1. Introduction and Background

- 1.1 The Growth Board was established in 2014 and has the purpose of facilitating and enabling collaboration between Oxfordshire local authorities and other bodies operating in Oxfordshire in relation to economic, housing and infrastructure development.
- 1.2 OCC is the designated accountable body for the Growth Board providing Section 151 and Monitoring Officer related services to the Growth Board.
- 1.3 The Growth Board and OCC may change these arrangements by mutual agreement, and the Memorandum of Understanding (MoU) shall be reviewed annually by the Growth Board and OCC to ensure it is accurate and complete.
- 1.4 The purpose of this MoU is to set out the respective roles and responsibilities of OCC acting as accountable body for the Growth Board and that of the Growth Board itself and therefore the Parties hereby agree the Scheme of Roles and Responsibilities set out in Section 6 hereto. This MoU also sets out commitments made in respect of existing joint programmes of work overseen by the Growth Board, and incorporates material elements of the formerly established Memorandum of Information Disclosure, which will cease in effect from the date of the signing of this document.
- 1.5 This MoU shall commence upon the date hereof and shall continue in effect until terminated by either Party.

2. Termination and Variation

- 2.1 Termination can be enacted by either Party upon giving six months’ notice in writing to the other. In terminating this MoU the Parties shall comply with the requirements, if any, of Central Government and any other funding agencies.
- 2.2 If OCC cease to be the accountable body, it shall:
 - i) Continue to co-operate with the Growth Board and any successor accountable body and with all grantors to ensure a smooth transition; and
 - ii) Provide to the Growth Board or the new accountable body (where requested to do so by the Growth Board) all such invoices, receipts and other relevant records which are in its possession and which it holds in connection with its role of

Appendix Two **CONFIDENTIAL**

accountable body. For the avoidance of doubt, documents will be retained in accordance with OCC's Corporate Retention Schedule Policy.

- 2.3 This MoU shall terminate automatically upon the disbanding of the Growth Board. In such case, OCC and the Growth Board shall complete all of their obligations concerning:
- i) Monies granted to or by the Growth Board;
 - ii) Other assets held by OCC on behalf of the Growth Board; and
 - iii) Any accounts required to be submitted to Central Government or to any other relevant funding organisation.
- 2.4 This MoU shall be varied in writing only by the mutual agreement of OCC and the Growth Board save that this shall not prevent the Growth Board from making amendments to its Governance and Working Arrangements. Where a variation of this MoU requires a change to be made to the Growth Board's governance and working arrangements, that change shall not come into effect until the governance and working arrangements have been duly amended in accordance with its requirements.

3. Responsibilities

- 3.1 The Growth Board is responsible for defining its strategic vision and overseeing delivery of the Growth Board priorities in accordance with any relevant funding arrangements.
- 3.2 The Growth Board will operate in accordance with:-
- i) Its Terms of Reference;
 - ii) This MoU;
 - iii) The guidelines provided by Central Government or any other body whose regulation controls the use of funds provided to the Growth Board; and
 - iv) Statutory requirements.
- 3.3 In addition, Growth Board members will
- i) where possible, work together to procure services to ensure best value is achieved;
 - ii) give assurance and commit to do everything reasonably possible to ensure the objectives and targets of jointly funded programmes (such as the Housing and Growth Deal) are met.
 - iii) once the Growth Board has determined funding allocations, take steps required to reflect those allocations within their budgets.
 - iv) accept that in certain circumstance spend relating to individual workstreams may be greater than the funding allocations. In these circumstances the source of additional funding will be clearly identified.
- 3.4 OCC will operate in accordance with:-
- i) Its Constitution;
 - ii) This MoU;
 - iii) Individual project collaboration agreements;
 - iv) The guidelines provided by Central Government or any other body whose regulation controls the use of funds provided to the Growth Board; and
 - v) Statutory requirements.

Appendix Two CONFIDENTIAL

4 Financial Management Arrangements

- 4.1 The Growth Board is currently allocated public funding under a Housing and Growth Deal. Use of this funding, and any other future funding deals, must be undertaken in accordance with statute and the principles of democratic and financial accountability.
- 4.2 This requires there to be a public-sector body identified as the accountable body for audit and transparency purposes. Oxfordshire County Council is the accountable body for the Growth Board.
- 4.3 As the accountable body, OCC is held accountable for the Growth Board's funds in the same way that it is for its own funds. All funding received and expenditure incurred on behalf of the Growth Board will be subject to the same scrutiny. This means that OCC will administer any funds held on behalf of the Growth Board under its own accounting policies, financial procedure rules and contract procedure rules as set out in the Council's constitution to ensure that funds are applied and accounted for appropriately. This will be carried out under the direction of the Section 151 Officer.
- 4.4 OCC, as recipient of the Growth Board's grant allocations from Central Government in relation to the Housing and Growth Deal is responsible for compliance with the grant conditions which may include the obligation to repay, in whole or in part, grants in the event of non-compliance with grant conditions.
- 4.5 OCC will hold any funding it receives and all interest or income earned for and on behalf of the Growth Board and ensure that the money is not moved or converted to cash without specific instruction from the Growth Board.
- 4.6 OCC will consolidate the Growth Board's cash balances with its own cash balances and deposit the co-mingled funds in accordance with the OCC's Treasury Management Strategy. OCC will pay interest on the Growth Board daily cash balances based on the 'Average 7 Day Rate'.
- 4.7 Any infrastructure constructed or acquired by OCC acting on the Growth Board's behalf, will be accounted for as part of the Council's asset register in line with OCC's normal accounting procedures.

5 Provision of Services by OCC

- 5.1 OCC provide a range of services to the Growth Board. Those that are only incurred because of the requirement to have an accountable body are provided free of charge. These include Section 151 Officer time to provide advice and support to the Growth Board and relevant sub committees/groups with regard to the use of any public funds that are allocated to the Growth Board. This also includes Monitoring Officer time to provide advice in relation to legal matters.
- 5.2 In addition, OCC also provide the following chargeable services to the Growth Board:
- i) Finance functions relating to the monitoring and reporting of total funding received and available to the Growth Board; the monitoring and reporting of programmes and schemes; the payment of funds to Growth Board delivery partners; the calculation of interest earned on funds received; the provision of financial information for internal and external audit requirements and the completion of relevant government financial returns

Appendix Two **CONFIDENTIAL**

- ii) Internal Audit functions in regard to the governance arrangements between the Growth Board and the accountable body as well as use of public funds allocated to the Growth Board
- iii) legal functions including preparation of funding agreements with regard to the use of any public funds that are allocated to the Growth Board and advice on state aid issues.

5.3 Chargeable and non-chargeable arrangements will be reviewed annually and if/ when the scale of accountable body responsibilities, managed resources or project portfolio resource requirements increase significantly. Where specific, additional work is required then these may be charged where mutually agreed.

6 Scheme of Roles and Responsibilities

6.1 The Growth Board shall:

- i) make all decisions on the allocation of the Housing and Growth Deal (the Deal) grant funding agreed by Government as well as other funding for the purposes of the Housing and Growth Deal;
- ii) prioritise and allocate funding and be accountable for the delivery of projects funded by funding streams for which OCC is to act as accountable body including the Housing and Growth Deal;
- iii) monitor all activities financed by the Growth Board and ensure that all decisions are fully documented and recorded in writing;
- iv) agree robust and transparent assessment criteria against which funding will be allocated;
- v) ensure that projects are approved only after an appraisal has been carried out and that the separation of duties between project appraisal and project approval;
- vi) through agreed project plans, ensure appropriate timescales and operating practices are in place to support effective implementation of decisions made
- vii) following approval, request OCC to effect the payment of funding to the relevant organisations;
- viii) fulfil the client role vis a vis OCC as the accountable body and, in particular, give OCC clear and comprehensive instructions in relation to the performance by OCC of its roles and responsibilities as set out in paragraph 6.2 below;
- ix) Co-operate with and assist OCC acting in its role as accountable body in undertaking the day to day responsibility for financial matters.

6.2 OCC shall:

- i) provide support and assistance to the Growth Board to ensure both legal and financial probity in relation to the receipt and use of specific funding for which it acts as accountable body;
- ii) ensure decisions and activities of the Growth Board conform with legal requirements with regard to transparency, equalities, social value, environment, State Aid and procurement;
- iii) ensure that funds are used appropriately and advise the Growth Board on the procedures necessary to ensure formal compliance with any terms and conditions of funding or grant;
- iv) provide advice on proper and effective governance for overseeing the allocation and spend of the Growth Board funding;
- v) enter into funding agreements on behalf of the Growth Board for agreed funding streams;
- vi) enter into appropriate legal agreements or contracts with the relevant Growth Board member on behalf of the Growth Board once the project is approved by the

Appendix Two **CONFIDENTIAL**

- Growth Board following a successful due diligence process;
- vii) ensure that the funding is passed on to the relevant Growth Board member without delay and in line with the conditions of the funding; where this is to be passed onto a third party it will be for the Growth Board member to action;
 - viii) submit the claims to the funding body and prepare and submit relevant documents for inspection by Central Government or external auditors as required;
 - ix) where the funding stream is working on a claim basis, ensure that the claimed funding is passed on to the relevant Growth Board member delivery partner without delay and in line with the conditions of the funding or loan agreements;
 - x) ensure that the Growth Board performance and financial systems are robust;
 - xi) provide details of all monies expended in accordance with the terms and conditions of funding;
 - xii) monitor approved projects during and after implementation in line with the agreed monitoring framework or as required by the funding body;
 - xiii) inform and keep the Growth Board informed of any grant funding allocations received and the procedures and recommended criteria for distributing the funding based on the funding body's requirements;
 - xiv) assist the Growth Board in identifying other sources of funding or to apply for these where commissioned by the Growth Board;
 - xv) ensure that the Growth Board adheres to its assurance framework in respect of maintaining the official record of Growth Board proceedings and holding copies of all relevant documents relating to funding; and
 - xvi) report and take appropriate action where it has reason to believe that the Growth Board, or anybody acting as its agent, is failing to
 - a) adhere to the terms and conditions of funding requirements or the funding or loan agreements;
 - b) comply with its governance and working arrangements or any statutory requirement;
 - c) provide a suitable standard of probity.

7 Audit

7.1 The Growth Board shall

- i) co-operate with and assist OCC in audit examinations relating to governance arrangements, use of public funds and all operating systems;
- ii) act upon all agreed management actions contained within the OCC's internal audit report;
- iii) report to OCC any financial irregularity or suspected irregularity in the use of any funding.

7.2 OCC shall

- i) maintain proper records, in accordance with its Constitution, of all monies received and disbursed for the Growth Board and make such records available for inspection by both internal and external regulators;
- ii) arrange regular audit examination of the Growth Board's activities with regards to use of public resources and, following each audit, present a report to the Growth Board with recommendations to strengthen their governance and management practices;
- iii) allow funding bodies to have access to all files and records of projects for which it acts as accountable body; and
- iv) supply, as necessary, completed statements of income, expenditure and disbursements to the Growth Board, funding organisations, Central Government and external auditor.

Appendix Two CONFIDENTIAL

8 Recovery of funds

- 8.1 The conditions where funds will be recovered will be laid out in the initial funding or grant agreement. Where recovery of funds is at risk, the general stage of fund recovery will be as follows:
- i) Stage 1: OCC will send notice containing the reason for concern, outlining the potential fund recovery situation and giving time where appropriate for corrective action;
 - ii) Stage 2: If corrective action is not taken or is deemed insufficient to avoid fund recovery a further notice will be sent by OCC asking for the return of funds with a deadline for the return of the funds. In cases of particular difficulty OCC may accommodate a fund return payment plan of instalments over an agreed period of time. However, this must be agreed in writing and cannot be assumed;
 - iii) Stage 3: If funds are not returned within the set deadline then OCC may then instigate debt recovery procedures which may result in legal action being taken.
- 8.2 OCC will only take the step to recover funds from those Growth Board members it has a direct agreement with. In the case of a third party such as a subcontractor it would be up to the Growth Board member OCC is seeking funds from to determine and take any action they require to recover their losses from any third parties.
- 8.3 OCC does not wish to undertake stage 3 if at all avoidable but will do so in order to protect the public purse and ensure that public funding is being used appropriately.

9 Data Protection

- 9.1 The Parties hereto shall comply with their obligations under the EU General Data Protection Regulation EU 2016/679(GDPR) and the Data Protection Act 2018 and any subordinate legislation made under such Act together with any guidance and codes of practice issued by the Information Commissioner or relevant government department in relation to such legislation in the performance of their obligations under this agreement.

10 Publicity and Disclosure in Relation to Meetings

- 10.1 The Growth Board will operate in accordance with the publicity requirements applicable to a joint committee under Part VA of the Local Government Act 1972. Papers relevant to meetings of the Growth Board will be placed into the public domain in the normal way by the Party with administrative control of that joint committee in compliance with s100A to 100K (and Schedule 12A) of the Local Government Act 1972. In accordance with those provisions confidential information as defined in that Act will not be disclosed. Exempt information as defined in that Act may or may not be disclosed. It is acknowledged that under these provisions information is exempt if the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

11 Requests under Freedom of Information and Environmental Information

- 11.1 The Growth Board and the Monitoring Officers of the relevant Councils have developed a Protocol for Handling Freedom of Information and Environmental Information requests. This is based on the principle that the Growth Board itself and each member authority is a 'freedom of information authority' in its own right. The agreed Protocol (Annex 1 to the MoU) shall guide how the Board and the member authorities will handle requests relating to the work of the Growth Board.

Appendix Two CONFIDENTIAL

12 Confidentiality

- 12.1 Each Party agrees not to unilaterally disclose any information identified by any Council as confidential information or exempt material (under the Local Government Act 1972) information unless required by law without giving notice of at least 14 calendar days to the Council or Councils who provided the confidential/exempt information. No confidential/exempt information will be disclosed without full consideration having been given to any objection made to its disclosure, unless disclosure is otherwise required by law.
- 12.2 Neither Party will use or disclose any confidential material provided by the other pursuant to this agreement otherwise than for the performance of their obligations under this agreement, save as may be otherwise agreed or required by law.
- 12.3 For the avoidance of doubt, confidential information shall not include (a) any information obtained from a third party who is free to divulge such information; (b) any information which is already in the public domain otherwise than as a breach of this agreement; or (c) any information which was rightfully in the possession of a Party prior to the disclosure by the other Party and lawfully acquired from sources other than the other Party.

13 Dispute resolution

- 13.1 If either Party has any issues, concerns or complaints about any matter in this MoU, they shall notify the other Party and the Parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Growth Board's Chair (or if the Chair is an OCC appointee, the Vice-chair) and OCC's Section 151 Officer (or if the dispute is between the Growth Board and OCC, one of the district/city council's Section 151 Officer) who shall decide on the appropriate course of action to take.
- 13.2 If either Party receives any formal inquiry, complaint, claim or threat of action from a third party they shall notify the other Party and co-operate with each other to respond, or take such action, as is appropriate and/or necessary

14 The Contracts (Rights of Third Parties) Act 1999

- 14.1 The Contracts (Rights of Third Parties) Act 1999 shall not apply to this MoU but this does not affect any rights which are available apart from this Act.

15 Status

- 15.1 This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the Parties from this MoU. The Parties enter into the MoU intending to honour all their obligations.

16 Governing Law and Jurisdiction

- 16.1 This MoU shall be governed by and construed in accordance with English law.

This Memorandum of Understanding is agreed and signed by:

Appendix Two CONFIDENTIAL

Signed for and on behalf
of Oxfordshire County Council by

.....

Signed for and on behalf
of Oxford City Council

.....

Signed for and on behalf
of Cherwell District Council

.....

Signed for and on behalf
of South Oxfordshire District Council

.....

Signed for and on behalf
of Vale of White Horse District Council

.....

Signed for and on behalf
of West Oxfordshire District Council

.....

Annex One

FOI/EIR PROTOCOL – INFORMATION REQUESTS RELATING TO THE OXFORDSHIRE GROWTH BOARD

This process has been agreed by Oxfordshire's Monitoring Officers and the Growth Board managers. It provides a means of handling Freedom of Information and Environmental Information requests regarding the work of the Growth Board. Each member authority of the Growth Board and the Growth Board's officers themselves may be recipients of information requests.

This outline provides a legally compliant means of dealing with such requests while providing a degree of mutual consultation whilst also ensuring the identity of requesters is not disclosed to other members of the Growth Board. **Each authority will be responsible for responding to requests submitted to it. Authorities should not simply redirect requesters 'to the Growth Board'** but should answer the request on the basis of any information held by the receiving authority in relation to it.

Freedom of Information Teams should adopt the following principles and process:

1. Each of the county's principal councils, and the Growth Board, are **separate FOI authorities** in their own right. Requesters may therefore submit requests from time to time to any or all of the bodies, about the Growth Board partnership's work.
2. Should there be such an FOI or EIR request in relation to the Growth Board's work received by any of the authorities, then the **receiving body's FOI Team will notify each of the other bodies' FOI Teams**: for the purpose of consulting them about how the receiving authority intends to respond.
3. The original receiving body will **consider all representations** (which shall also be made at the earliest opportunity) received in discharging its statutory obligations. The requester's **name will not be disclosed** to the other authorities.
4. In the event of a disclosure of information in response to a request under the Environmental Information Regulations or the Freedom of Information Act, the **disclosing body shall notify all other Councils immediately** and shall provide an explanation of its decision-making process on request.
5. A similar process will then be followed if an Internal Review request is received; or an Information Commissioner referral.
6. This process is on the basis that, while each authority is an FOI authority in its own right, **consultation between authorities** on a proposed response does not breach that principle.

Appendix Two **CONFIDENTIAL**

7. If all authorities receive the same request, then each must respond to it at its own relevant level of management. **Achieving a 'consistent' response can not be the primary aim.** While approaches can be discussed, it will be for each authority to 'sign off' its own responses. This will also be important if a request is referred to the Commissioner, who would be likely to ask how each authority addressed the response.

8. It should be borne in mind that **a requester can also ask for the 'metadata'** to any request, which would bring into frame any information shared between authorities in the consideration of a response.

NB The County Council will be acting as FOI advisers to the Growth Board.

Cherwell District Council

Executive

6 July 2020

<p style="text-align: center;">Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper</p>

Report of Assistant Director – Planning and Development

This report is public

Purpose of report

To seek approval of a community involvement consultation paper for a new district-wide Local Plan Review.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the community involvement consultation paper at Appendix 1 for the purpose of public consultation.
- 1.2 To approve the addendum to the Council’s Statement of Community Involvement at Appendix 2 in response to the COVID19 pandemic.
- 1.3 To authorise the Assistant Director – Planning and Development to agree the start date for consultation, and any necessary presentational or other minor changes to the documents prior to commencement, with the Lead Member for Planning.

2.0 Introduction

- 2.1 On 2 March 2020, the Executive approved the latest Local Development Scheme (LDS) - the programme for preparing planning policy documents. The LDS includes the timetable for a district wide Local Plan review:

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)

2.2 The LDS was prepared having regard to:

- i. a need ensure key planning policies are kept up to date
- ii. a need to replace the remaining saved policies of the 1996 Local Plan
- iii. a statutory requirement to review Local Plans every five years

The last Local Plan was adopted in July 2015 with one policy re-adopted in December 2016. The report of the examination of the Partial Review of the adopted Plan is likely to be received and presented to Members later this summer. The Oxfordshire Plan is a Local Plan and preparation is on-going.

- iv. a new district local plan being a potential mechanism for implementation of the Oxfordshire Plan.

2.3 A community involvement issues paper has been prepared to facilitate a public consultation in July and August in accordance with the LDS and is presented at Appendix 1 for consideration.

3.0 Report Details

3.1 A new district wide Local Plan will be prepared to meet assessed development needs for employment, housing, leisure, community facilities and infrastructure and to provide a strategy for the pattern, scale and quality of development. The Local Plan review provides the opportunity to develop newer planning policies for:

- i. responding to climate change and the Council's climate emergency declaration;
- ii. placing healthy placing shaping at the centre of the Plan;
- iii. achieving net increases in biodiversity;
- iv. the future of our urban centres and rural areas;
- v. responding to new Government policy and guidance including on design.

3.2 Significantly, it will now also be a key policy document to help support economic and social recovery in the context of COVID-19. Providing employment generating opportunities, helping the provision of new community services and facilities, supporting any necessary adaptation of our urban centres, encouraging safe, active travel and recreational opportunities, will all be important in responding to the wider consequences of the pandemic.

3.3 On 13 May 2020, the Government published planning guidance in response to the spread of COVID-19 and which encouraged plan-making:

“We continue to want to see Local Plans progressing through the system as a vital means for supporting economic recovery in line with the government’s aspirations to have plans in place across the country by 2023. We recognise the challenges that some local authorities may face, and are working on ways to address this, from actively exploring options to achieve online inspection of documents being the default position to engaging with the Planning Inspectorate on the use of virtual hearings and written submissions. We have also issued additional planning guidance on reviewing and updating Statements of Community Involvement.”

3.4 The updated guidance states:

“The government has been clear that all members of society are required to adhere to guidance to help combat the spread of coronavirus (COVID-19). The guidance has implications for local authorities and local plan-making, including how the public are engaged and the ability of authorities to comply with policies set out in their Statements of Community Involvement. This planning guidance focuses on how local authorities can review and update their Statements of Community Involvement and should be read in parallel with existing guidance on Plan-making...” (Reference ID: 61-076-201200513)

“Where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19), the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue. (Reference ID: 61-077-201200513)

“...The local planning authority should then make any temporary amendments that are necessary to allow plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable. Local planning authorities are strongly encouraged to use online engagement methods to their full potential. Appropriate methods include virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website. Authorities will also need to take reasonable steps to ensure sections of the community that don’t have internet access are involved and consider alternative and creative ways to achieve this. Authorities may wish to consider engaging sections of the community, that do not have internet access, through representative groups rather than directly, targeting only people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf. Consulting by telephone or in writing can also be used where this is feasible and alternatives can’t be identified. Opportunities to combine public consultations can be explored so that offline methods can be made more cost effective.

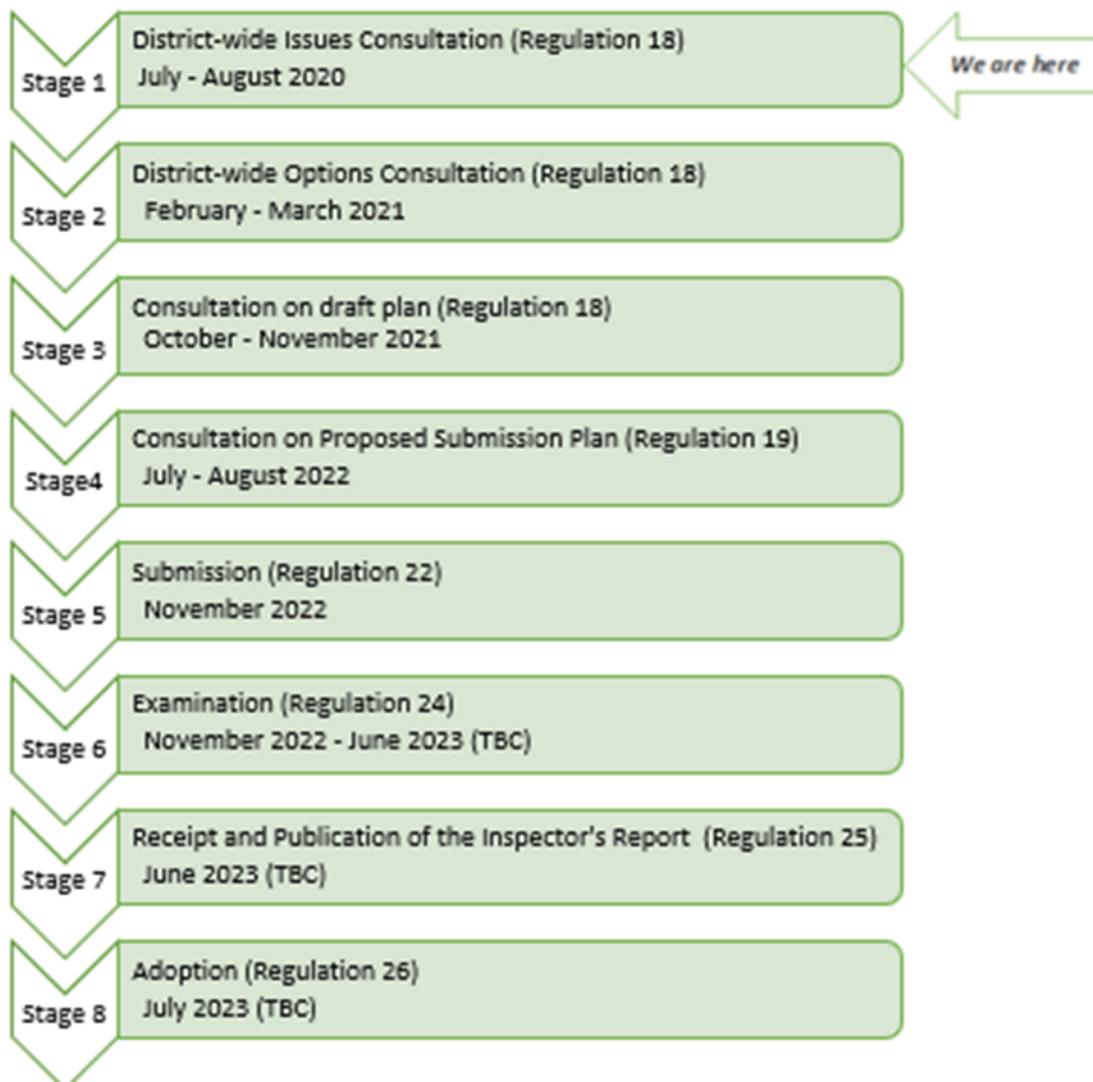
There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement, although it is good practice for authorities to inform the public of their intentions to update this document and of the changes that have been made. It is also good practice to make clear that the changes are only temporary whilst restrictions relating to COVID-19 are in place. However, where a local planning authority has made a pledge in their Statement of Community Involvement to consult on any changes, they may wish to take independent legal advice on how best to proceed.” (Reference ID: 61-078-201200513)

- 3.5 An addendum to the Council's Statement of Community Involvement is presented at Appendix 2 containing necessary changes, particularly in response to building closures.
- 3.6 The proposed community involvement paper at Appendix 1 seeks to foster public discussion on district wide planning policy issues including potential built environment responses to the pandemic and to manage recovery. It aims to open a conversation with communities and stakeholders about the future of the district, how we deliver sustainable development and on the planning policy that will be required to guide decision making. It does not contain any proposals.
- 3.7 Preparation of a new Plan will need to respond to the national context as recovery progresses and new Government policy and guidance emerges. Regionally, the Government's ambitions for an Oxford-Cambridge 'Arc' – a sweep of land between Oxford, Milton Keynes and Cambridge with significant economic potential, the continued development of East-West Rail and the development of spatial plans in adjoining areas will be influential. A statutory 'duty to cooperate' must be complied with in the interest of identifying and responding to common strategic priorities.
- 3.8 Within Oxfordshire, the joint work of the Local Planning Authorities and the County Council and other stakeholders, coordinated by the Oxfordshire Growth Board (a joint committee) will assist the achievement of a co-operative approach in preparing a new district Local Plan. The joint work on an Oxfordshire Plan will provide countywide focus and direction. It will inform new district policies and potentially identify broad locations for future development for the longer term to 2050. The innovation and investment ambitions of the Oxfordshire Local Industrial Strategy and the preparation of the new Local Transport and Connectivity Plan will be influential.
- 3.9 Locally, the delivery of the Council's existing district plans will continue and the new Plan will need to consider how it complements and improves upon what has preceded it. Local priorities will be identified. Cherwell's own housing, industrial and environmental strategies and programmes will inform new policy.
- 3.10 The consultation paper explains the plan preparation process, sets out the current national, regional and local context and begins to explore key issues and potential areas of need to generate debate. It introduces a place-based discussion for Banbury, Bicester, Kidlington and the rural areas and then frames wider issues under three key themes:
- i. maintaining and developing a sustainable local economy;
 - ii. meeting the challenge of climate change;
 - iii. healthy place shaping.
- 3.11 These are not fixed themes for the Plan. The comments received and evidence prepared will influence its structure. Contributions from communities and stakeholders will be invited to help identify the broad range of issues that will need to be considered. The proposed consultation paper also includes a 'call for sites' to inform technical work and the consideration of future policy options.
- 3.12 The paper will be accompanied by a Sustainability Appraisal scoping report (Appendix C) which includes 'baseline' information and the framework for

sustainability appraisal that will inform and accompany the Plan. This will also be made available for comment.

Next Steps

- 3.13 Should Members approve the issues paper for consultation, a six-week consultation would take place over July/August 2020. The starting date for consultation would be agreed with Lead Member for Planning and a new Members' Advisory Group, having regard to any preparation needed for additional methods of remote consultation. Some presentational improvements would be made to the paper before consultation commences.
- 3.14 Officers would use the comments received and consultation feedback to inform the identification and consideration of issues, the preparation and commissioning of evidence and in the preliminary shaping of plan objectives and options. The subsequent stages of plan preparation are shown below:



4.0 Conclusion and Reasons for Recommendations

- 4.1 An issues consultation paper has been prepared to begin community involvement in reviewing the district wide Cherwell Local Plan. Consultation is planned for July/August in accordance with the Council's approved Local Development Scheme. It is not intended that the consultation paper should capture all of the issues that will require consideration but, rather, to create discussion and invite contributions. It is the start of the plan-making process and Members are invited to approve the paper in the interest of proceeding to public engagement.

5.0 Consultation

Cllr Colin Clarke – Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to proceed at this time with the consultation paper

The consultation paper comprises an appropriate discussion document to invite public and stakeholder contributions at the start of the plan-making process. Delay would mean that the LDS programme could not be met.

Option 2: To reconsider the content of the consultation paper

As above. However, if some delay were considered to be acceptable by Members, officers could re-consider the content following instruction.

7.0 Implications

Financial and Resource Implications

- 7.1 The work arising from the preparation of the consultation paper and proposed consultation is to be met within existing budgets.

Comments checked by:

Karen Dickson, Strategic Business Partner, 01295 221900

karen.dickson@cherwell-dc.gov.uk,

Legal Implications

- 7.2 The preparation of Local Plans must be legally compliant. Under The Town and Country Planning (Local Planning) (England) Regulations 2012 requisite public notifications must be made and representations invited. The publication of an issues consultation will assist in demonstrating compliance.

Comments checked by:

Matthew Barrett, Planning Solicitor, 01295 753798

Matthew.barrett@cherwell-dc.gov.uk,

8.0 Decision Information

Key Decision

Financial Threshold Met:	No
Community Impact Threshold Met:	Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Business Plan 2020/21

The preparation of a new Local Plan will assist in meeting the business plan's strategic priorities:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Lead Councillor

Councillor Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Planning for Cherwell 2040: A Community Involvement Paper (draft for approval)
Appendix 2	Addendum to 2016 Statement of Community Involvement with Equalities Impact Assessment
Appendix 3	Sustainability Appraisal Scoping Report
Background Papers	
None	
Report Author	David Peckford Assistant Director – Planning & Development
Contact Information	christina.cherry@cherwell-dc.gov.uk , tel. 01295 221851 (Project Lead)

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CHERWELL LOCAL PLAN REVIEW: PLANNING FOR CHERWELL TO 2040

A Community Involvement Paper

July 2020

Draft for Executive



DRAFT

Cherwell Local Plan Review 2040 - A Community Involvement Paper (July 2020)

- 1 Purpose of this Document 3**
- 2 Identification of Issues and Needs 13**
 - How we will identify our Issues and Needs 13
 - District-Wide Issues and Needs 16
 - Banbury 29
 - Bicester 34
 - Kidlington and Surrounding Villages 39
 - Heyford Park 42
 - Rural Areas 45
- 3 Key Themes 53**
 - Theme 1: Maintaining and Developing a Sustainable Local Economy 53
 - Theme 2: Meeting the Challenge of Climate Change 57
 - Theme 3: Healthy Place Shaping 60
- 4 Establishing a Vision and Objectives 67**
- 5 Call for Sites 69**
- 6 Preparing the Plan 71**
- 7 Be Involved 73**

DRAFT

1 Purpose of this Document

Introduction

1.1 As your local council we have to make planning decisions to meet our future development needs and to protect our built and natural environment. These decisions enable new places of employment to be built and new homes, infrastructure and facilities to be provided. It is important that we get these decisions right as they result in change to our towns and villages, their settings and the countryside more generally.

1.2 We need to ensure that development is 'sustainable' and does not cause unacceptable harm. Our decisions need to take into account national planning policy and objectives for responding to a changing climate, for improving biodiversity, for sustainable transport, for design quality, for avoiding pollution and many others.

1.3 To do this, planning decisions must be made in a local 'plan-led' context. We prepare Local Plans and other planning guidance to identify where new development should take place, how it should be provided in the interest of sustainability, and to make clear where the protection of environmental, social or other assets is necessary. We need to meet local, as well as national objectives, retain and protect what is important to Cherwell's distinctiveness, and to its environmental, social and economic health whilst also ensuring that provision is made for development needs.

1.4 Local plan policies must be considered when we determine planning applications. Our main strategic policies are currently found in the Cherwell Local Plan 2011-2031 adopted in 2015. It is that plan that identified the development sites that can be seen today at the edges of Banbury and Bicester and at Heyford Park. It also sets the policies for the distribution of new housing in our rural areas. You will no doubt have an opinion on these new developments. We are also nearing the end of a process that undertook a 'Partial Review' of that Plan to help meet Oxford's Unmet Housing Needs, something which the Council committed to back in 2015. Finally, we have some policies dating back to a Local Plan adopted by the Council in 1996.

1.5 We prepare local plans in the public interest to provide a framework for guiding development and informing decision making. To do this successfully we need to ensure that our planning policies are kept up to date. We have therefore decided that we need to undertake a review of our current local plan policies and also look to address the needs of Cherwell up to 2040. This plan will be called the Cherwell Local Plan Review 2040.

1.6 It is essential that we involve you, our local communities, partners and stakeholders in this 'review' process. We want to hear your comments on the effectiveness of our existing planning policies, and on what new policies might be needed for the future. We would like your thoughts and feedback on, for example,

the developments you have seen constructed in recent years and how changes to our policies might encourage developers, including the volume housebuilders, to do things differently in the future.

Tell us what you think

COVID-19 Impact

1.7 We have prepared this Paper during the COVID-19 lockdown period. The full impact of the pandemic on the international, national and local economy has yet to be seen. Uncertainty about how long and how severe the effect on our economy will be makes it a greater challenge. At least in the short-term the UK economy is forecast to shrink, with unemployment forecast to rise. Recovery, for the economy and for our communities, will need our support.

1.8 It is impossible, at the present time for us to predict the post COVID-19 economic landscape. For Cherwell one of the key challenges will be seeking to maintain our usually high levels of employment. The business environment will be difficult, particularly for small, local companies. The tourism, retail and hospitality sectors are likely to be adversely affected by social distancing restrictions for some time. At least initially, there will be lower consumer and business confidence and lower disposable incomes. This may have a profound effect on our already squeezed town centres. In 2019 the tourism sector accounted for 11% of jobs in the District and the value to the local economy was over £450m.

1.9 We can anticipate that the economic, cultural and social consequences of the pandemic are likely to be felt differently across our main centres and high street businesses. During the outbreak the Government has introduced temporary measures to help safeguard the high street and businesses affected by the pandemic but once the public health crisis ends it will be important that the Local Plan includes objectives and policies that help town centres and the retail industry to recover and thrive.

1.10 The importance of good quality market and affordable housing has become more apparent during the current COVID-19 outbreak with the restrictions on movement, self-isolation, and social distancing. This has placed a spotlight on the importance of our internal and external home space, our access to green space, and has highlighted societal inequalities and the potential repercussions for the health and well-being of many individuals and families.

1.11 'Stay at home' measures can have physical and mental health consequences for many but in particular for those living in poor-quality housing and the homeless. Those living in shared housing may find shielding, self-isolation and home working more difficult and children may lack the space and environment to do schoolwork. Confining people within the same home is likely to compound underlying social problems such as domestic abuse. These are not new housing and social challenges,

but they are made more acute by the restrictions of COVID-19. We will need long term thinking on the affordability, quantity, quality, space and safety of our homes and our outdoor spaces.

1.12 The difficulty of maintaining social distancing on public transport and the increase in popularity of cycling during this period has been recognised by central government by providing additional funding to local authorities to improve cycle routes. In the short term this will have the immediate effect of improving fitness in addition to aiding social distancing. In the longer term, if we can maintain and grow the attractiveness of cycling for commuting this could lead to lasting improvements in health. A reduction in the number of petrol and diesel fuelled vehicles on our roads could contribute to the improvement in air quality which will also benefit all our health.

1.13 The pandemic has also highlighted the importance of developing strong, resilient communities where we know our neighbours and support each other. The way we design the places where we live, and the provision of public spaces and community venues impacts on how easy it is for people to connect with one another. We should also not forget the role that community and voluntary groups have in supporting our sense of social cohesion and belonging. The COVID-19 crisis has seen a great resurgence in volunteering and the provision of mutual aid. Our Local Plan will need to support the sustainability of such activities, as far as it can through planning measures, as they are vital in creating and maintaining sustainable, resilient communities.

1.14 COVID-19 has forced us into a different way of living and working and a recent YouGov poll indicated that only 9% of Britons want life to return to “normal” after the outbreak is over. We may need to change the way we plan and design for our communities in the future, and the impact of the pandemic has emphasised the importance of creating safe green spaces and an urban public realm that can accommodate social distancing.

Question 1

What planning policies might we need to help us if COVID-19 persists? What lessons can we learn to help us plan for the future?

Cherwell Today

1.15 Cherwell today remains a predominantly rural District although it is one of the fastest growing areas in the South East. It currently has a population of approximately 150,000 people mainly concentrated in the three urban centres of Banbury, Bicester and Kidlington. Banbury is the largest settlement with 32% of the population, Bicester has 24% and Kidlington 13%. The rural areas, with its many small villages, accounts for approximately 31% of the overall population.

1.16 In the last twenty years the population of Cherwell has grown by over 16% and it is forecast to grow further to approximately 170,000 by 2043. Much of this increase is as a result of significant housing and employment growth at Banbury and Bicester. In support of this population growth we have sought the provision of new and improved community facilities. We are investing in our town centres and seeking improvements to our transport infrastructure.

1.17 Cherwell lies at the heart of the country and has excellent transport links. The M40 motorway passes through Cherwell close to Banbury and Bicester, and there are direct rail links from Banbury and Bicester to London, Birmingham and Oxford. The rail link from Oxford to Bicester has recently been upgraded as part of wider east-west rail objectives, and a new station at Water Eaton (Oxford Parkway) linking Oxford and London Marylebone via Bicester opened in 2015.

1.18 Some routes are still, however, problematic. For instance, the National Infrastructure Commission (NIC), the Department for Transport (DfT) and Highways England have recently examined the effect of poor east-west connectivity across the region as a major barrier to housing and economic growth. The resulting NIC report on the Cambridge-Milton Keynes-Oxford Arc published in November 2017 included recommendations to the Government linking east-west transport improvements with wider growth and investment opportunities along this corridor.

1.19 Cherwell's position within the Oxford-Cambridge Arc and its excellent transport links provide us with significant opportunity to secure further economic growth. It lies at the fulcrum of two strong and growing knowledge intensive economies, both of which influence the scale, form and nature of economic activity in our area. These are the strong north-south drive from the Oxford economy, and east-west influences from the corridor to Milton Keynes.



The Oxford-Cambridge Arc



1.20 Those of you who live and work in the district will be familiar with our distinctive and diverse towns and villages. Our settlements were traditionally built of materials sourced locally such as ironstone and limestone. As transport improved with the construction of the Oxford Canal and later the railways other materials such as brick and slate appeared. Today we want to promote good sustainable design and the maintenance of our local distinctiveness. Quality environments are attractive to people who want to invest in our local economy and help make Cherwell a great place to live and work.

1.21 Most of our villages and hamlets retain their traditional character. There are approximately 2,300 listed buildings, 60 conservation areas, 59 Scheduled Ancient Monuments and 11 nationally recognised registered parks and gardens, and a historic civil war battlefield in the District. In some areas the MOD’s presence has influenced the built environment, with Bicester Airfield and former RAF Upper Heyford being of historic importance.

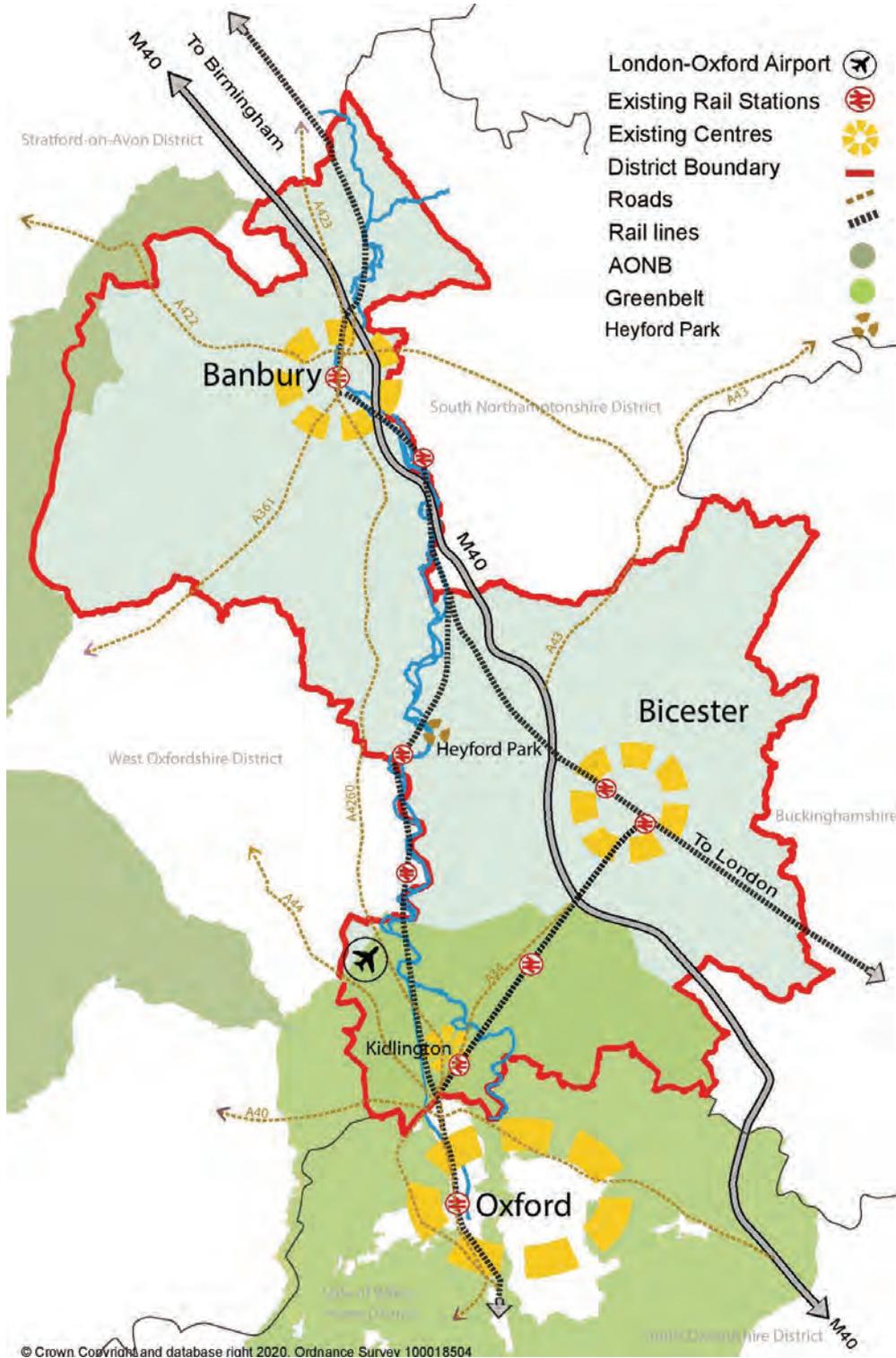
1.22 Cherwell’s natural environment is also varied. The River Cherwell and Oxford Canal run north-south through the District. There are Ironstone Downs in the north west, which includes a very small area within the Cotswolds Area of Outstanding Natural Beauty. The Ploughley limestone plateau is in the east and the Clay Vale of Otmoor in the south.

1.23 Part of the Oxford Meadows Special Area of Conservation lies in the south west of the District, north of the boundary with Oxford City. There are also a number of Sites of Special Scientific Interest (SSSIs) and other designated areas of ecological or geographical interest, including Otmoor. Much of the southern part of the District lies within the Oxford Green Belt.

1.24 We will look at our places in more detail later in this Paper.

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Cherwell District Diagram



Why do we need a new Local Plan?

1.25 We have an existing adopted Local Plan, approved in 2015, that provides a framework for growth across the District up to 2031.

1.26 This adopted Plan is now 5 years old and there is a new national context emerging. Whether it is the continuing telecoms revolution, new Government policy and guidance on the environment, on design, regional planning issues, or the response to the climate emergency and the need for action, we think there is a need for our Local Plan to reflect this different context. Government policy requires us to look ahead for a minimum of 15 years so that we can anticipate and respond to long-term requirements and opportunities. Our new Plan will extend the period covered to 2040.

1.27 Furthermore, although we do not know yet what COVID 19 will mean for how we live in the future and for the economy generally, we do know that our world, at least in the short term, has changed. A new Local Plan will be a key mechanism in responding and adapting to this.

How is a Local Plan produced?

1.28 A Local Plan is a land use or spatial plan that responds to identified issues and needs. It must be evidence based and informed by community engagement, cooperation with prescribed partners and organisations. Preparation of a local plan must conform with legal requirements and national planning policy.

1.29 A Plan must:

- Understand the development needs to be met
- Understand the social, environmental and economic issues and context
- Establish a vision for responding to those needs and issues
- Identify objectives for meeting that vision
- Establish planning policies for meeting those objectives
- Set out a framework for monitoring the implementation of those policies and ensuring that the policies are effective.

1.30 In addition to specific evidence, the plan preparation process is underpinned and informed by a process of sustainability appraisal (SA) that considers the environmental, social and economic effects of the plan. The SA will ensure that all reasonable options are considered in preparing a plan, and that policies are refined in the interests of achieving sustainable development.

Why are we publishing this Paper?

1.31 We wish to engage with our local communities, partners and stakeholders. We want to ensure that a wide cross-section of views are obtained to help us identify, understand and examine the main social, environmental and economic issues and needs that we will have to consider when we plan for Cherwell's future development needs. This Paper therefore does not contain any proposals or policy options, but highlights needs and issues simply to stimulate discussion and debate and to invite your contributions. We are also making a 'call for sites' to inform our technical work. These might be potential development sites, sites for community facilities, sites you wish to suggest as 'Local Green Spaces'. You will see references to these later in the Paper.

Relationship with the Oxfordshire 2050 Plan

1.32 A countywide plan is also being prepared. As part of the 2018 Oxfordshire Housing and Growth Deal with the Government, the six Oxfordshire authorities – Cherwell District Council, Oxford City Council, Oxfordshire County Council, South Oxfordshire District Council, Vale of White Horse District Council and West Oxfordshire District Council – have committed to producing a Joint Statutory Spatial Plan for Oxfordshire (a joint Local Plan) to be known as the Oxfordshire Plan 2050. You may have already made comments in its early consultation stages.

1.33 The aim of the Oxfordshire Plan is to provide an integrated strategic planning framework and evidence base to support sustainable growth across the county to 2050. This will include the planned delivery of new homes and economic development, and the anticipated supporting infrastructure needed.

1.34 The Oxfordshire Plan will set out the overall development requirement and identify broad areas for growth across the County. It will then be for us in Cherwell to establish detailed planning policies and site allocations at a district level.

1.35 The Oxfordshire Plan Scoping Document published in October 2018 indicated that it will include:

- County-wide housing requirements, including the requirement for affordable homes and Gypsy and Traveller accommodation.
- County-wide employment growth figures
- Broad proposed growth areas
- Green Belt strategies
- Strategy for biodiversity, Green Infrastructure and strategic environmental allocations

- Strategy for transport
- Strategy for infrastructure
- Retail hierarchy
- Strategy for place-making and the built environment

1.36 However, as work progresses the scope of the Oxfordshire Plan is being refined and it may be that there will be issues raised in this Paper that will ultimately be addressed by the Oxfordshire Plan or vice versa. We will continue to monitor and advise as the plans progress.

1.37 The Oxfordshire Plan is being prepared under the same regulations for plan preparation and consultation as our Cherwell Local Plan Review. Up to date details of progress on the Oxfordshire Plan can be found on their website: <https://oxfordshireplan.org/>

The overall level of housing, including the requirement for affordable housing and Gypsy and Traveller accommodation, and employment growth for Cherwell District is expected to be set by the Oxfordshire Plan 2050.

2 Identification of Issues and Needs

2.1 How we will identify our Issues and Needs

2.1 In identifying Cherwell's issues and needs we firstly need to take in to account national, regional and local strategies and programmes. Our Sustainability Appraisal Scoping Report which accompanies this consultation paper outlines the main, relevant strategies and policy documents.

2.2 The feedback we receive to this consultation and the technical evidence we prepare and commission, will help identify what needs and issues we need to address. We will also need to respond to what emerges from preparation of the Oxfordshire Plan.

2.3 We set out some national, county and local context below before turning more specifically to planning issues for the district and our urban and rural areas.

National Context

2.4 The Government is clear that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

2.5 Achieving sustainable development means that the planning system has three overarching interdependent objectives. These are:

- a. An **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b. A **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and green spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c. An **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low-carbon economy.

2.6 We will also need to consider other existing and emerging Government policy including new guidance on design, the requirements of the Environment Bill currently passing through Parliament and a new Planning White Paper that the Government has said will be published shortly.

Oxfordshire Context and Beyond

2.7 Economic growth strategy across Oxfordshire is led by the Oxfordshire Local Enterprise Partnership (OxLEP). It prepares a Strategic Economic Plan (SEP). The current SEP encourages economic investment across a 'Knowledge Spine' which includes the Science Vale in the south of the County, Oxford and Bicester. The SEP also highlights the importance of other projects in our market towns and rural areas. This includes providing rural broadband and providing local residents with sustainable jobs.

2.8 OxLEP has also prepared an Oxfordshire Local Industrial Strategy which sets out an ambitious plan to build on Oxfordshire's strong foundations and world-leading assets, to deliver transformative economic growth which is clean and sustainable and delivers prosperity for all communities across the county.

2.9 OxLEP is one of the strategic partners to the Oxfordshire Growth Board which is a joint committee of all the Oxfordshire councils. One of Board's functions is to oversee the projects set out in the Oxfordshire Housing and Growth Deal. The Deal involves Oxfordshire receiving up to £215 million of central government funding to help support infrastructure provision and the delivery of 100,000 homes across the county by 2031, the production of the Oxfordshire Plan 2050, the provision of additional affordable housing and enhanced economic productivity.

2.10 We cooperate with all our Oxfordshire councils and other key partners on cross-boundary strategic matters, including on the Oxfordshire Plan 2050, and on joint projects such as the Oxfordshire Strategic Infrastructure Strategy. The County Council is producing a new Local Transport and Connectivity Plan (LTCP) which will be a key influence for the Local Plan. As Local Highway Authority, the County Council engages with adjoining authorities and the Highways Agency in developing its proposals

2.11 The Oxfordshire Growth Board provides a collaborative means of engaging with our neighbours in adjoining regions on planning and infrastructure issues and in discussing the Government's ambitions such as those for the Oxford-Cambridge Arc. It provides a collective voice to best represent Oxfordshire's interests in wider strategic discussions.

2.12 This cooperation and joint working will support our evidence and understanding of issues, needs and requirements for the new Local Plan.

Local Context

2.13 We already have a wealth of information that can help us with the Plan including the Council's own strategies and programmes such as Cherwell's Housing Strategy – a key document for the provision of affordable homes.

2.14 The Housing Strategy has three strategic priorities, these are:

- Increase the supply and diversity of affordable housing to ensure the right types of housing are available in the right places
- Improve the quality and sustainability of our homes and build thriving, healthy communities.
- Enhance opportunities for people to access suitable homes and have housing choices

2.15 A Cherwell Industrial Strategy is being produced following stakeholder engagement undertaken in 2019 and early this year. The strategy will:

- contain a long-term economic vision
- set out the Council's economic ambitions for the next 10 years
- establish an economic framework for priorities such as business retention and growth, infrastructure for business, the development of skills, generating enterprise, inward investment and the visitor experience.

2.16 We have been monitoring the effectiveness of our current Local Plan policies to inform our new Plan. We have also started to engage with other council services and our colleagues at the County Council to understand their priorities.

2.17 We will need to gather substantial new information and evidence on many subjects including climate change, green infrastructure (including biodiversity, natural capital, ecosystems, open space and playing fields), transport, health and wellbeing challenges, town centres and retail, economic development, infrastructure provision, land availability, site suitability and deliverability. We will publish this evidence as the Local Plan Review progresses.

Question 2

What evidence do you think the Council needs to prepare the Cherwell Local Plan Review?

2.18 From the work we have already undertaken in reviewing Government policy, national, regional and local strategies and policies, local priorities and engagement we have started to identify some key issues for discussion which we have set out in the following paragraphs.

2.2 District-Wide Issues and Needs

Housing

2.19 The affordability and availability of suitable homes to meet the needs of our residents is a major issue. Average property prices in the District are consistently higher than in England. In September 2019, the average property price in Cherwell (£315,000) was 31% higher than across England (£240,000). The mean affordability ratios are now 10.43 times workplace-based earnings in Cherwell, compared with 10.12 in South East England and 7.83 times in England.

2.20 We already require new affordable housing provision on all major developments and because of the higher level of residential development we have seen in recent years, its provision has increased accordingly. However, the affordability of both market and rented housing, particularly social rent tenure, remains a key issue for us. The important contribution that community led housing and self-build and custom housebuilding can make will need to be considered in developing new planning policies.

2.21 We recognise that many Cherwell residents look to Oxford for work and leisure activities. Banbury has its own hinterland which extends into South Northamptonshire and to a lesser extent West Oxfordshire and Warwickshire. In our rural areas, villages are now predominantly places to live and commute from as the traditional rural economy has declined. London has a significant commuting influence, although we recognise that working from home will increase and may become the norm for many.

Graven Hill



We don't know yet what proposals and policies the new Plan will need to contain. But in the table below and in subsequent sections we provide tables of issues and ideas to think about.

Key Issues	How the Cherwell Local Plan Review might address these key issues
Housing	
<p>To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.</p>	<p>By having a strategy to meet the assessed housing requirements of the district and identifying enough housing sites to meet those requirements.</p>
<p>The need to ensure that location, dwelling size, tenure, provision of affordable housing, specialist housing (including supported living for older people and community-led housing) meets the needs of Cherwell.</p>	<p>By setting out the mix of homes to be achieved on sites around the district having regard to identified needs in the local area.</p> <p>Undertaking a review of affordable housing requirements, taking into account viability.</p> <p>Secure mixed tenure, mixed size developments to enable the provision of balanced new neighbourhoods.</p> <p>Supporting developments that include supported living accommodation for the elderly and those with physical or learning disabilities.</p> <p>Promoting the development of a range of property types and sizes that include accessible and adaptable, and wheelchair accessible homes.</p> <p>Securing homes with flexible living space and adequate outdoor amenity space to allow for increased home working.</p>

Affordable housing for key workers.	Undertaking a review of affordable housing requirements, taking into account viability and exploring opportunities for employers to provide accommodation for key workers.
Do we need to support modern and future building techniques, including modular and off-site construction whilst promoting good design?	Recognising and promoting new modern construction techniques whilst ensuring good design quality and protection of heritage assets.
The need to recognise the contribution of specialist housing models, including but not limited to self-build, custom-build and community-led housing projects.	Promoting self-build, custom-build and community-led housing schemes.
Sites of less than 11 homes do not currently make any affordable housing provision.	Reviewing existing policy on affordable housing thresholds.
The district's rapidly ageing population creates a pressing need for housing to meet the needs of older people in particular.	Supporting developments that include supported living accommodation for the elderly and those with physical or learning disabilities.
New homes often do not meet the nationally prescribed space standards.	Setting out space standards for new developments.
The requirement to meet the needs of travelling communities, including travelling show people and boat dwellers.	Identifying suitable sites for travelling communities.

Economy

2.22 The strength of Cherwell's economy is crucial to prosperity and job creation. Cherwell provides 34% of the total of 6.5 million square metres commercial floorspace in Oxfordshire. Over the last 10 years the District has had an economic activity rate of 80%, which is above the regional and national averages. Unemployment has continued to fall in line with national trends.

2.23 It has a slightly smaller scientific, technical and education sector when compared to Oxfordshire as a whole and wage levels remain lower than surrounding areas. However, Cherwell's work-based earnings are comparable to Oxfordshire and earnings have risen in the last 5 years. Evidence for the previous Local Plan highlighted the need for a range of employment B use classes to be provided in the District, including for B1 and B8 use classes.

2.24 Tourism is a vital component of the national and local economy and can help support local services and facilities, provide employment, promote regeneration and help preserve the natural and historic environment. It can include day visits by local people through to visits from overseas. Tourism spending in Cherwell continues to increase and there is the opportunity to expand this sector further by, for example promoting the unique heritage and landscape of the District.

2.25 Agriculture and food production still form an important part of the local economy. The importance of resilience in the food supply chain has been highlighted by the pandemic. Furthermore, there is growing evidence that the provision of community gardens, and allotment provision to enable people and communities to produce their own food contributes to improvements in health and wellbeing.

2.26 In 2018 there were approximately 77,000 jobs (52,000 full time and 25,000 part time) in Cherwell. This is an increase of 6.9% (5,000 jobs) since 2015 which is more than the percentage increase in jobs experienced in the south east (1.9%) and England (3.7%) over the same three-year period.

Employment at South East Bicester



2.27 Having the right planning policies to support the local economy will now be even more important as we look to 'Re-Start, Re-cover and Re-New' following the pandemic. We want to help sustain businesses, create new opportunities and ensure that jobs are provided.

Key Issues	How the Cherwell Local Plan Review might address these key issues
<i>Economy</i>	
The need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.	Including positive policies for economic growth and productivity building on our strengths, countering any weaknesses and addressing the challenges of the future, including the direct and indirect implications of the Covid-19 pandemic.
Lower average wages than the rest of Oxfordshire and pockets of deprivation and lower educational attainment.	Encouraging and facilitating higher skilled/higher wage jobs and encourage skills and training.
Meeting the needs of different sectors and companies in the District.	Recognising the locational requirements of different sectors of the local economy.
The need to rejuvenate and improve the District's older employment areas and District centres.	Facilitating the regeneration of the District's older employment areas and centres.
The need to support the District's tourism industry in recognition of its importance to the local economy.	Including policies which understand the needs of a diverse tourism industry and supports sustainable growth, where appropriate.
The need to support local agriculture and food production, particularly in the context of changing subsidies and regulations; and recognise the importance of farm diversification to the long-term viability of this sector.	Including policies that support agriculture and food production; and sustainable farm diversification.

Town Centres and Retail

2.28 Retail is one of the top employment sectors in Cherwell and retail premises make up 18% of Cherwell's total business floorspace (338,000 m² in 2019). From 2000 to 2019 Cherwell experienced a 36% growth on retail floor space (89,000 m²), performing strongly when compared to retail growth in Oxfordshire, and England. Along with Oxford City, Cherwell provides 30% of the floorspace for the retail sector in Oxfordshire.

2.29 Our town centres are already under pressure and they have now been particularly hard hit by the Covid-19 pandemic and whilst planning may be unable to provide all the answers for ensuring the future viability and vibrancy of our centres it will certainly have a critical role. However, the continuing shift to on-line retailing and

the impact of the pandemic will hit some businesses harder than others and further change how we use our town centres. We need to do all that we can to support them but may also need to consider land uses other than retail. Should we be encouraging leisure, residential, community and business space in our town centres? Take residential, for example, town centres are accessible to public transport and the residents of new homes support the vitality of existing and new services.

2.30 The public spaces and appearance of our town centres is also important to their success. We have recently seen the effects of having less traffic in our streets on air quality and ambience. We do not know how long social distancing will be necessary but making our streets and public spaces as attractive as possible to pedestrians and wheelchair users will help our quality of life. We may see more demand for retailing activities and from food and drink establishments to operate outside in some of these spaces. We will need to look at our planning policies and work with the County Council as Highway Authority to consider the issues.

Bicester town centre



Key Issues	How the Cherwell Local Plan Review might address these key issues
<i>Town centres and retail</i>	
The need for improvements to the provision, appearance and maintenance of our public realm.	Focusing on design principles which help secure effective interventions in our public spaces. Responding to the changing functions of our town centres. Helping to create a local identity and sense of place.
Preservation and enhancement of heritage in town centres.	Supporting town centre specific solutions. Matters to consider include:

	<ul style="list-style-type: none"> • parking, transport and movement. • preservation and enhancement of local distinctiveness of our town and local centres with locally specific solutions. For example, urban fabric, street patterns, shop fronts and signage.
Improve the vibrancy of the daytime and evening economy.	Supporting the use of town and local centres as places for entertainment and social interaction.
Provision and development of accessibility to help improve the overall vitality and character of Banbury, Bicester and Kidlington town and village centres.	Supporting easy access to our local centres by all, including active travel and car parking infrastructure. Location and design as well as function to be locally specific to each centre.
Cherwell alongside Oxford has the highest concentration of fast food establishments in Oxfordshire.	Facilitating the creation of healthier food environments, including discouraging clustering of fast food outlets.

Community Facilities, Outdoor Sport, Indoor Recreation and Open Space

2.31 The current pandemic has reinforced our understanding that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for our health and well-being. It is also important that we have good quality and accessible community buildings where neighbours can meet, and where social networks and support can be fostered.

2.32 Since our last Local Plan some work has been carried out to assess open space, sport and recreation and community provision in Cherwell and identify deficiencies. Further work will be needed especially as we will need to take into account best practice advice on the benefits of multi-functional, flexible green space, centralised sports hubs and facilities. Nationally and locally there is an increased emphasis on healthy place shaping and the need to secure green infrastructure. Recent studies have also highlighted the need to consider some other issues, for example, whether fewer, larger all-age areas of play are more beneficial than more numerous but smaller, separate areas of play for younger children and whether more centralised sports provision should be sought.

2.33 Fragmented outdoor sports and pitch provision can result in poor quality underused pitches whilst existing club development is constrained by lack of suitable sites/facilities. The Council’s Playing Pitch Strategy and Sports Facilities Strategy 2018 highlighted a number of clubs in the district searching for new sites or in need of additional space in order to accommodate demand.

2.34 We recognise that loss of existing services and facilities has been a particular issue in recent years, particularly in the villages. Parish Councils and defined community groups can request that the Council lists as an Asset of Community Value (AVC) a building or land which contributes to the social well-being of the community. If an asset is listed, and then goes up for sale, the community can be given 6 months to submit a bid.

2.35 Government guidance also provides the opportunity for communities to identify green areas of particular importance to them. If these spaces meet certain criteria set by Government, they can be protected by being designated as a Local Green Space (LGS) in Local and Neighbourhood Plans. Some LGSs have already been designated in the Adderbury, Bloxham and Mid Cherwell Neighbourhood Plans but you may know other areas worthy of protection. There may be areas in your town or village that you think meet the criteria and ought to be considered.

Key Issues	How the Cherwell Local Plan Review might address these key issues
<p><i>Community Facilities, Outdoor Sport, Indoor Recreation and Open Space</i></p>	
<p>Need to ensure adequate provision of the right type of community facilities.</p>	<p>Including standards that ensure that new developments provide sufficient community facilities of the right type, (including during the early phases of development) and community support workers.</p> <p>Providing land for new community facilities provision where justified.</p> <p>Protecting local village services and indicate that listed 'Asset of Community Value' status will be a material consideration in planning applications.</p>
<p>Need to secure adequate formal sports provision and consider whether outdoor sports provision should continue to be secured on site on larger strategic developments or more centralised sports provision sought.</p>	<p>Seeking to secure centralised outdoor sports facilities at the three main settlements with contributions from all development, in lieu of on-site provision for outdoor sports on strategic sites.</p> <p>Providing more informal kickabout areas as part of general amenity open space provision for everyday use by residents.</p>

<p>Need to increase community use of school sports facilities to help meet deficiencies in provision.</p>	<p>Seeking community use of new school facilities where proposed.</p>
<p>Need to ensure that all new developments provide high quality, appropriately located areas of amenity space and that children’s play areas meet the needs of the communities they serve.</p> <p>The importance of quality outdoor spaces has been highlighted by the COVID-19 pandemic.</p>	<p>Encouraging fewer, larger all age areas of play in preference to smaller separate local areas of play for young children.</p> <p>Seeking high quality general green spaces within housing developments for casual recreation and amenity value.</p>
<p>The need to consider whether Local Green Spaces (which are green spaces of particular importance to local communities) are identified.</p>	<p>Designating areas of green space nominated by members of the local community for Local Green Space designation which meet the criteria set by Government policy.</p>
<p>The need to protect and enhance Public Rights of Way and access.</p>	<p>Protecting and enhancing public rights of way, and ensuring that where they cross proposed development sites, they are incorporated in situ wherever possible, rather than being diverted.</p> <p>Taking opportunities to strengthen the network by ensuring new links are secured through development schemes.</p>

Transport

2.36 The Oxfordshire Local Transport Plan, which is currently being reviewed by the County Council provides the strategic framework for transport across the County. Its aim is to support the local economy, growth and competitiveness. It seeks to reduce the impact of transport on the environment, help mitigate against climate change and promote healthy, safe and sustainable travel.

2.37 The County Council is developing its next transport plan as a ‘Local Transport & Connectivity Plan’ recognising connectivity as a key factor enabling sustainable growth with an emphasis on the role digital communications have in a dynamic local economy. The Covid-19 pandemic makes this more important. The County Council has been publicly engaging on its Plan which will be a key strategy to help inform the Local Plan.

2.38 The need to place climate action, healthy place shaping and addressing air quality at the heart of our thinking will be important for both plans in the interest of moving towards a zero-carbon economy and improving well-being.

2.39 We will need to consider how new Local Plan policies can complement those of the transport plan: how we can reduce traffic and support greener transport technology such as the increasing demand for electric vehicle charging points, how we can provide new green spaces for leisure and travel and encourage the provision of new infrastructure for cycling, walking and wheelchair users. Supporting active travel will lead to health benefits and connected communities and will be even more important if social distancing requirements persist.

Key Issues	How the Cherwell Local Plan Review might address these key issues
Transport	
The need to promote sustainable transport.	<p>Encouraging a mix of land uses which minimise the need for motorised travel, particularly by private petrol/diesel fuelled car.</p> <p>Improve walking and cycling accessibility of existing and new development and particularly accessibility to our local centres and key employment areas.</p> <p>Ensure greater integration of transport and Green Infrastructure.</p> <p>Identify and address barriers to improved walking and cycling at a local level.</p>
Traffic congestion.	Aiming for a greater shift to sustainable modes of transport and where necessary facilitate highway improvements to improve movement and accessibility.
Poor air quality caused by vehicle emissions.	Maximising the opportunity for travel without reliance on fossil fuel powered vehicles.
Less than optimum accessibility to rail stations.	Looking for opportunities to maximise the use of rail particularly for longer distance journeys including for freight.

Commercial bus services and routes need to be protected and improved.	Providing opportunities and requirements for bus infrastructure improvements.
Need for new and improved routes for walking, cycling, and wheelchair users.	Ensuring walking, cycling and wheelchair access is central and prioritised in planning for new development.
Noise, vibration and safety issues caused by HGVs.	Working with the County Council in identifying unsuitable routes in planning for new development.

Biodiversity and the Natural Environment

2.40 Maintaining and enhancing a healthy and stable natural environment contributes to the District's attractiveness as a place to live, work and visit and is also important to its economic prosperity. The natural environment provides crucial services of value including fertile soils, clean water, flood prevention and flood storage and access to nature can contribute to people's health and wellbeing. It is important that the value of the natural environment is fully recognised in planning for future development and Natural Capital Mapping recently produced for the district can assist in this.

2.41 Wild Oxfordshire's 'State of Nature in Oxfordshire 2017' report highlighted the need for investment in nature and wildlife and conservation action to help recover species and habitats in the County. Our existing Local Plan seeks to secure net gains to biodiversity through development, with 'Conservation Target Areas' (CTAs) being identified as the most important areas to target strategic biodiversity improvement. Emerging government policy is likely to require development to secure biodiversity net gain in a more measured way and in response to the DEFRA 25 Year Environment Plan the Wildlife Trusts are currently developing a Nature Recovery Network for Oxfordshire (incorporating CTAs) to protect, join up and enhance the most important natural habitats. At a more local level there are various measures that can be incorporated into new development to ensure that it can be constructed in a more nature friendly way to produce environments where people and nature can thrive together.

2.42 Tranquil areas can be beneficial to our health, helping to reduce stress, and may also benefit the economy in attracting visitors to the area. The CPRE's tranquillity map (2007) indicates that our most tranquil areas are concentrated in the north-west of the district in the ironstone downs, including part of the Cotswolds AONB, and in the south of the district in Otmoor. In preparing our new Plan we will need to consider whether to identify and protect those areas which are relatively undisturbed by noise and are valued for their recreational and amenity value.

2.43 Light pollution mapping shows high levels of light pollution above Banbury, Bicester, Kidlington and Yarnton, however there are still significant areas of the district with relatively low levels of light pollution, with the CPRE estimating that Cherwell is the 103rd darkest district out of 326 in England. Whilst artificial light can in some cases

be necessary and beneficial it can also be the source of annoyance, have a detrimental impact on the character of the countryside, the tranquillity of an area and the enjoyment of the night sky, and be harmful to wildlife. Do you have a view on whether we should seek to limit the impact of light pollution?

2.44 We will need to consider what new policies are needed to secure biodiversity gain and protect and enhance the natural environment in Cherwell.

Key Issues	How the Cherwell Local Plan Review might address these key issues
<i>Biodiversity and the Natural Environment</i>	
Need to ensure that an ecosystems approach is taken to development.	Use Natural Capital Mapping to inform the review of the Plan and include a policy requirement for an ecosystems approach be taken in the consideration of planning applications to ensure that the wider benefits of natural capital are taken fully into account.
The need to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species, and the identification and pursuance of opportunities for securing net measurable biodiversity gain.	Measures for biodiversity enhancement could include: <ul style="list-style-type: none"> • requiring net gain percentages to be achieved by development. • establishing a method for measuring net gain. • the specification of a mitigation hierarchy. • biodiversity offsetting. • a requirement for developers to use the Building for Nature tool. • supporting the provision of Green Infrastructure networks.
The need to identify where development would be inappropriate. For example, identification of ‘valued landscapes’, areas of environmental or historic significance, and areas of tranquillity.	Protecting areas where development is inappropriate.
Impact of light pollution on the environment.	Including a policy on light pollution.

Soil protection and enhancement including land contamination and land instability.	Requiring developments to have soil management plans, appropriate surveys and mitigation measures.
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Heritage

2.45 Our heritage assets range from sites and buildings of local historic value to those of international significance. We also have Blenheim Palace World Heritage Site on our doorstep. We are all familiar with listed buildings and churches, but heritage assets also include historic parklands and gardens such as those at Rousham and Wroxton, and historic battlefields, such as at Cropredy. Many of our important heritage features are hidden underground and these are often designated as ancient monuments. These assets are an irreplaceable resource and we need to conserve them in a way that is appropriate to their significance, so that they can be enjoyed for their contribution to our quality of life and that of future generations.

Key Issues	How the Cherwell Local Plan Review might address these key issues
Heritage	
The need to protect, preserve or enhance designated and non-designated heritage assets.	<p>Provide a local framework for the assessment of development proposals that impact heritage assets.</p> <p>Identify locations for development that enable us to protect or enhance our assets</p> <p>Examine the potential to assist the appreciation of our heritage assets, for example by supporting the development of Green Infrastructure networks and active travel routes</p>

Question 3

Do you have any observations on the district-wide issues we have identified? Are there any others you would like to raise?

Banbury

2.46 With a population of 47,600 (2018) Banbury is the largest of the three main centres in Cherwell. It plays an important role as a market town supporting its wider rural hinterland and attracts employees and shoppers from a broad catchment of surrounding towns and villages.

2.47 Banbury has a notable history, which is particularly evident in its attractive town centre. The quality and distinctiveness of the town centre, its residential areas, heritage, green spaces and employment areas are all important to the health and well-being of existing and future residents and in attracting new businesses and visitors to the town.

Economy

2.48 Banbury's economy is focused on manufacturing, distribution, service industries, local government and health. Generally, in recent years it has enjoyed low levels of unemployment, but we still think there is a need to diversify its economy further, attract more highly skilled businesses and continue to increase the levels of education, training and ambition in the town.

2.49 The Oxfordshire Industrial Strategy identifies the town as an important Industrial area for motorsport, building on its links to Silverstone Park in neighbouring Northamptonshire. Familiar, high profile companies include Prodrive, Haas and Arden International.

2.50 The economy of the town benefits from its location on the M40, and its excellent transport links to Oxford, the south east and the Midlands. It has the most employment floorspace in Cherwell, with sectors including distribution, retail, motorsport, food production, manufacturing and office development.

2.51 Our last Local Plan recognised the importance of Banbury to the local economy and so we included policies which allocated approximately 60 hectares of employment land and aimed to:

- Create new job opportunities and investment in the local workforce
- Promote the town as an important location for higher technology and knowledge-based industries
- Build on its manufacturing base and encourage high-end manufacturing

Banbury town centre



- Maintain an increase in motorsport industries
- Encourage retailing and commercial leisure development
- Encourage higher-value distribution companies
- Maximise the town's location and transport links

2.52 The Council's Banbury Masterplan published in 2016 embraced these aims and highlighted how, by driving the engineering economy and investing in infrastructure and skills, economic growth in Banbury could be achieved.

2.53 We have subsequently seen a mix of new employment proposals, typically contained within large buildings in the vicinity of the M40 junction. This has included companies involved in the space industry and motorsport, manufacturing and food distribution. Banbury's more traditional industrial estates continue to see a turnover of companies and take up of floorspace.

Town centre

2.54 The historic and attractive town centre is anchored by the Castle Quay shopping centre which contains a number of national retailers. Independent retailers are also well represented in the town particularly in the High Street and along Parsons Street. There is a vibrant night-time economy with a wide selection of bars and restaurants.

2.55 We are currently witnessing significant improvements to the town centre, most notably the construction of Castle Quay 2 to the east of the existing centre. This major investment by the Council will provide a new hotel, cinema, restaurants, retail and car parking and will transform this part of the town.

2.56 Previous local plan policies have also recognised the need to respond to issues in the Canalside area of the town, including the need to improve access to the railway station and provide improvements to the public realm, particularly along the Oxford Canal and River Cherwell corridors. We have made some significant progress but there is still more to do.

2.57 If there are any other areas of the town centre that you think need improvement, then please let us know.

Transport

2.58 The M40 junction 11 connects the town to the wider national road network, but access is limited to this one junction which causes pollution and congestion problems

2.59 Congestion and air pollution is further exacerbated by the limited number of distributor routes across the town which concentrate traffic onto a small number of roads. In recognition of the pollution problems Air Quality Management Areas in North Bar Street/South Bar Street and along the A422 Hennef Way, have been declared. Congestion is also not helped by the fact that lorry parking in the town is limited which sometimes leads to parking in inappropriate locations.

2.60 Whilst the town centre and residential areas are well served by public transport many of the employment areas to the north and east of the town have a poor service particularly outside peak times. Many also have poor quality cycle and pedestrian links. Is this something we should look to improve?

Community and Social Issues

2.61 Banbury is a thriving and successful town, but we recognise that it does face some challenging community and social issues. In particular, some areas fall within the 10% most deprived wards in England. Indicators of deprivation include educational attainment, anti-social behaviour, drug abuse, health and life expectancy, child well-being, access to services and facilities, and access to good quality affordable housing. There are also issues with isolation and loneliness. Our last local plan sought to expand and diversify the town's economic base, reduce levels of deprivation, provide new services and facilities including for culture and recreation in response to some of these long-term issues, but again we think we can do more.

Landscape setting

2.62 Banbury essentially lies in a 'bowl' in the landscape. Local residents value the attractive countryside surrounding the town. To the west is the historic landscape, typified by steep sided valleys and attractive villages, the Cherwell Valley runs north south and to the east, beyond the M40, the rising landform runs in to the South Northamptonshire countryside.

Banbury	
Key Issues	How the Cherwell Local Plan Review might address these key issues
The need to support the vitality and viability of the town centre and improvements to the public realm.	Include flexible policies that strongly support the town centre and achieve improvements to the public realm.
Improve daytime, evening and night-time use of the town centre.	Include policies that provide a positive framework for the growth, management and adaption of the town centre.
Encourage new businesses to occupy vacant shops and introduce initiatives to expand vacant shops use	Provide flexible policies to encourage the reuse of vacant shops and buildings within town centres.
High concentration of fast food establishments (Banbury Cross and Neithrop ward)	Explore relationship of fast food establishments and deprivation and health and if required include a policy restricting the clustering of fast food establishments in parts of the town.
Growth potential of the town	Review landscape studies to help consider the long-term growth potential of the town
The need to build on Banbury's location on the M40 and its diverse economic base.	Provide sufficient employment land to meet the locational requirements of different sectors.
The need to provide sufficient employment land.	Assess whether there is a need for further employment land and provide appropriate sites and policies.
The need to continue to improve training and skills.	Include policies that promote improved training and skills.
High levels of isolation and loneliness	Include policies that recognise the importance of mechanisms to facilitate social interaction, such as the provision of well-managed community facilities.
Need for additional secondary school provision.	Continue to identify land for secondary school provision at south Banbury.

<p>Need to address identified deficiencies in open space, sport and recreation provision through enhancement of existing facilities or securing new provision.</p>	<p>Include policies that:</p> <ul style="list-style-type: none"> • protect existing provision. • secure contributions from all development to enhancement of existing provision. • include positive planning policies towards new open space, sport and recreation provision. • secure new on-site provision as part of larger strategic developments. • allocate sites for open space, sport and recreation provision.
<p>Shortage of burial space.</p>	<p>Continue to include a policy requiring developer contributions towards additional cemetery provision and include a site allocation for cemetery provision.</p>
<p>Need to improve green infrastructure provision in the town.</p>	<p>Review current adopted policies to include the key component parts of and approach to green infrastructure in the town.</p> <p>Allocate sites to contribute to the GI network.</p>
<p>Need to protect and enhance the canal and river corridors through the town in terms of ecological connectivity.</p>	<p>Include a policy which seeks to enhance the River Cherwell Conservation Target Area (CTA) and the objectives of the emerging Nature Recovery Network.</p>
<p>Need for a South East Link Road to improve access to employment areas and relieve traffic congestion along the central corridor/Bridge Street area.</p>	<p>Explore with the County Council road links from the south of the town to the employment areas adjacent to the M40 and if necessary, safeguard a proposed route.</p> <p>Include policies to improve pedestrian cycleway links to employment areas.</p>
<p>Lack of overnight lorry parking.</p>	<p>Investigate possibility of providing facilities for overnight lorry parking.</p>
<p>Need to protect views of St Mary's Church</p>	<p>Undertake a review of current policy which protects the views of the church.</p>

Ensure continued delivery and implementation to meet existing objectives	Develop new policies that complement and do not undermine existing commitments.
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Question 4

Do you have any observations on the Banbury issues we have identified? Are there any others you would like to raise?

Bicester

2.63 Bicester is a rapidly expanding historic market town with a long-standing military presence. The town has a current population of approximately 35,500 (2018).

2.64 In 2009 Bicester was chosen as a location for the development of an Eco-town. The vision for Eco or North West Bicester, is one of a low-carbon community, including 40% green space where 50% of journeys from new development are made by sustainable modes, rising to 60% over time.

2.65 In 2014 Bicester was awarded Garden Town status by the Government and it is now acknowledged as a key area for growth in the UK, receiving central government funding to provide a range of new homes, located in well planned, healthy communities, with plenty of access to green spaces. The project enables local people to choose how and where they work. Businesses are being attracted to the area providing good local jobs, easily accessible by sustainable transport links. Excellent road and rail routes connect the town to London, Birmingham and Oxford. Coworking sites have been established to enable people to choose an alternative to the lengthy daily commute.

2.66 Garden Town status brings Government funding to carry out studies to enable the town’s managed growth. These studies support bids to fund the delivery of infrastructure and improvements allowing for the expansion of Bicester and creating a balanced, progressive town.

2.67 In 2016 Bicester was selected as one of 10 exemplar healthy new towns. The Healthy Bicester Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future.

2.68 Bicester has seen great change in recent years with town centre improvements, the development of the Kingsmere urban extension and Vendee Drive perimeter road, a new cottage hospital, new superstore and new highway infrastructure along the A41 and other commercial developments.

2.69 Our last local plan allocated land for over 10,000 new homes, of which over 2,400 have already been constructed. Graven Hill, with up to 1,900 homes, is the largest self-build scheme in the country. The first phase was released in 2016 and the development is growing fast with a new primary school, community centre, shops, cafes and a local pub planned.

Retail and leisure

2.70 Bicester has an historic market and retail centre. Its attraction for retail, leisure and tourism has grown enormously. In recent years redevelopments have resulted in the opening of Pioneer Square with a new seven screen cinema, large supermarket, multi-storey car park, smaller retail outlets, civic buildings including a library and a new hotel.

2.71 First opened in 1995, Bicester Village designer shopping outlet, comprising boutique stores along open-air pedestrianised lanes, has grown to become one of the UK's top internationally significant tourist attractions, with over 7 million visitors in 2019.

2.72 Bicester Motion (formerly Bicester Heritage) based at the former RAF Bicester site has developed to become a key employment, heritage and tourism centre as encouraged by the last Local Plan. Former RAF Bicester is an inter-war airfield described by Historic England as "the best-preserved bomber airfield dating from the period up to 1945". It is now home to specialist businesses in the historic motoring industry with over 90% of the buildings restored or re-activated for modern business use. The original grassed flying field has been retained and the site hosts an annual 'Flywheel' event with crowds visiting to see motoring, aircraft and military displays.

Economy

2.73 Bicester's economy benefits from its location close to Oxford within the Oxfordshire Knowledge Spine and the Oxford-Cambridge Arc. The town's economic base includes defence activities, distribution, retail, motorsport and office development. The Oxfordshire Industrial Strategy identifies Bicester as an Eco Zone & Corporate HQ Hub providing an opportunity for 'living labs' - user-centred facilities where research and innovation is concurrently integrated with the active operational/economic use of the building often as part of a public-private partnership. They can help develop real-world solutions to users' problems.

Knowledge Spine



2.74 Our last local plan proposed significant employment growth at Bicester with the following aims:

- Creating new job opportunities, skills and investment in the local workforce
- Becoming an important self-sustaining economic centre as a location for higher technology and knowledge-based industries
- Encouraging higher value distribution companies
- Development of a low carbon economy
- Improvement of existing employment areas
- Maximising its location and transport links including rail opportunities
- Expanding the town centre
- Promoting Bicester through methods such as the Bicester Marketing Board

2.75 This Plan made a step change in the amount of employment land identified at Bicester by allocating over 140 hectares of employment land as part of a strategy to increase the supply of jobs to match housing growth, in order to reduce out commuting and improve the self-sufficiency of the town.

2.76 A significant proportion of this allocated land now has planning permission, but completions are generally lower than in Banbury. We have sought to attract higher-technology and knowledge-based businesses to the town, but the predominant new employment use is large warehousing (B8). However, it is encouraging that planning permission has also been granted for office and light industrial development on allocations to the south of the town where some limited commercial leisure uses are also being developed. New heavy industry has been very limited at Bicester. It maybe that you have a view on the type of employment buildings being built in the town?

2.77 Bicester’s traditional industrial estates continue to see a turnover of companies and take up of floorspace with some loss of employment space to commercial leisure uses (such as play centres) and to new homes.

2.78 Bicester is generally less constrained than Banbury in terms of landscape sensitivity. The challenge for us is to continue the success achieved to date and support the transition from a small market town to a thriving Garden Town that remains attractive for both public and private investment.

Bicester	
Key Issues	How the Cherwell Local Plan Review might address these key issues
The need to continue to support the vitality and viability of the town centre and improvements to the public realm.	Include flexible policies that strongly support the town centre and achieve improvements to the public realm.
Improve daytime, evening and night-time uses in the town centre.	Include policies that provide a positive framework for the growth, management and adaption of the town centre.
Encourage new businesses to occupy vacant shops and introduce initiatives to expand vacant shops use	Include flexible policies to encourage the reuse of vacant shops and buildings within town centres.
Continuing out commuting from the town.	Assess whether there is a need to identify new employment land in the town to meet the needs of the local population and provide appropriate sites and policies.
The need to attract more high-tech knowledge-based industries building on the location of Bicester within the Oxford Knowledge Spine.	Provide sufficient employment land to meet the locational requirements of these sectors.

The supply of sufficient employment land.	Assess whether there is a need for further employment land and provide appropriate sites and policies.
Need to address identified deficiencies in open space, sport and recreation provision through enhancement of existing facilities or securing new provision.	<p>Include policies that:</p> <ul style="list-style-type: none"> • protect existing provision • secure appropriate contributions from all development to enhancement of existing provision • include positive planning policies towards new open space, sport and recreation provision • secure appropriate new on-site provision as part of larger strategic developments • allocate sites for open space, sport and recreation provision
High levels of isolation and loneliness in Bicester Town.	Include policies that recognise the importance of mechanisms to facilitate social interaction, such as the provision of well managed community facilities.
Need to continue to improve green infrastructure, including those components that are valuable for wildlife, in the town.	Review current policy to include the key component parts of, and approach to green infrastructure in the town.
Requirement for the Eastern Peripheral Road.	Continue to require existing and proposed development sites to financially contribute to this critical scheme in accordance with the CIL Regulations.
Need to discourage unnecessary car trips within the town centre.	Include policies that encourage park and ride, park and cycle/walk and other means of active travel.
London Road level crossing.	Provide a policy context to ensure delivery of a solution to the major severance of the town centre for residents in south-east Bicester caused by the level crossing.
Ensure continued delivery and implementation to meet existing objectives	Develop new policies that complement and do not undermine existing commitments

Question 5

Do you have any observations on the Bicester issues we have identified? Are there any others you would like to raise?

Kidlington and Surrounding Villages

2.79 Kidlington is Cherwell's smallest urban centre but proudly its largest village with a population of about 15,000. Together with its neighbouring villages of Yarnton and Begbroke, it has an immediate and close relationship with Oxford. The Cherwell parish of Gosford and Water Eaton comprises the area north of Cutteslowe in Oxford, but it also includes part of the built-up area of south-east Kidlington.

2.80 Kidlington functions as a local shopping and employment centre. The wider Kidlington area includes London-Oxford Airport (the Thames Valley area's primary regional and business aviation airport), and the University of Oxford's Begbroke Science Park, which has a focus on high-tech science-based business linked to the University. Langford Lane (north Kidlington) is a further economic growth area.

2.81 Our last district-wide local plan seeks to strengthen Kidlington's village centre and to maximise the economic opportunities presented by the village's location on the Oxfordshire 'knowledge spine'.

2.82 It identified the need for some small-scale employment growth at Kidlington with the following aims:

- Exploiting its position in the Oxford Cambridge Arc
- Allowing for growth of the Science Park, Langford Lane and London Oxford Airport
- Creating opportunities in the village centre for retail, leisure and cultural activities

2.83 The subsequent Kidlington Framework Masterplan (2016) highlights how important Kidlington is to the Cherwell economy with its significant employment areas, schools, retailing, public services and transport infrastructure such as the recently opened Oxford Parkway station.

2.84 We are awaiting a Planning Inspector's Examination Report on the Partial Review of the Local Plan - a Plan prepared to help Oxford with its unmet housing need. Should the Council adopt that Plan, having considered the Inspector's Report,

Kidlington



it would allow for 4,400 homes to be developed in the Kidlington/Gosford/Yarnton and Bebroke area. That Plan has been consulted upon previously and been the subject of public hearings. It is not the subject of this consultation.

2.85 Nevertheless, implementation of that Plan will lead to significant change in the area with new residential neighbourhoods and accompanying community facilities, open spaces, green infrastructure, public transport connections and routes for walkers, cyclists and wheelchair users.

2.86 As this area develops, you may have views of what additional planning policies may be required to guide future development or protect key assets in meeting Cherwell's needs.

2.87 Just under 14% of Cherwell lies within the Oxford Green Belt. We anticipate that any new countywide strategic matters and issues relating to the Oxford Green Belt will be addressed by all the Oxfordshire authorities working collaboratively through the preparation of the Oxfordshire Plan 2050. More information on that Plan is available at <https://oxfordshireplan.org/>.

Kidlington and Surrounding Villages	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Need to encourage and support economic activity in the village centre.	Consider the scope for detailed planning policies having regard to the recommendations of the Kidlington Framework Masterplan and development opportunities within the existing built-up area.
Need to improve connectivity between the existing village centre and the civic, community and green open space at the Exeter Hall area.	
Desire to improve the character and appearance of the village centre, the public realm and the built environment more generally.	
Review whether sufficient community facilities are being provided to support local need (e.g health)	Work with authorities including the Oxfordshire Clinical Commission Group to objectively identify any specific needs that could be planned for
Local Green Belt policy for the longer term	Review local policy requirements once the Partial Review of the Local Plan has concluded and in light of the preparation of the Oxfordshire Plan

<p>Provision of affordable housing in the context of Green Belt constraints</p>	<p>Review opportunities within the existing built-up area and whether rural exception site policy could provide a means of supply</p>
<p>Promote beneficial uses of the Green Belt to support access to the countryside and healthy lifestyles</p>	<p>Consider policies that would encourage opportunities, for example for improved access, informal recreation and retention and enhancement of landscapes, visual amenity and biodiversity.</p>
<p>Address identified deficiencies in open space, sport and recreation provision through enhancement of existing facilities or securing new provision.</p>	<p>Where required, include policies that:</p> <ul style="list-style-type: none"> • protect existing provision. • secure appropriate contributions from development towards the enhancement of existing provision. • include positive planning policies towards new open space, sport and recreation provision. • secure appropriate new on-site provision as part of larger strategic developments. • allocate sites for open space, sport and recreation provision.
<p>Continue to improve connectivity for sustainable modes of transport including buses, cycling and walking.</p>	<p>Include policies that continue to promote healthy and sustainable modes of travel.</p>
<p>Continue to improve green infrastructure provision.</p>	<p>Consider policy that sets out the key component parts of, and approach to green infrastructure in the area.</p>
<p>Need to protect and enhance the canal and river corridors, particularly for ecological connectivity.</p>	<p>Include a policy which seeks to enhance the River Cherwell Conservation Target Area (CTA) and the objectives of the emerging Oxfordshire – wide Nature Recovery Network.</p>
<p>Support innovation and research capacity in the local economy; implement planning policies to secure high value employment in the vicinity of key assets such as Begbroke Science Park and London Oxford Airport.</p>	<p>Consider how the new Plan can assist the implementation of existing objectives; explore other appropriate opportunities within the area, subject to Green Belt considerations.</p>

Provision of a new park and ride on the A44 at London -Oxford Airport.	Review whether a policy is needed to safeguard this site for delivery.
Localised flooding and drainage issues.	Where possible seek solutions to reduce flood risk from all sources including ground and surface water.
Ensure continued delivery and implementation to meet existing objectives.	Develop new policies that complement and do not undermine existing commitments.

Question 6

Do you have any observations on the Kidlington issues we have identified? Are there any others you would like to raise?

Heyford Park

2.88 Within the rural area of the District lies the 500 hectare former RAF Upper Heyford site vacated by the US Air Force in 1994. Since 1996 we have been supporting residential and commercial development on this extensive site to secure our aim of achieving environmental improvements and the conservation of this internationally significant former Cold War airbase.

2.89 Located at the top of a plateau and set within open countryside the site is not without landscape and environmental constraints. The land to the west falls sharply to the Cherwell Valley. The Grade 1 listed Rousham Park is located in the valley to the south-west. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the site, whilst the former airbase itself is a designated conservation area. There are also a number of Scheduled Ancient Monuments, listed buildings, and non-designated heritage assets of national importance on site. Much of the airfield is of ecological importance and includes a Conservation Target Area, and a Local Wildlife Site.

2.90 The current Local Plan provides for the development of a community of approximately 2,300 new homes of which nearly 600 have been built. Today the area is our newest parish and the community is now known as Heyford Park. The site currently has over 120,000 square metres of commercial accommodation and it has established itself as one of Oxfordshire’s leading business parks, attracting a broad range of occupiers.

2.91 We continue to support the implementation of the Local Plan policy to ensure that this new community is provided with the appropriate local education, recreation and other facilities required and that the policies relating to heritage and environmental

objectives are met. A planning application is being considered by the Council which includes a masterplan for the site providing for the additional homes, new employment opportunities and facilities. It is expected to be determined soon.

2.92 Without prejudice to the determination of that planning application (which must be separate from this consultation), you may have views on the key issues for the future – whether this is about supporting what is already committed (e.g providing for additional facilities such as a cemetery as has been highlighted by the Parish Council) or about the longer term (e.g the Oxfordshire Industrial Strategy identifies the site as providing the opportunity to deliver a creative city for film and television).

2.93 In May 2019 a Mid-Cherwell Neighbourhood Plan was completed and made part of the statutory Development Plan. The Neighbourhood Plan area comprises 11 parishes which surround Heyford Park and includes planning policies to encourage the use of brownfield sites, to resist the loss of countryside, to reinforce a sense of rurality and to help control development at the villages building upon policies in the existing local plan.

2.94 Whilst we presently expect the steer for future broad locations of growth across the county to come from the Oxfordshire Plan 2050, we would welcome your views on the key issues we may need to consider. We will need to ensure that our existing Local Plan commitment is delivered, and we believe that the time has become to consider how Heyford Park fits into our settlement hierarchy – our categorisation of villages. But will there be wider development, community, heritage, sustainable transport and environmental issues that we need to consider in the next Local Plan?

Heyford Park	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Need to consider the categorisation of the settlement.	Undertake a review of Policy Villages 5 which currently sets out the level of growth at the settlement up to 2031.
Need to assess potential for future employment growth within environmental and accessibility constraints.	Provide an appropriate policy basis for future employment development.
Need to address any identified deficiencies in open space, sport and recreation provision through enhancement of existing facilities or securing new provision.	Undertake review of the existing policy to determine appropriate open space, sport and recreation provision. Protect existing provision, where appropriate secure contributions from development towards enhancement of existing provision.

	<p>Include positive planning policies towards new open space, sport and recreation provision.</p> <p>Where appropriate, secure new on-site provision as part of any larger developments.</p>
Need to consider the impact of development on the newly designated Conservation Target Area (CTA).	Review existing policy for the area to ensure that the CTA is taken in to consideration.
Need to continue to improve green infrastructure, including those components that are valuable for wildlife in the parish.	Review current policy to include the key component parts of and approach to green infrastructure in the parish.
The need to provide local services and facilities to meet the needs of the existing and future population.	Seek appropriate contributions from development towards improving local services and facilities.
Need to improve bus, rail, pedestrian and cycling connections.	Include policies to promote healthy and sustainable modes of travel.
Impact of HGV traffic on surrounding villages.	Include a policy to mitigate against this impact.
The need to recognise the historic significance and character of the Cold War site as a whole when considering future development proposals.	Continue to include policies which require development proposals to preserve and enhance this internationally significant heritage asset.
Need to provide public access and interpretation of the historic significance of the former Cold War site.	Continue to include policies which require public access and interpretation of the former Cold War site.
Identified need by the parish council for the provision of burial space within the settlement.	Seek to facilitate the provision of burial space within the parish.
Ensure continued delivery and implementation to meet existing objectives.	Develop new policies that complement and do not undermine existing commitments.

Question 7

Do you have any observations on the Heyford Park issues we have identified? Are there any others you would like to raise?

Rural Areas

2.95 There are over 90 villages and hamlets in the District. Bloxham in the north with a population of just over 3,000 is the second largest village after Kidlington. Adderbury, Deddington, Hook Norton and Bodicote all have populations in excess of 2,000. In total approximately 31% of the District's population live outside the three main urban areas.

2.96 Each of Cherwell's villages has its own unique character and many have conservation areas which help to conserve and enhance their historic core. All villages have seen growth over the centuries, and some have grown significantly in the 20th and 21st centuries.

Bloxham

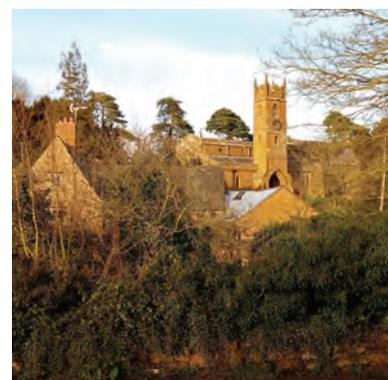


2.97 In general Cherwell's villages can be characterised as having a relatively limited range of services and facilities, although we recognise that there are significant differences. Larger villages often have some or all of the following; a post office, primary school, shop, pub, bus service, and recreation and community facilities. Some also have local employment opportunities. Unfortunately, in recent years some of these facilities have been lost. In particular, a number of pubs have closed, and rural bus services have been significantly reduced.

2.98 We recognise that although the area is relatively affluent, high house prices and lack of public transport mean that those on limited incomes, and those seeking to live, work and access services locally, can be disadvantaged.

2.99 Government rural housing policy seeks to be responsive to local circumstances and support housing developments that reflect local needs. In order to promote sustainable development this new housing should be located where it will enhance or maintain the vitality of rural communities. Our last Local Plan reflected this approach by defining a hierarchy of settlements which considered the following factors:

Balscote



- The availability of services and facilities including shops and post offices
- Primary and secondary school provision

- Public transport availability
- Accessibility to the towns and other villages
- Employment sites
- Population size

2.100 Whilst minor infilling and conversions is supported (in principle) in many villages, larger developments are restricted to the more sustainable settlements, (known as Category A settlements). There are currently 24 Category A villages however, we are aware that since the last surveys informing village categorisation levels of services and facilities may have changed.

2.101 We therefore intend, with the assistance of parish councils and the local communities, to re-survey each village to fully understand current levels of services, facilities and accessibility. We will also need to review and define our approach for distributing any future rural housing and employment growth, once that has been defined. In formulating this approach, we will be mindful of the levels of growth experienced by some villages and explore the pressures placed on local infrastructure, including the local road network, primary health provision and school places. Planning appeal decisions affecting some areas of the district have been controversial locally and led to calls from some for village categorisation to be re-examined and rural housing distribution to be re-considered.

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Station Road, Bletchington



2.102 Cherwell's rural areas have a diverse economy, including village centres, employment sites accommodating a wide range of industries, military bases and other previously developed land and operations. These may provide opportunities for redevelopment and expansion for local business and community needs. We also recognise that agriculture and food production still form an important component of the local economy.

2.103 The last Local Plan seeks to limit employment growth in the rural areas whilst promoting:

- Farm diversification
- Development on appropriate small-scale employment sites
- Re-use of existing sites
- Home working

2.104 The character of the rural area is varied and includes land of significant landscape and biodiversity value. A small part of the Cotswolds AONB lies within the north-eastern part of the District and to the south lies the Oxford Meadows Special Area of Conservation. This environment helps attract tourists to the area to destinations such as the Hook Norton Brewery, the Cropredy Festival and the Oxford Canal. The District's economy also benefits from having major attractions on its doorstep including Blenheim Palace, Warwick Castle and Stratford-upon-Avon.

2.105 Whilst Cherwell has many attractive villages with valued built and natural environments, high house prices and a reliance on commuting by private car could disadvantage those of limited means, and those seeking to live, work and access services locally. There are also some pockets of deprivation in Cherwell's rural areas.

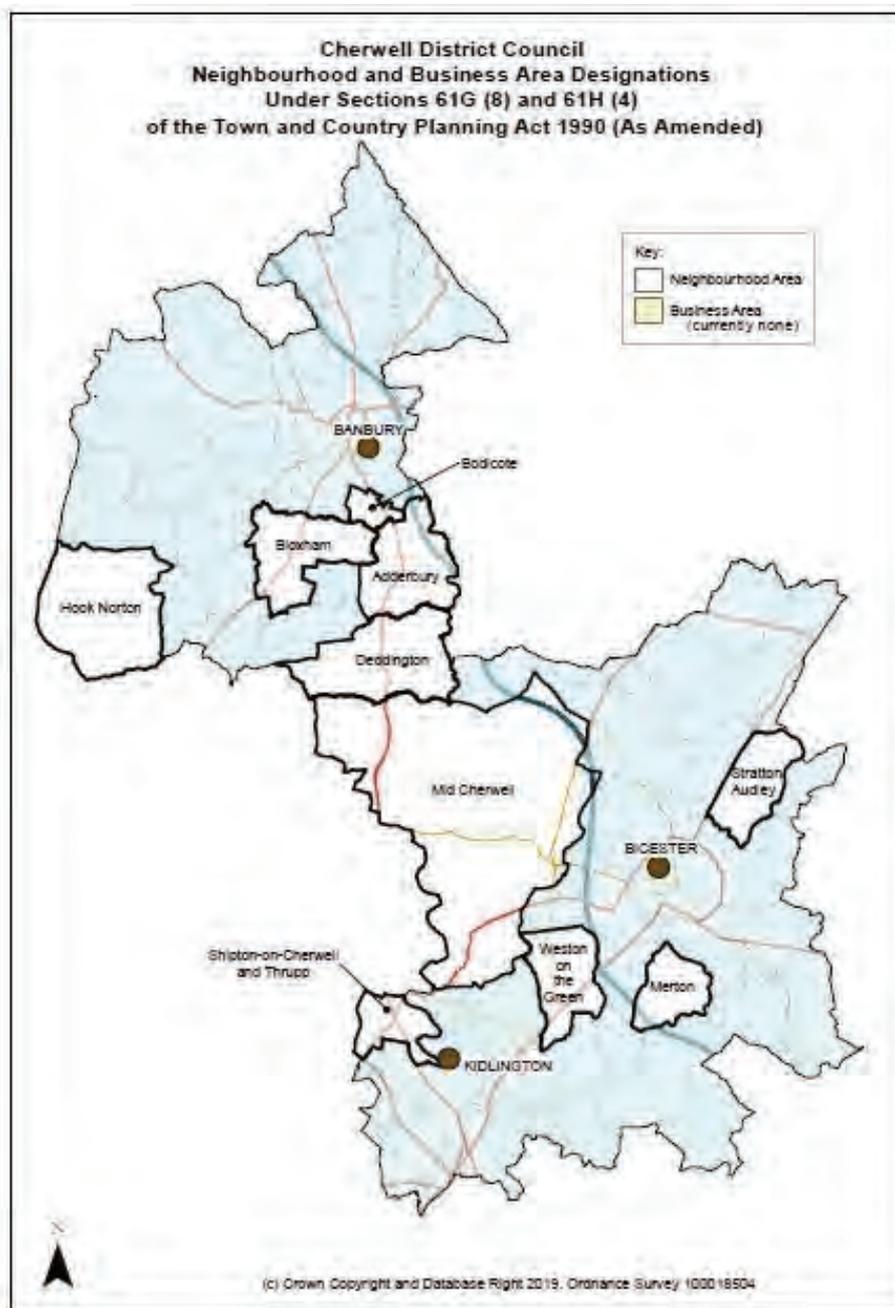
2.106 The current Local Plan seeks to protect and where possible enhance local services and facilities. There are policies to protect the natural and built environment.

2.107 In addition to Cherwell's local plans a number of rural parishes in the District have prepared or are in the process of preparing Neighbourhood Plans. These Plans, prepared by the community, provide the opportunity for local concerns on social, environmental and economic issues to be addressed through spatial planning policies. Currently there are neighbourhood plans for Bloxham, Adderbury, Hook Norton and Mid Cherwell (covering the parishes of Ardley with Fewcott, Duns Tew, Fritwell, Kirtlington, Lower Heyford, Middle Aston, Middleton Stoney, North Aston, Somerton, Steeple Aston and Upper Heyford). Weston-on-the Green Neighbourhood Plan is well advanced. Plans are also progressing for Deddington and Shipton on Cherwell and Thrupp. The Local Plan Review will need to have regard to the policies in these neighbourhood plans.

Oxford Canal, Cropredy



Map of Neighbourhood Areas



Rural Areas	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Many residents have poor access to services and facilities.	Include policies that help protect vital local village services.
Changes to the level of services and facilities in villages.	Undertake review of village categorisation to reflect the current provision of services, facilities and other sustainability criteria more widely and explore the need for flexibility in policy to take in to account future changes.
The need to provide housing to meet local need and to support the rural economy.	Allocate sufficient housing in the rural areas to meet local need.
The need to sustainably support and diversify the rural economy.	Provide policies for sustainable rural employment to meet the needs of the local population.
Need to address any identified deficiencies in open space, sport and recreation provision through enhancement of existing facilities or securing new provision.	<p>Protect existing provision.</p> <p>Where appropriate secure contributions from development towards enhancement of existing provision and include positive planning policies towards new open space, sport and recreation provision.</p> <p>Where appropriate secure new on-site provision as part of any larger developments and determine appropriate level of provision depending on size and character of settlement.</p>
Need to identify and protect important gaps and avoid coalescence of settlements.	<p>Review existing policy to protect important settlement gaps and avoid coalescence.</p> <p>Consider introducing settlement boundaries.</p>

Need to protect and enhance the natural and built environment.	Review existing policies that seek to protect and enhance the natural and built environment.
Need to protect local distinctiveness and settlement pattern of villages when assessing development proposals.	Review existing policies that seek to protect local distinctiveness and settlement patterns.
Need to protect countryside from unnecessary development.	Review existing policies that seek to protect the countryside from unnecessary development.
Localised flood risk.	Ensure development helps to remove existing flood risk from all sources. Utilise natural flood alleviation measures wherever possible.

Question 8

Do you have any observations on the rural issues we have identified? Are there any others you would like to raise?

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3 Key Themes

3.1 We are proposing that there are three central overarching themes that will influence and shape the future of Cherwell District. These themes, which are consistent with the Government's three objectives for the planning system to achieve sustainable development are:

1. maintaining and developing a **Sustainable Local Economy**;
2. meeting the challenge of **climate change**;
3. **healthy place shaping**.

Question 9

Do you agree with the Key Themes identified? Are there other Key Themes the Plan should address?

Theme 1: Maintaining and Developing a Sustainable Local Economy

3.2 Government planning policy has the economic objective of building a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, improved productivity; and by identifying and coordinating the provision of infrastructure.

3.3 In 2017 the government produced the National Industrial Strategy which seeks to boost productivity by backing businesses to create good jobs and increase the earning power of people throughout the UK with investment in skills, industries and infrastructure.

3.4 The Oxfordshire Local Industrial Strategy (LIS) (2019) produced by the Local Enterprise Partnership (LEP) sets out an ambitious plan to build on Oxfordshire's strong foundations and world-leading assets, to deliver transformative growth which is clean and sustainable and delivers prosperity for all communities across the county. It highlights how Oxfordshire has a well-balanced, resilient economy which has been instrumental to its track record of continued growth. Output growth has continued to be strong since the financial crisis (3.9 per cent per annum since 2007), well above national averages and even during the last recession Oxfordshire continued to grow.

3.5 Oxfordshire's LIS Vision Statement is; 'To position Oxfordshire as one of the top three global innovation ecosystems by 2040, building on the region's world leading science and technology clusters to be a pioneer for the UK in emerging transformative technologies and sectors.'

3.6 The emerging Cherwell Industrial Strategy, which is informed by the National and Oxfordshire Industrial Strategies will replace the Council's current Economic Development Strategy which informed our last Local Plan. It is intended that the new strategy and its economic priorities will be supported by a delivery plan setting out

annual delivery projects. The emerging cross-cutting themes include inclusive prosperity, the climate emergency and healthy place-shaping and it too will cover the three main urban centres (Banbury, Bicester and Kidlington) and the rural economy. Re-imagining the town centres and high streets and economic recovery from COVID-19 are likely to feature strongly.

3.7 The Local Plan was prepared to support economic growth as expected by national planning policy. The creation and maintenance of a broad, diverse and resilient economy was a fundamental objective. Much has and continues to be achieved from the Plan's delivery focused policies and the allocation of employment land.

3.8 The Council recognises the valuable sectors and companies that are already in the District and that it will be important to sustain an environment that can help them to grow. This positive environment will also help to attract new companies in sectors such as; manufacturing, engineering, the low carbon economy, high-tech knowledge-based industries and distribution, thereby supporting prosperity and growth. The maintenance and development of a diverse and resilient economy will be required to support a range of jobs for local people.

3.9 We also recognise the strategic importance of the food and farming industry to the local economy particularly in our rural areas. This sector can help us deliver thriving rural communities, providing jobs and growth both in food production but also in diversified industries such as renewable energy and tourism.

3.10 Our town, village and local centres play a central role on the life of our communities and the future of our local economy. Their prosperity determines how well they serve our community's needs, shape people's perceptions of the District and influence future investment in the wider area. Town centres across the country have faced, for some time, serious economic and social challenges ranging from changes to the way we shop to shifts on investment with concentration on fewer larger centres.

3.11 Actions to plan for the future of our local centres and high streets depend on strong partnerships and measures taken with local business and residents, local authorities, suppliers and infrastructure providers. The Local Plan Review will have a role to play by setting flexible planning objectives and policies which facilitate town centre growth, management, and helps their ability to adapt over time and facilitate positive change.

3.12 Improving Cherwell's economic future also requires consideration of how we manage and reduce the environmental impact of existing and proposed development and how we ensure that it is of sufficient quality, sustainable, and respects the urban and rural character of the District.

3.13 Supporting and protecting the role and function of our existing town centres and employment areas as well as enhancing our natural and built environment will enable Cherwell to continue to be as business-friendly as possible thereby supporting jobs and prosperity. Improving our town centres, historic environment, and the public realm will also encourage the expansion of our tourism economy.

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Maintaining and Developing a Sustainable Local Economy	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Meeting the challenges and opportunities posed by COVID-19, climate change, 'Brexit' and globalisation for the local economy, local resilience, supply chains, agriculture, jobs and trends.	Formulating policy which understands the challenges to the local economy, including agriculture, and provides a spatial context to support sustainable, inclusive economic growth, resilience and flexibility.
Understanding the importance of the Oxfordshire and Cherwell economy within the national context, linking the National Industrial Strategy with Oxfordshire and emerging Cherwell Industrial Strategies.	Include policies which support and enhance the strengths in the local economy identified by the local industrial strategies.
Implementation of central government and the Local Enterprise Partnership's (LEP) policies and initiatives encouraging sustainable economic growth and the raising of the value of the economy.	Take account of policies and initiatives including their location in formulating a strategy to secure sustainable economic growth including high tech knowledge-based and low carbon sectors.
Ensuring the character and beauty of the countryside and the wider benefits from natural capital and ecosystem services are recognised.	Ensure the economic benefit of agricultural land, trees, woodland and other features are recognised by following an ecosystem services approach. Ensure natural capital mapping is used to inform preparation of the plan including the distribution of uses within a development site.
Ensuring that the importance of preserving and enhancing the historic environment to the local economy is recognised.	Ensure that policies recognise the importance of preserving and enhancing the District's historic environment to the local economy.
Inclusive growth and prosperity.	Considering policy approaches that will enhance the opportunities for economic self-sufficiency by fostering education, training and skills development and local business growth.

Question 10

**Do you have any observations on the issues we have identified on this theme?
Are there any others you would like to raise?**

Theme 2: Meeting the Challenge of Climate Change

3.14 Climate change is perhaps the greatest long-term challenge facing society; a challenge recognised by Cherwell District Council when it declared a Climate Emergency in July 2019 and pledged to be carbon neutral by 2030.

3.15 Climate Change is already evident in the form of extreme weather events, rising sea levels, longer droughts and heatwaves, and retreating polar ice and glaciers. The UK's ten hottest years on record have all been since 2002, and six of the ten wettest years since 1998. Summers are likely to become 30% drier by 2050 and 40% drier by 2080. The central and south-east of the UK will experience the most extreme temperature peak rises in coming decades, while the catchments of major rivers – e.g. the Thames basin, which includes the River Cherwell, will be most under threat from increased flood in winter.

3.16 Direct greenhouse gas emissions from buildings accounted for 19% of the total UK greenhouse gas emissions in 2017. In Cherwell this is estimated to be as high as 21%. 40% of emissions in Cherwell are caused by transport.

3.17 The Climate Change Act 2008 introduced a statutory target of reducing carbon dioxide emissions to at least 80% below 1990 levels by 2050 and in 2019 the Government adopted a legally binding target for the nation to achieve 'net zero' greenhouse gas emissions by 2050. Cherwell District Council is legally bound to ensure that its local plan contributes to the mitigation of, and adaption to climate change.

3.18 There are many ways the local plan can do this, including policies on the location, construction methods, scale, mix and character of development (as well as density and layout, including building orientation, massing and landscaping).

3.19 We can also help Cherwell and the UK meet its emissions reduction targets through direct influence on energy use and emissions (by, for example, encouraging renewable energy and promoting low-carbon modes of travel). In addition, we can encourage economic growth and improve energy security by identifying renewable and local sources of energy and by reducing the amount of energy used.

3.20 Our last Local Plan included a suite of policies which seek to mitigate and adapt to Climate Change. We intend to review and update these policies to ensure that they continue to help us to:

- Secure cuts in greenhouse gas emissions by planning new development to:

- Deliver the highest viable energy efficiency, including the use of decentralised energy;
- Reduce the need to travel, particularly by private car; and
- Secure the highest possible number of trips by sustainable travel.
- Actively support and help drive the delivery of renewable and low-carbon energy generation and grid infrastructure
- Shape places and secure new development to minimise vulnerability and provide resilience to the impacts of climate change. For example, extreme weather events such as flooding, drought and heatwaves
- Encourage community-led initiatives such as the promotion of decentralised renewable energy use or securing land for local food sourcing
- Increase sustainable transport use and local transport solutions

3.21 Our open spaces and green infrastructure will also play an important role by, for example, providing urban cooling, local flood risk management, sustainable drainage systems, carbon sequestration, local access to outdoor shady space, and assist species/biodiversity to adapt to the impacts of climate change.

Meeting the Challenge of Climate Change	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Risk of flooding in parts of the district and increase in flash flooding frequency and severity due to climate change.	<p>Ensure the latest allowances for climate change are taken in to account in considering development proposals.</p> <p>Seek to re-establish and enhance natural river corridors, including natural flood management.</p> <p>Safeguard land required, or likely to be required for current or future flood management.</p> <p>Encourage the reuse of 'grey water' by capturing rainwater for purposes other than drinking.</p>

Flooding from sewers in parts of the District.	Ensure foul and surface water drainage systems are kept separate and that Sustainable Drainage Systems (SuDS) are used wherever possible.
Water supply/demand deficit in the District from 2022/23.	Ensure policies help to achieve a water neutral position by requiring reduced water use/high water efficiency measures in new development.
Need to reduce greenhouse gas emissions from transport.	Ensure policies reduce the need to travel/encourage active and healthy travel. Ensure provision of new EV infrastructure in new developments.
Need to minimise essential energy demand in new developments and increase renewable generation to meet demand.	Include policies that require sustainable construction techniques and promote the use of renewable energy including local energy systems.
In 2019 the UK government adopted a legally binding target for the nation to achieve 'net zero' greenhouse gas emissions by 2050 and the Council has committed to be carbon neutral by 2030.	Include policies that require climate change mitigation and adaption, including working towards the goal of zero carbon developments.
Existing sports / community centres and other non-residential buildings perform relatively poorly in terms of energy efficiency.	Include policies to ensure new /refurbished buildings are constructed to high energy efficiency standards.
Need to protect and enhance the green infrastructure network to help address the impacts of climate change.	Include policies to protect and enhance existing sites and features forming part of the green infrastructure network. Secure new provision to improve sustainable connectivity between sites and reduce the effects of development on the microclimate.
Need to protect and enhance strategic ecological networks and seek the enhancement of natural capital.	Require developments to include ecological corridors as a component of green infrastructure provision to ensure habitat connectivity.

	<p>Include a policy on the Nature Recovery Network including specifying what types of development are likely to be acceptable within it.</p> <p>Ensure developments secure biodiversity/environmental net gain.</p>
Need to ensure that new developments are designed to avoid overheating.	Include appropriate design, orientation and landscaping policies.
Need to recognise the benefits to climate change of re-using existing buildings and the use of finite resources sustainably and responsibly.	Include policies to seek reuse of existing buildings and ensure that finite resources are used sustainably.
Need to preserve and enhance heritage assets when considering new development and adaptations to climate change. For example, retrofitting renewable technologies.	Include climate change policies that recognise the need to preserve and enhance heritage assets.

Question 11

Do you have any observations on the issues we have identified for this theme? Are there any others you would like to raise?

Theme 3: Healthy Place Shaping

3.22 Evidence from the Health Foundation suggests that only 10% of our health and wellbeing is determined by access to health care. The rest is influenced by housing, the quality of our work, income, education and skills, the food we eat, access to green space and nature, transport, family, friends and communities.

3.23 We consider that significant benefits for local people can be achieved through bringing together planning for housing, infrastructure and the economy with planning for residents' health and wellbeing. No single aspect of people's lives determines their health and wellbeing. Factors as varied as employment status, transport options, quality of housing, sense of belonging, and access to green space and nature all affect people's health outcomes.

3.24 Healthy place-shaping is therefore a practical way to create healthier communities through planning.

‘Healthy place-shaping is a collaborative process which aims to create sustainable, well-designed communities where healthy behaviours are the norm and which provide a sense of belonging and safety, a sense of identity and a sense of community. It is also a means of shaping local services, infrastructure and the economy through the application of knowledge about what creates good health, improves productivity and benefits the economy, thus providing efficiencies for the tax-payer.’

3.25 Healthy place-shaping is based on 3 concepts:

1. Shaping the built environment, green spaces and infrastructure at a local level to improve health and wellbeing.
2. Working with local people and local organisations, schools etc to engage them in planning places, facilities and services through ‘community activation’.
3. Re-shaping health, wellbeing and care services and the infrastructure which supports them to achieve health benefits, including health services, social care, leisure and recreation services, community centres etc.

3.26 Crucially, healthy place-shaping is not just about new developments; it applies to any geographical area experiencing significant change or growth so that all residents can benefit in terms of health and wellbeing which includes happiness and prosperity.

3.27 It also applies to how we connect new developments to existing communities. Loneliness and social isolation (often transport related or due to commuter towns) are impacting the health of rural populations across the UK, and not just for the elderly.

3.28 Housing plays a major role on the health of an area and its people. The quality and affordability of housing can impact on the health status of residents. It is estimated that 20% of the UK’s housing stock is substandard and that the cost to the NHS of poor-quality housing is £2.5 billion per annum. Living in good quality and affordable housing is associated with many positive health outcomes for the population generally and particularly those from vulnerable groups and those with specific needs.

3.29 Moreover, the provision of affordable housing and diverse house types has been associated with a reduction in the perception of crime risk and increased physical activity. The provision of suitable and affordable housing for homeless households and those whose current accommodation is unsuitable to meet their needs has consistently been shown to increase engagement with healthcare services, improve quality of life and increase employment. It has also been shown to contribute to improvements in mental health.

3.30 Access to nature and green space can also improve people's health and well-being. Recent work in Bicester undertaken by the University of Oxford on the value of green space in the town illustrated the benefits they provide to health, wellbeing and community cohesion.

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Healthy Place Shaping	
Key Issues	How the Cherwell Local Plan Review might address these key issues
Cherwell has an increasingly ageing population.	Include policies which plan positively for the ageing population, including a wider housing choice for the over 65s, and the design of the public realm that recognises the needs of the elderly and infirm.
Cherwell has a higher number of deaths from cancer, respiratory diseases and circulatory disease in under 75s than the rest of Oxfordshire.	Include district-wide policies that encourage physical activity and healthier lifestyles more generally across all ages. For example, by improving existing cycling and pedestrian infrastructure; improving the food environment for both consumption and production of healthier food options. Include policies that address air pollution. Include policies that prioritise active travel in new development and the infrastructure that supports it. Include policies that promote good quality street design standards.
Cherwell has the highest number of serious injuries from road accidents in Oxfordshire.	
63.2% of adults in Cherwell are classified as overweight or obese (2017/18). This is the worst in Oxfordshire and higher than the figures for the South East and England.	
Adult and child physical activity is the lowest in Oxfordshire.	
The proportion of adults who participate in active travel in Cherwell is lower than in Oxfordshire and England.	
23% of children in Cherwell are living in poverty (2017/18).	
Data from 2003-2018 suggests that 27% of deaths in Cherwell were due to socio-economic inequality.	
Achieving safe and accessible high-quality public space which encourages active and continual use of public areas.	
	Include quality standards for public space.

	<p>Ensure green infrastructure is considered and provided as an integral part of new developments and seek to enhance existing areas of public space.</p>
<p>Need to enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.</p>	<p>Include policies to secure safe and accessible green infrastructure, access to nature and, provision for sport and recreation facilities including allotments.</p> <p>Ensure new developments include measures to encourage walking and cycling and include walking and running routes as part of provision in new parks and areas of open space.</p> <p>Secure wayfinding to support connectivity between new and existing developments.</p>
<p>Embed green infrastructure network considerations into the planning of new development.</p>	<p>Provide an overall strategy for GI provision, including:</p> <ul style="list-style-type: none"> • protecting existing sites and features forming part of the GI network. • securing new GI provision through development. • allocating new sites/footpath cycle routes. • standards for GI provision including for natural accessible green space.
<p>Lack of large areas of natural accessible green space in the district.</p>	<p>Include policies that seek provision as part of new strategic developments and allocate sites for natural accessible green space.</p>
<p>Affordability, quality, quantity, and safety of homes for all and specifically for those most vulnerable.</p>	<p>Include policies to deliver housing to meet identified local need including supported housing, wheelchair accessible and adaptable dwellings.</p> <p>Include policies supporting provision of social housing in general and to reduce the use of temporary accommodation.</p>

	<p>Include policies supporting safe, high quality and affordable homes.</p> <p>Include policies to protect and improve housing quality and space standards across all housing types.</p> <p>Include policies to support housing to meet the needs of the local economy and key workers.</p> <p>Include policies to guide permitted development and conversions to residential use which protect quality and space standards.</p> <p>Include policies to encourage the reuse and renovation of historic buildings for housing.</p>
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Question 12

**Do you have any observations on the issues we have identified for this theme?
Are there any others you would like to raise?**

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4 Establishing a Vision and Objectives

4.1 Once we understand the needs and issues facing the District, we can then begin to establish the vision and objectives for the Plan and formulate detailed policies.

4.2 As yet we do not know what this vision will be, but it will be distinctive to our local area and be realistic and achievable.

4.3 Our last Local Plan has a vision which may be a good starting point. However, since we established the vision for the adopted Cherwell Local Plan the Government has updated its planning policies as set out in its National Planning Policy Framework (NPPF). These policies focus on:

- Promoting high quality design of new homes and places
- Stronger protection for the environment
- Building the right number of homes in the right places

4.4 Our new local plan will need to take in to account government policy and reflect the wider countywide aims in the emerging Oxfordshire Local Plan 2050.

Question 13

Do we need a new vision for the Cherwell Local Plan Review 2040? What should be its key priorities?

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5 Call for Sites

5.1 The Cherwell Local Plan Review will make site specific allocations for housing and employment. We are therefore, as part of this consultation, also publishing an open invitation (for the duration of the consultation period) for an initial submission of such sites within Cherwell District for development.

5.2 This 'Call for Sites' invitation is an opportunity for everyone from developers, landowners, residents and other stakeholders to help shape the Local Plan. It will also ensure that the Council has up-to-date information relating to potential development sites before it moves to the next stages of the Local Plan preparation.

Question 14

Do you wish to propose any sites for the Cherwell Local Plan Review 2040? Provide us with a location plan and details of your proposals. We have prepared a site submission form to help you.

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6 Preparing the Plan

6.1 We are also consulting on a revised Statement of Community Involvement (SCI), and Sustainability Appraisal (SA) Scoping Report. The SA Scoping Report includes a comprehensive assessment of baseline information relating to Cherwell District. This Paper relies and builds upon this baseline information.

Sustainability Appraisal and Habitats Regulation Assessment

6.2 It is a legal requirement for the Cherwell Local Plan Review to be the subject of a Strategic Environmental Assessment (SEA) / Sustainability Appraisal (SA) throughout its preparation to ensure that the plan proposes sustainable development. The SEA and SA will be integrated in to a single process referred to as SA which will assess the environmental, social and economic effects of the plan proposals.

6.3 The first stage of the SA is the preparation of a Scoping Report. The Scoping Report involves reviewing relevant plans, policies and programmes, an assessment of the current state of the environment in the plan area ('the baseline'), the identification of key environmental issues, and then the establishment of the 'SA Framework'. This SA Framework sets the specific objectives against which the likely effects of plan policies and development proposals can be assessed.

6.4 The SA Scoping Report accompanies this consultation paper. We are inviting comments on it, particularly on the scope of the work to be undertaken and the level of detail of the appraisal work.

6.5 A Habitats Regulations Assessment (HRA) is also required where there is potential for a significant effect on a wildlife site of European importance. As this Issues Paper does not identify potential site options an HRA Screening Report is not considered necessary at this stage.

Question 15

Do you have any comments specifically on the Sustainability Appraisal scoping report that accompanies this consultation paper?

Health Impact Assessment

6.6 A Health Impact Assessment (HIA) of the Local Plan will also be undertaken to test the impact both positively and negatively on the health and wellbeing of our current and future residents. The HIA will be conducted when detailed options are available for appraisal. Changes to the Plan may result in the interest of seeking good outcomes for overall health and well-being.

Community Engagement

6.7 We are required to have a Statement of Community Involvement (SCI) setting out how and when the Council will carry out community engagement and consultation with the general public and key stakeholders when preparing a Local Plan.

6.8 The Council adopted its SCI in 2016 which is available at: <https://www.cherwell.gov.uk/info/33/planning-policy/383/statement-of-community-involvement>

6.9 As a result of the current COVID-19 outbreak we have had to make temporary changes to our existing Statement of Community Involvement (2016) on how we publicise planning policy documents in particular. The Addendum to the Statement is also available on our website.

6.10 Whilst there is no formal requirement to consult when reviewing or updating a Statement of Community Involvement, we would like to provide the opportunity for you to comment on our methods of engagement for preparing the Local Plan. We will consider these comments in updating the SCI.

Question 16

Are there any specific methods of engagement you would like us to consider in preparing the Local Plan and updating our Statement of Community Involvement (SCI)?

Duty to Co-operate

6.11 When preparing its local plan, the Council has a legal 'Duty to Co-operate' with other local planning authorities and prescribed bodies on strategic matters that cross administrative boundaries.

6.12 Government policy requires effective and on-going joint working between these authorities and bodies to help ensure that plans are positively prepared and justified. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

6.13 In order to demonstrate effective and on-going joint working, we will need to prepare and maintain a publicly available statement(s) of common ground which will document the strategic cross boundary matters being addressed in preparing the Local Plan, and the progress made in cooperating to address them.

7 Be Involved

You may wish to speak to us about the Cherwell Local Plan Review. If so, please contact the Planning Policy Team.

If you represent a Parish Council or community group we may be able to arrange a remote meeting to discuss any specific issues for the new Local Plan.

Interest groups may wish to speak to us about new approaches to policy making and any specific needs or concerns you have for protecting and enhancing the district's assets.

It would be helpful to hear from service & infrastructure providers about the local issues you face.

Representatives of the homebuilding, commercial development, retail and leisure industries may wish to speak to us about the challenges and opportunities you have, particularly in the context of economic recovery.

We will do what we can to accommodate these requests and engage with you on the plan-making process.

Please note that all comments and submissions received may be made publicly available.

We will consider all the comments and contributions received in response to this Consultation Paper. They will be used to inform the next stage of the Local Plan process.

Once we have a good understanding of the issues that the Plan needs to address, we will prepare a Consultation Paper on options for a vision, objectives and potential policy areas and seek your input. We will need to consult with you on all reasonable options for the Plan before preparing draft proposals and policies.

We will then consult on a draft Plan and consider all the comments received. Our final proposed Plan will also be consulted upon before we submit to the Government for an independent examination by an appointed Planning Inspector.

Our programme for preparing the Plan is shown below:

Programme



How to Comment

We would prefer it if you could email your comments and submissions.

They can be emailed to: PlanningPolicyConsultation@Cherwell-DC.gov.uk

If you prefer to post your comments, please address them to:

Cherwell Local Plan Review 2040
Planning & Development
Cherwell District Council
Bodicote
Banbury, OX15 4AA

Thank you for taking an interest in the Cherwell Local Plan Review 2040

Contact Details

To speak to a member of the Planning Policy Team, please telephone 01295 227985 or email planning.policy@cherwell-dc.gov.uk

DRAFT

DRAFT



**CHERWELL DISTRICT COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT (SCI) ADDENDUM, July
2020**

***TEMPORARY CHANGES IN RESPECT OF PUBLICITY OF PLANNING
POLICY DOCUMENTS AND PLANNING APPLICATIONS DURING THE
COVID-19 OUTBREAK***

As a result of the current COVID-19 outbreak we are making some temporary amendments to our Statement of Community Involvement (July 2016) related to how we publicise planning policy documents and planning applications. The temporary changes outlined have been made to protect the health of our communities, residents and staff and respond to the Government's social distancing advice and amended Coronavirus regulations¹ and guidance² brought into force on 14 May 2020.

The Statement of Community Involvement sets out the engagement and publicity arrangements for the preparation of planning policy documents and the processing of planning applications. May 2020 government guidance encourages local planning authorities to undertake an immediate review and update the policies where necessary so that plan-making can continue.³

The Council is maintaining most of the publicity and engagement measures in the Statement of Community Involvement. The purpose of this addendum is to reflect latest government advice and make public reasonable steps to help the involvement of those in our community who may experience difficulties getting involved in the planning process through the internet.

Currently we are unable to place documents in all our normal deposit locations (Bodicote House, Bicester, Banbury and Kidlington Link Points, Bicester and Banbury Town Councils and libraries) due to restricted public access or temporary closure.

We will keep the situation under review and will resume the use of our specified deposit locations as and when they are available and social distancing measures can be ensured. This will be made clear at the time of publication of each document.

Public notice about this addendum is being made as follows:

- on the Council's website
- in local newspapers
- by contacting all people and organisations registered on the Council's planning policy database

¹ [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

² <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#coronavirus>

³ <https://www.gov.uk/guidance/plan-making#coronavirus>

Temporary measures addressing COVID-19 restrictions

1. Planning Policy Documents

The locations in which we would usually deposit documents are listed at Appendix 4 of the Statement of Community Involvement (2016)⁴. While our normal deposit locations are unavailable for the public inspection of documents, we are making alternative arrangements as follows:

Availability of our documents

1. **Planning Policy documents will continue to be available online via our website www.cherwell.gov.uk/planningpolicy.** This includes prescribed documents for the preparation of Local Plans and Supplementary Planning Documents.
2. We will **notify all interested parties on our consultation database** explaining where the documents can be inspected online and will include contact details to help any person who may have difficulty in doing so. Notifications will be sent by email and also by letter to anyone who has not provided an email address previously.
3. **Public notices will continue to be published in local newspapers, both online and in hard copy in so far as they are circulating in the district.** For documents only affecting Cherwell District, these are the Banbury Guardian, the Bicester Advertiser and the Oxford Mail. Contact details will be provided to help any person who may have difficulty in accessing the documents online.
4. As we are currently unable to place hard copy documents for viewing at our normal deposit locations **we will post public notices at the deposit locations**, explaining where the relevant documents can be accessed online and with contact details for those who may have difficulty in doing so.
5. Where access to documents online cannot be achieved, the Planning Policy team can be contacted in order to request **a hard copy of the relevant document by post.**
6. There will be **no changes to the posting of documents to Town/Parish Councils/Meetings.** Key planning policy documents that could affect an area will generally be sent in hard copy to the relevant Town/Parish Councils/Meetings. Copies of adopted Development Plan Documents will be sent to all Town/Parish Councils/Meetings within the district as a matter of course.
7. We will raise awareness of the publication of documents and/or consultation **via a press release placed on the Council's website and this will be sent to local media. We will also utilise the Council's social media channels.**

⁴ [Cherwell Statement of Community Involvement \(SCI\), 2016](#)

How to respond

8. Anyone can respond to any Planning Policy, Conservation and Design consultations **by email and post as previously.**
9. Where representation forms accompany a consultation, paper representation forms will not be provided at our normal deposit locations while they remain unavailable but can be forwarded on request. The representation forms will also be made available on the Council's website. **Public notices will provide contact details to help those unable to access the representation form online.**
10. **We will explore the use of online consultation facilities such as Survey Monkey for submitting comments directly.**

Meetings, workshops, exhibitions and focus groups

11. We will need to engage and consult when we develop new planning policies. However, whilst social distancing measures are in place we are unable to hold face-to-face meetings, workshops, exhibitions or focus groups. **We will use online engagement and virtual meeting systems to ensure that engagement and consultation takes place.**

2. Planning applications

New temporary regulations and guidance came into force on 14 May 2020 providing some flexibilities on the publicity and consultation of planning applications. These regulations cease to have effect on the 31 December 2020⁵. They provide greater flexibility regarding the normal publicity requirements for reasons connected to the effects of coronavirus, including restrictions on movement.

In summary, the new regulations:

- require councils, in certain circumstances, to take reasonable steps to inform anyone who is likely to have an interest in a planning or listed building consent application and to publish the requisite notice on a council website. The reasonable steps may include the use of social media and communication by other electronic means e.g. email.
- increase the period of time for representations to be made once notice is given of a planning application by publication in a newspaper or website from 14 to 21 days
- require the Planning Register to be accessible online if it is not possible to make it available for physical inspection.
- remove the requirement for applicants to ensure a hard copy of the environmental statement is placed at a given address, if it is not reasonably practicable to do so, but require that it be publicised through electronic means.

⁵ [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

During any period when COVID-19 restrictions apply and access to Bodicote House is restricted, the Council will:

1. continue to publicise planning and listed building consent applications via **site notices, neighbour notifications and newspaper adverts** as we have done prior to the pandemic. We will indicate where the relevant documents can be accessed online and will include contact details to help any person who may have difficulty in accessing the documents online.
2. continue to **provide 21 days for representations** to be made once notice is given.
3. continue to receive and process comments e-mailed and posted to us. However, **we recommend that until we return to normal working conditions comments on planning and listed building consent applications are submitted online** using the online planning register <https://planningregister.cherwell.gov.uk/> or sent via email to planning@cherwell-dc.gov.uk.
4. continue to make **Environmental Statements available online** alongside the planning application documents.
5. continue to make Cherwell's Planning Register available online on the Council's website <https://planningregister.cherwell.gov.uk/>

We will make the register available for inspection at the Council's main office at Bodicote House when restrictions are sufficiently relaxed and provided arrangements can be made to ensure social distancing for physical inspections can be met.

3. Council public meetings including Planning Committee

The Government has given councils new powers to hold public meetings virtually using video or telephone-conferencing technology.

Meetings, agendas and minutes continue to be available in the Council's website <http://modgov.cherwell.gov.uk/uuCoverPage.aspx?bcr=1>

4. Further advice

For advice on planning applications, telephone 01295 227006 or email plannng@cherwell-dc.gov.uk.

For local plans, policy and conservation, telephone 01295 227985 or email planning.policy@cherwell-dc.gov.uk or design.conservation@cherwell-dc.gov.uk.

For public meetings, telephone 01295 221589 or e-mail democracy@cherwellandsouthnorthants.gov.uk



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

EQUALITY IMPACT ASSESSMENT SCREENING

STATEMENT OF COMMUNITY INVOLVEMENT (SCI) ADDENDUM

July 2020

Equality Impact Assessments

CONTENTS

INTRODUCTION.....	2
CONCLUSIONS OF EQUALITY IMPACT ASSESSMENT....	2
APPENDIX 1 STAGE 1 INITIAL SCREENING DETAILS.....	3
STAGE 1 INITIAL SCREENING ASSESSMENT.....	4
STAGE 1 QUESTION NARRATIVE.....	6

1. INTRODUCTION

- 1.1. This Equality Impact Assessment (EQIA) reviews the Statement of Community Involvement (SCI) Addendum. The assessment includes the temporary changes in respect of publicity of planning policy documents and planning applications during the COVID-19 outbreak.
- 1.2. The purpose of this EQIA is to assess what impact the temporary changes set out in the SCI Addendum will have on different sections of the community referred to as the 'protected characteristics' which include:
 - Age
 - Disability
 - Gender reassignment
 - Sexual orientation
 - Race
 - Religion
 - Gender
- 1.3. Equality Impact Assessments systematically assess and record the actual, potential or likely impact of a service, policy or project – or a significant change in the same – on different groups of people. The consequences of policies and projects on particular groups are analysed and anticipated so that, as far as possible, any negative consequences can be eliminated or minimised and opportunities for ensuring equality can be maximised. This EQIA will be published on the Council's website with the SCI Addendum.
- 1.4. This EQIA highlights the steps that have been undertaken to evaluate the potential impact of the temporary publicity arrangements on those in the community with protected characteristics, and what steps have been taken to address any negative impacts. The assessment follows the Council's standard methodology as outlined below:

Stage 1 involves the Initial Screening of the assessment and is intended to check whether the SCI Addendum has an adverse impact on equality groups and identify relevant actions and likely costs/resources associated with any proposed improvement. **Appendix 1** contains the initial screening of the SCI Addendum.

Stage 2 of the Council's EQIA requires the completion of an In Depth (Full) Assessment if the answer is yes to more than one of the Initial Screening questions.
- 1.5. Following the initial screening of the SCI Addendum it is concluded that an In Depth (Full) Equality Impact Assessment is not required.

Equality Impact Assessment

APPENDIX 1 STAGE 1 - INITIAL SCREENING DETAILS ASSESSING POLICIES AND ACTIVITIES

Please tick/delete as appropriate: Is this EQIA for a,

Strategy	<input checked="" type="checkbox"/>	Existing	<input checked="" type="checkbox"/>	
Policy	<input type="checkbox"/>	New/Existing	<input type="checkbox"/>	
Service	<input type="checkbox"/>	Development	<input type="checkbox"/>	New/Existing

Name of Strategy, Policy or Service Development:

Statement of Community Involvement (SCI) Addendum: Temporary changes in respect of publicity of Planning Policy Documents and Planning Applications during the COVID-19 outbreak

AIMS, OBJECTIVES & PURPOSE OF THE POLICY OR ACTIVITY:

The purpose of the SCI Addendum is to reflect latest government planning advice in response to COVID-19 and make public reasonable steps to help the involvement of those in our community who may experience difficulties getting involved in the planning process through the internet.

The Addendum sets out:

- how documents will be publicised
- how documents can be accessed
- the period for representations to be made to planning applications
- how to respond to consultations

PLEASE LIST THE MAIN STAKEHOLDERS/BENEFICIARIES IN TERMS OF THE RECIPIENTS OF THE ACTIVITY OR THE TARGET GROUP AT WHOM THE POLICY IS AIMED:

The SCI Addendum sets out how planning applications and planning policy documents are publicised and explains how responses could be made, therefore this could have an impact on all those that live and work in the district. The main stakeholders are, therefore, the Cherwell community and those with an interest in the Cherwell District. These include residents, local businesses, stakeholders, staff, and partners.

IF THE ACTIVITY IS PROVIDED BY ANOTHER DEPARTMENT, ORGANISATION, PARTNERSHIP OR AGENCY ON BEHALF OF THE AUTHORITY, PLEASE GIVE THE NAMES OF THESE ORGANISATIONS/AGENCIES:

N/A

LEAD OFFICER:	Yuen Wong	TEL: 01295 227985
SERVICE AREA:	Planning and Development	
DIRECTORATE:	Communities	

ASSESSMENT REVIEW DATE: 24 June 2020

Equality Impact Assessment

STAGE 1 – INITIAL SCREENING ASSESSMENT

Q	Screening Questions	Y/N
1.	Does the policy or activity knowingly prevent us in any way from meeting our statutory equality duties under the 2010 Equality Act?	N
2	Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	N
3	Is there any evidence that information about the policy or activity is not accessible to any equality groups?	N
4	Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	N
5	Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	N
6	Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	N
7	This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	N
8	Will there be a negative impact on any equality groups? If so, please provide brief details below.	N
	<p>Equality Impact: Evidence:</p> <p><u>Current adopted Statement of Community Involvement</u></p> <p>The Statement of Community Involvement (SCI) was adopted on 18 July 2016 and can be viewed on the Council's website. It sets out who the Council will engage with in preparing key planning policy documents and how and when they will be engaged. The SCI also includes how the Council will consult on planning applications. Its aim is to encourage community and stakeholder involvement.</p> <p>The Council as Local Planning Authority must produce a SCI under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). The Council must comply with the adopted SCI in preparing relevant planning policy documents and in consulting on planning applications.</p> <p>The current SCI sets out the types of engagement methods and identifies the purposes for each method. For example, is it for <i>Information, Consultation or Participation</i> purposes. This has been done for the different types of planning policy documents so that it is clear what is expected from the Council when it comes to engaging with the community.</p> <p>A range of engagement methods are used by the Council from publicising on social media, local newspapers and the Council's website to holding meetings and exhibitions. The Council also makes available hard copies of the key planning policy documents at deposit locations which includes Council offices, town councils and libraries across the district. The Council can also offer documents in large print, braille, audio tape or in other languages upon request. Those wishing to comment on policy documents or planning applications can do so by email, letter or online form.</p> <p>The Council has a 'Duty to Co-operate' under Section 110 of the Localism Act to engage with other local planning authorities and designated bodies. A list of groups who should be engaged are contained in Appendices 1, 2 and 3 of the SCI.</p> <p>Preparation of key planning policy documents involve consulting with individuals and bodies which represent the interests of different age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual</p>	

	<p>orientation, local or national groups, religious groups, and the elderly. The SCI affects those that live and work in the District and those with an interest in the district.</p> <p>Comments made to planning policy consultations or planning applications will be considered by Council officers and will help inform the next stage of plan preparation or determination of planning applications respectively.</p> <p>Comments on planning policy documents and planning applications are made available on the Council's website and in addition for planning policy documents these are captured in a Statement of Consultation. This is to demonstrate how officers have considered the comments and how this has influenced the plan.</p> <p><u>Changes in the Statement of Community Involvement Addendum</u></p> <p>The Council is maintaining most of the publicity and engagement measures in the adopted SCI. The SCI Addendum concerns temporary amendments to the SCI in terms of how we publicise planning policy documents and planning applications as a result of the current COVID-19 outbreak, in response to Government advice. The Addendum includes the measures to be taken whilst we are unable to make documents available for inspection at deposit locations. The revised arrangements do not affect the commitments set out in the SCI, as the Council will endeavour to make the necessary documents available in alternative ways as set out in the Addendum. All people will still have the opportunity to be involved in the preparation of planning policy documents and consideration of planning applications. The period for comments on planning applications remains at 21 days as per the new Government's advice.</p>	
9	<p>Is the proposed policy or activity likely to have a negative effect on our relations with certain equality groups or local community? If so, please explain.</p> <p>The changes in the SCI Addendum are not expected to have a detrimental impact on any groups as the temporary measures include alternative arrangements for accessing documents whilst deposit locations remain closed and the period during which comments on applications can be made remains at 21 days.</p>	N
10	<p>There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:</p> <p>The adopted Statement of Community Involvement (SCI) 2016 was subject to public consultation.</p> <p>The Council's EQIA contact officer was consulted on the preparation of this EQIA.</p> <p>The 2016 SCI sets out how the Council will engage with the community in the preparation of planning policy documents and planning decisions.</p> <p>The SCI Addendum has been prepared in response to Government guidance which encourages an immediate review of SCI policies to ensure that plan-making can continue during COVID-19. The changes contained in the Addendum are only temporary whilst restrictions related to COVID-19 are in place. It is considered that all sectors of the community still have the opportunity to have their say in how their community is planned and developed, irrespective of age, sex, ability, ethnicity, background or disability as a result of the measures contained in the Addendum.</p>	N
11	<p>Has this assessment missed opportunities to promote equality of opportunity and</p>	N

	<p>positive attitudes?</p> <p>No. The Council will continue to encourage the participation of all sectors of the community in the preparation of planning policy documents and consultation of planning applications.</p>	
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**Proceed to In Depth (Full) Assessment (complete Appendix 2) if the answer is YES to more than one of the above questions.
For any YES answers include an improvement action in your Equality Improvement Plan.**

Declaration

I am satisfied that an initial screening has been carried out on this policy or activity and an In Depth (Full) Equality Impact Assessment is not required. I understand that the EQIA is required by the Council and take responsibility for the completion and quality of this assessment.

Completed by: Yuen Wong

Date: 24 June 2020

Countersigned by Assistant Director Planning and Development: David Peckford

Date: 24 June 2020

Equality Impact Assessment

Please detail below your evidence which has determined whether you have answered either Yes or No to the initial screening questions.

Screening Questions	Screening Narrative
Does the policy or activity knowingly prevent us in any way from meeting our statutory equality duties under the 2010 Equality Act?	The adopted Statement of Community Involvement, which sets out how we will engage our community in the preparation of planning documents and planning applications are consulted, actively seeks involvement in planning from all areas of the community.
Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	There is no evidence to suggest that any of the protected groups have been disadvantaged by the SCI or the SCI Addendum as the aim of these documents are to try and help people engage in the planning process.
Is there any evidence that information about the policy or activity is not accessible to any equality groups?	<p>The aims of the SCI and SCI Addendum are to encourage community and stakeholder involvement.</p> <p>Key planning policy documents are available on the Council's website, with the Addendum containing temporary measures to ensure availability of documents for those without access to the internet whilst deposit locations are unavailable. Advertisements concerning these documents are also placed in the local press.</p> <p>The adopted SCI encourages exhibitions and meetings, and the SCI Addendum ensures that other online methods including virtual meetings can be used.</p> <p>We also offer all our publications in large print, braille, audio tap or in other languages upon request.</p>

Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	No. There is no evidence to suggest that any equality issue related complaints have been received.
Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	No recommendations received
Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	There are no negative outcomes identified.
This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	The SCI Addendum has been prepared in consultation with the Council's EQIA contact officer and the changes do not affect how other Council services are provided.
Will there be a negative impact on any equality groups?	The changes in the SCI Addendum are not expected to have a detrimental impact on any groups as the temporary measures include alternative arrangements for accessing documents whilst deposit locations remain closed and the period during which comments on applications can be made remains at 21 days as per the new Government's advice.
Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so, please explain.	The changes in the SCI Addendum are not expected to have a detrimental impact on any groups as the temporary measures include alternative arrangements for accessing documents whilst deposit locations remain closed and the period during which comments on applications can be made remains at 21 days as per the new Government's advice.
There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:	<p>The adopted Statement of Community Involvement (SCI) 2016 was subject to public consultation.</p> <p>The Council's EQIA contact officer was consulted on the preparation of this EQIA.</p> <p>The aims of the SCI and SCI Addendum are to encourage community and stakeholder involvement.</p> <p>Consultations on planning policy documents and planning applications are open to everyone to comment. These are widely publicised to give opportunities to anyone who wish to be involved.</p> <p>Consultation responses to planning policy documents are captured in Statements of Consultation, which are published on the Council's website.</p> <p>A Public notice about the SCI Addendum is being made on the Council's website, in local newspapers, and by contacting all people and organisations registered on the Council's planning policy database.</p>

Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	No
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Cherwell District Council

Executive

6 July 2020

<p>Weston-on-the-Green Neighbourhood Plan: Second Examiner's Report</p>
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Report of Assistant Director - Planning and Development

This report is public

Purpose of report

To consider a second Examination Report for the Weston-on-the-Green Neighbourhood Plan and determine whether the Plan, incorporating modifications should proceed to a referendum.

1.0 Recommendations

The Executive is recommended:

- 1.1 To approve all the Examiner's recommendations and modifications (Appendices 1 and 2) to enable the Plan, incorporating the recommended modifications (Appendix 3), to proceed to a referendum.
- 1.2 To authorise the issue of a 'decision statement' confirming the Executive's decision including that the Plan will now proceed to a referendum.
- 1.3 To authorise the Assistant Director – Planning and Development to make any minor presentational changes and corrections necessary to ready the Plan for referendum.

2.0 Introduction

- 2.1 This report is prepared to inform a decision by the Executive following a second, partial independent examination of the Weston-on-the-Green Neighbourhood Plan. The examination commenced on 17 March 2020 and the Examiner's report was received on 8 June 2020. The Weston-on-the-Green Parish Council has been sent a copy of the Examiner's report.
- 2.2 The Executive is invited to consider the following documents:
 - Examiner's Report (Appendix 1)
 - A schedule of the Examiner's recommendations and officer consideration of each recommendation and proposed changes (Appendix 2)

- The draft Weston-on-the-Green Neighbourhood Plan 2018-2031 incorporating all recommended modifications as shown in track changes (Appendix 3)
- The Decision Statement following the first Examination, dated 14 November 2019 (Appendix 4)
- A summary of the representations received to that Decision Statement (Appendix 5)

2.3 All the documents submitted to the Examiner are available on-line at <https://www.cherwell.gov.uk/info/221/neighbourhood-plans/402/weston-on-the-green-neighbourhood-plan/7>, together with the Examiner's correspondence.

2.4 It is the Executive's decision whether the Neighbourhood Plan should proceed to referendum, and what modifications, if any, should be made to the plan.

2.5 If the Executive decides that the neighbourhood plan proceeds to referendum it should be noted that due to the Covid-19 pandemic, the referendum cannot take place until at least 6 May 2021.

2.6 Once a neighbourhood plan has been independently examined and the decision taken to put the plan to a referendum, it would normally be taken in to account when determining a planning application, in so far as the policies in the plan are material to the application.

2.7 Revised Government advice issued in May 2020 states that in circumstances where a referendum is delayed due to Covid-19, and where a local planning authority has issued a decision statement detailing its intention to send a neighbourhood plan to referendum, that plan can now be given significant weight in decision-taking, so far as the plan is material to the application.

3.0 Report Details

3.1 The Executive resolved, at a meeting on 2 November 2015, to designate Weston-on-the-Green Parish as a Neighbourhood Area.

3.2 The Weston-on-the-Green draft Submission Neighbourhood Plan was submitted by Weston-on-the-Green Parish Council to this Council on 11 October 2018. The Neighbourhood Plan and supporting documents were publicised as required and public consultation took place between 19 November 2018 and 11 January 2019.

3.3 Following the consultation, the Council, in agreement with the Parish Council, appointed an Independent Examiner, Mr T Jones, to undertake the independent examination. The Examiner's report is dated 11 September 2019.

3.4 An Examination includes consideration of whether a plan meets the legal requirements in the prescribed 'Basic Conditions' below:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;

- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

- 3.5 The final responsibility to determine whether or not a proposed Neighbourhood Plan meets the prescribed 'Basic Conditions' sits with the Council as Local Planning Authority.
- 3.6 Having considered the Examiner's report, officers were of the view that all of his recommendations should be accepted bar those related to two key modifications (15 & 21). These related to proposed policies which sought to require development to provide a positive contribution to the character and setting of the village (E1), and which sought to preserve and manage an area of land to the west of the village known as The Schoolfield for passive, recreational, open space (C1). A plan showing the The Schoolfield is provided at p.144 of the draft Plan at Appendix 3.
- 3.7 A report was presented to the Executive on 4 November 2019. Officers expressed significant concerns that those modifications would 1) result in a lack of clarity which would create uncertainty about the land release required at Weston-on-the-Green with consequential harm, and 2) introduce a sequential test for development that would conflict with local plan policy.
- 3.8 This meant, in the view of officers, that the neighbourhood plan, as modified, would not contribute to the achievement of sustainable development and would not be in general conformity with strategic policies of the development plan as required by the Basic Conditions. Officers proposed revised policy wording to the Executive for the affected policies (E1 & C1).
- 3.9 Having considered the Examiner's recommendations, the Executive agreed. Members resolved to approve all modifications with the exception of nos. 15 & 21 and consequential modifications 24, 26 and 27. It was agreed that the Plan should not proceed to referendum but that the Neighbourhood Plan area be approved as the area for the future referendum. The issuing of a decision statement was authorized inviting representations on the proposed changes recommended by officers.
- 3.10 The decision statement (Appendix 4) was published on 14 November 2019 with the consultation period extending to 10 January 2020.
- 3.11 Annex 1 to that decision statement contains the Council's proposed alternative wording to that recommended by the Examiner. The comparison is shown below:

First Examiner's recommendation for replacing policy E1:

"E1: Development should provide a positive contribution to the locally distinctive character of Weston-on-the-Green and conserve important aspects of the setting of the village, in particular it should:

- *Recognise the importance of open space, rural character and important views;*
- *Achieve a biodiversity net gain for the parish including appropriate maintenance and expansion of green spaces;*
- *Implement a biodiversity measure for all development proposals; and*
- *Resist development outside the village confines along the B430 unless both (1) a need for further sustainable development in or next to the village has been shown to exist and the extent of land used for the development does not exceed that needed to meet the need and (2) it is shown that there is no more sustainable place where such development is deliverable.”*

The Council’s proposed change:

“E1: Development should provide a positive contribution to the locally distinctive character of Weston-on-the-Green and conserve important aspects of the setting of the village, in particular it should:

- *Recognise the importance of open space, rural character and important views; and*
- *Achieve a biodiversity net gain for the parish including appropriate maintenance and expansion of green spaces; and*
- *Implement a biodiversity measure for all development proposals; and*
- *Avoid development outside the village confines along the B430 unless it is in accordance with policies in this Plan and the adopted Cherwell Local Plan.”*

First Examiner’s recommendation for replacing policy C1:

Replace the whole of the bold text shown as policy C1

“Development that prevents Area B’s preservation as an open space or that destroys ridge and furrow of value on it will only be permitted if each of the following apply:

- (1) *a need for further sustainable development in or next to the village has been shown to exist and the extent of land used for the development does not exceed that needed to meet the need;*
- (2) *it is shown that there is no more sustainable place where such development is deliverable;*
- (3) *no development takes place in flood zones 2 and 3;*
- (4) *no development harms the potential priority habitat area in flood zones 2 and 3, the millstream and Gallos Brook;*
- (5) *the site has been fully surveyed at appropriate times of the year for the presence of protected species;*
- (6) *there is full compliance with policy H9; and*
- (7) *the impact on the Oxfordshire Way is kept to a minimum.”*

The Council's proposed change:

Replace Policy C1 with

"C1: The preservation and management of Area B (The Schoolfield as shown in Appendix F) as a potential grassland habitat with access for passive recreational open space commensurate with the maintenance of a lowland meadow will be encouraged."

- 3.12 A total of 7 responses were received including a substantive objection from the Pegasus Group representing Lagan Homes. A summary of the representations is provided at Appendix 5.
- 3.13 In considering the representations received, particularly that by Lagan Homes, officers considered that it was necessary, in accordance with the regulations, to appoint a new independent examiner to undertake a further partial examination.

Partial Examination

- 3.14 A new Independent Examiner (Mr J Slater) was appointed, in consultation with the Parish Council, on 17 March 2020. The scope of the partial examination was restricted to the Council's responses to the recommended modifications (15 and 21 and consequentially 24, 26 and 27).
- 3.15 The role of the Examiner was to determine whether the Council's proposed changes to the original Examiner's recommendations as set out in the decision statement met the prescribed Basic Conditions and legal requirements; and to recommend whether or not the Plan should proceed to referendum.
- 3.16 The Examiner made an unaccompanied visit to the Parish on 20 March 2020. He subsequently issued a preliminary document entitled '*Initial Comments*' dated 23 March 2020. This document asked specific questions of the Parish Council, the District Council and Pegasus Group on behalf of Lagan Homes.
- 3.17 Having received responses to these questions the Examiner concluded that he needed to hear oral representations via a video conference (due to Covid-19). He published details of the questions he wished to resolve in his document '*Further Comments*' dated 30 April 2020.
- 3.18 The video conference took place on 19 May 2020 and lasted three hours. A record of the session is available at:
<https://www.youtube.com/watch?v=LrUKA2VNtdc&feature=youtu.be>.
- 3.19 The Examiner provided his report on 8 June 2020.

Examiner's Recommended Modifications

- 3.20 The Examiner's report is presented at Appendix 1. It includes his recommended modifications to the draft Neighbourhood Plan. At Appendix 2, Members will find a schedule of the Examiners' recommendations and officer responses. The modifications proposed by the Examiner include amendments to policy, maps and supporting text.

- 3.21 The Examiner states (para.30), *“In the context of the two policies at the heart of this examination, Policies C1 and E1, it is clear that the first examiner had concerns that the extent of constraints affecting the village, imposed through the Green Belt, local green spaces, important green spaces, floodplain, conservation area and ecological designations, could potentially prevent the achievement of “sustainable development” and hence would not meet the basic conditions without modification.”*
- 3.22 He notes (para.33) that the first Examiner recognised that development may be required in locations which would ordinarily be constrained, outside of the village confines, alongside the B430 road and also possibly on The Schoolfield site, if there is shown to be a need for “sustainable development” which cannot be met in “a more sustainable location”.
- 3.23 The Examiner tests whether the neighbourhood plan is likely to be able to deliver its housing requirements, in a way that could be consistent with the existing development plan policy, as proposed by the Council’s proposed re-wording (para. 34)
- 3.24 He considers the housing requirements having regard to more up to date information than previously available and concludes that there is an outstanding requirement for 10 further homes for the village’s needs within the plan period (para’s 35-37).
- 3.25 He considers how these homes could be provided in a manner consistent with strategic policies. He has regard to ‘windfall’ development that might be expected (para. 38).
- 3.26 He has regard to housing mix and the delivery of affordable housing (para’s 39 & 40) and opines that the Parish Council could allocate land within the Green Belt for affordable housing in a future neighbourhood plan review (para’s 41-43).
- 3.27 On housing need he concludes that, the community’s housing needs for the present and future housing needs of the village can be delivered - an indicator of whether the plan will deliver sustainable development (para. 45).
- 3.28 The Examiner notes the village’s status as a Category A village, that additional homes could be promoted under the local plan to meet the wider district housing needs (para. 46) and that despite its constraints, needs can be met in a way that is consistent with other policies in the neighbourhood plan and the local plan (para. 47)
- 3.29 He recommends that the Council’s proposed amendments to Policy E1 be retained but sets out why he does not totally agree with the reasons the Council gave for not accepting the original Examiner’s recommendations (paras. 48–50).
- 3.30 These reasons include his views that the first Examiner: 1) had sought to restrict the amount of land required to be developed to the extent required to meet need, rather than to restrict the amount of development that took place on the site to that required to meet the need, irrespective of the size of the site; 2) had not intended that the village’s housing needs would need to be tested against the availability of sites in less sustainable locations beyond the [neighbourhood] plan area; and 3) as no development schemes had been put forward, it could not be concluded that

the modifications would be inconsistent with local plan policies to protect the natural, built and historic environment.

- 3.31 In his consideration of policy C1, the Examiner is satisfied that the protection of The Schoolfield site has been something of a touchstone for the village. He recognises that the first Examiner acknowledged the importance the community attached to its protection and that he was only countenancing development on that site, if unmet housing need had been established and it was shown that no more sustainable sites were available (para. 51).
- 3.32 He agrees (para. 52) with the plan's contention that The Schoolfield is seen by the village as a valuable green space. He takes into consideration that the land is in agricultural use and used for grazing and that it is in private ownership.
- 3.33 He notes public access is restricted to the public footpaths that cross the site and any public recreational use beyond the footpaths would be unauthorised and considers that wider public access is unlikely to be realisable; a conclusion compounded by the existence of a legal agreement preventing a change of use of the land (para's 53-58).
- 3.34 He concludes at paragraph 61 that Policy C1 is not a policy for the development and use of land as it principally refers to the 'preservation', 'maintenance' and 'management' of the land as habitat and as a lowland meadow. Similarly, he advises that a planning policy cannot grant access onto private land for passive recreational open space. He therefore recommends that Policy C1 should be deleted from the Plan but that reference to the community's aspirations for The Schoolfield site could be retained.
- 3.35 Whilst acknowledging the limits of his remit, the Examiner advises that the Parish Council may wish to investigate, in the future, the feasibility of seeking designation of part of The Schoolfield as a local green space; and ridge and furrow features as non-designated heritage assets.
- 3.36 In summary, the Examiner concludes that the Weston-on-the-Green Neighbourhood Plan should proceed to referendum, subject to the Plan being amended in line with his recommendations, which are required to ensure that the Plan meets the Basic Conditions. These include:
- that the changes proposed by the Council to Policy E1 be accepted;
 - that the proposed change to Policy C1 not be accepted and that Policy C1 be deleted from the plan with reference to the community's aspirations for The Schoolfield site, under the consequential changes, retained.

Officer's Consideration of the Examiner's Report

- 3.37 Having considered the Examiner's report, officers are of the view that all his recommendations should be accepted. Officers consider that the Neighbourhood Plan meets the prescribed Basic Conditions with the Examiner's proposed modifications and those of the first Examiner accepted by Executive on 4 November 2019.

- 3.38 The Executive has already accepted the first Examiner's recommendations that the referendum area should be based on the designated Neighbourhood Area and that the referendum area does not need to be extended.
- 3.39 Appendix 3 to this report (the Post-Examination Neighbourhood Plan) incorporates both Examiners' recommendations. However, minor changes such as the re-numbering of policies, amendments to maps and diagrams, and cross-referencing following the implementation of recommendations will need to be made. In the interest of clarity, the proposed Neighbourhood Plan for referendum would then be made available on the Council's website.

Next Steps

- 3.40 Should the Executive approve the Examiner's recommendations and the publication of the required decision statement, the Plan, as modified, would, in time, proceed to a referendum organised by the Director for Law and Governance. An Information Statement would be published providing at least 28 days' notice of the referendum. The prescribed documents, including the Neighbourhood Plan and both Examiners' reports would need to be made publicly available.
- 3.41 Due to the Covid-19 pandemic, the referendum cannot presently take place before 6 May 2021. However, in accordance with Planning Practice Guidance (Reference ID: 41-107-20200513), should the Executive approve the issuing of a decision statement detailing its intention to send the neighbourhood plan to referendum, the plan can be given significant weight in decision-making, so far as the plan is material.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The submission Weston-on-the-Green Neighbourhood Plan has been independently examined. The recommendations of the Examiner were considered by the Executive on 4 November 2019. It approved all the Examiner's recommendations and modifications with the exception of Modifications 15, 21, 24, 26 and 27. It also approved the area for the future referendum as being the designated Neighbourhood Plan area.
- 4.2 Following representations received to the Council's decision statement dated 14 November 2019, a second partial independent examination has been held. The Examiner of this partial examination has recommended that the Neighbourhood Plan proceed to referendum subject to the incorporation of modifications. Officers agree with the Examiner's conclusions. They consider, with his recommended modifications, together with the recommendations of the first examiner accepted by the Executive on 4 November 2019, that the Plan meets the requisite Basic Conditions and should proceed to referendum.

5.0 Consultation

Councillor Colin Clarke - Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to accept all the Examiner's recommendations

Where a Local Planning Authority proposes to make a decision that differs from the Examiner's recommendations it is required to set out these reasons in a decision statement which would be subject to further consultation.

7.0 Implications

Financial and Resource Implications

- 7.1 Local Planning Authorities can claim £20,000 from central Government once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area, which would help to contribute towards the costs of running a referendum.

Comments checked by: Karen Dickson, Strategic Business Partner
karen.dickson@cherwell-dc.gov.uk, 01295 221900

Legal Implications

- 7.2 The Weston on the Green Neighbourhood Plan has been prepared in accordance with the Town and Country Planning Act 1990 (as amended), the Planning and Compulsory Purchase Act 2004 (as amended), and the Neighbourhood Planning (General) Regulations 2012 (as amended). It is the Executive's function to consider the outcome of the examination and to determine next steps. All the recommended steps are within the Council's powers and appear entirely reasonable. If the Executive resolves to follow the alternative as set out in Paragraph 6 above in addition to having to further consult it could have short term adverse implications for effective development control resulting in appeals and challenges that might have been avoided.

Comments checked by: Matthew Barrett, Planning Solicitor
Matthew.barrett@cherwell-dc.gov.uk, tel: 01295 753798

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Launton and Otmoor

Links to Corporate Plan and Policy Framework

Business Plan 2020/21

The Neighbourhood Plan, as modified, would assist in meeting the business plan's strategic priorities:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Lead Councillor

Councillor Colin Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Second Examiner's Report - 8 June 2020
Appendix 2	Schedule of Recommended Modifications
Appendix 3	Post Examination Neighbourhood Plan with modifications in track changes
Appendix 4	14 November 2019 Decision Statement
Appendix 5	Summary of Representations to 14 November 2019 Decision Statement
Background Papers	
None	
Reference Papers	
Report of Assistant Director – Planning and Development to Executive (4 November 2019): <i>Consideration of the Examiner's Report for the Weston-on-the-Green Neighbourhood Plan</i> http://svc-sql-modg-01:9070/ieListDocuments.aspx?CId=115&MId=3247 The Weston on the Green Neighbourhood Plan Submission documents https://www.cherwell.gov.uk/info/221/neighbourhood-plans/402/weston-on-the-green-neighbourhood-plan/2 Documents related to the Examination of the Submission Weston on the Green Neighbourhood Plan. https://www.cherwell.gov.uk/info/221/neighbourhood-plans/402/weston-on-the-green-neighbourhood-plan/4	
Report Author	Christina Cherry, Principal Planning Policy Officer (Acting)
Contact Information	Christina.cherry@cherwell-dc.gov.uk 01295 221851

Weston-on-the-Green Neighbourhood Plan 2018- 2031

APPENDIX 1

Submission Version

A Report to Cherwell District Council on the Partial Examination of the
Weston-on-the-Green Neighbourhood Plan

John Slater BA (Hons), DMS, MRTPI

John Slater Planning Ltd

johnslaterplanning@gmail.com

8th June 2020

Contents

	Page
Executive Summary	3
Introduction	4
The Examiner's Role	5
The Examination Process	5
The Consultation Process	6
The Basic Conditions	7
Compliance with the Development Plan	7
Compliance with European and Human Rights Legislation	8
Policies C1 and E1: An Overview	8
Recommendations	14
Summary	15

Executive Summary

My examination has concluded that the Weston-on-the-Green Neighbourhood Plan should proceed to referendum, subject to the Plan being amended in line with my recommended modifications, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- That the changes proposed by CDC to Policy E1 be accepted.
- That the proposed change to Policy C1 not be accepted and that Policy C1 should be deleted from the plan although reference to the community's aspirations for The Schoolfield site, under the consequential changes can be retained in the document.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the adopted Cherwell Local Plan 2011-2031. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been led by Weston-on-the-Green Parish Council. A Steering Group was appointed to undertake the plan preparation made up of both parish councillors and local volunteers. Weston-on-the-Green Parish Council is a “qualifying body” under the Neighbourhood Planning legislation.
3. This report is the outcome of the second examination of the Submission Version of the Weston-on-the-Green Neighbourhood Plan. The plan was originally submitted to Cherwell District Council in 2018 and was the subject of independent examination carried out by Timothy Jones QC, an experienced planning barrister and examiner, who issued his report on 11th September 2019.
4. This examination is what is known as a partial examination which is only looking at the District Council's responses to a specific number of the recommended modifications, namely Modification 15 which relates to Policy E1, Modification 21 which relates to Policy C1 and consequential modifications to the plan set out as Modifications 24, 26 and 27. It is being conducted under the provisions of Paragraph 13(2) of Schedule 4B of the Town and Country Planning Act 1990.
5. The District Council has already agreed in its Decision Statement dated 4th November 2019 to accept all the other modifications recommended by the original examiner. At that time, it resolved not to put the plan to referendum presumably until these remaining matters had been resolved. However, in the light of the COVID 19 crisis, subsequent legislation dictates that a referendum cannot be held until at least May 2021.
6. Following the issuing of Secretary of State amended guidance, upon the issuing of the Decision Statement under Regulation 19 by Cherwell District Council, on how it intends to respond to the first set of modifications, those policies including those modified, will be accorded *significant weight* in development management decisions, until such time as a referendum can be held. The two policies the subject to this partial examination cannot be given such weight as they are dependent on the outcome of this examination and the decisions that Cherwell DC take on my recommendations.

The Examiner's Role

7. I was appointed by Cherwell District Council in March 2020, with the agreement of Weston-on-the-Green Parish Council to conduct this partial examination.
8. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 41 years' experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant and director of John Slater Planning Ltd. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both Cherwell District Council and Weston-on-the-Green Parish Council. I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
9. Under the terms of the neighbourhood planning legislation, I am required to make one of three possible recommendations:
 - That the plan should proceed to referendum on the basis that it meets all the legal requirements.
 - That the plan should proceed to referendum, if modified.
 - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements
10. In examining the Plan on the limited basis of my remit, I will only be addressing the following legal questions as they relate to the proposed policies.
 - Do the specific policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - Do the specific policies relate to matters which are referred to as "excluded development"?
11. All the other legal matters, that are set out in the legislation, have already been dealt with by the original examiner, including the plan period and confirmation that there are no other neighbourhood plans affecting this plan area.
12. I am able to confirm that the Plan does relate only to the development and use of land, covering the area designated by Cherwell District Council, for the Weston-on-the-Green Neighbourhood Plan, on 2nd November 2015, *if it is modified in accordance with my recommendations.*
13. I can confirm that the policies do not cover "excluded development".

The Examination Process

14. The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if he considers a person has a fair chance to put a case.

15. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.
16. I visited the parish of Weston-on-the-Green on Friday 20th March 2020. I initially toured the village and saw the general disposition of development, both inside and outside of the Green Belt. Driving through the village, I saw the housing allocation site at the northern fringes of the village before seeing the airfield to the north of the parish. On returning to the village, I also noted the protected green spaces. However, the next stage of my visit concentrated on The Schoolfield site. I parked in the village hall car park and then using the rights of way, I spent some time crossing and re crossing the site and saw for myself its relationship with the rest of the conservation area. On returning to my car, I saw the site from North Lane, Shepherd Lane and Westlands Avenue. I then visited each of the sites which were identified as HEELA sites in Appendix F of the plan, including Fir Tree Farm.
17. On 23rd March 2020, I issued a preliminary document entitled *Initial Comments* which asked specific questions of the Parish Council, the District Council and Pegasus Group on behalf of Lagan Homes. My initial view was that I would be able to conduct the examination solely on the basis of the written material. I received a response from Pegasus Group on 14th April 2020 and from the two councils on 21st April 2020. The information in these responses introduced new material which prompted me to conclude that I needed to hear oral representations, to explore some of these matters and their implications for the examination, in greater detail.
18. Unfortunately, due to the restrictions imposed, as a result of the COVID 19 outbreak, the submission of these oral representations could only be conducted, “virtually” via “teleconferencing” The Secretary of State had a couple of weeks earlier, issued PPG advice that these would be appropriate for neighbourhood plan examinations, where needed. I therefore issued a further document entitled “Further Comments of the Independent Examiner” on 30th April 2020, which indicated my decision and the topics that would be covered. Prior to the conference call taking place, via a video platform, (facilitated by Cherwell District Council), the District Council circulated a legal note as to the status of a Section 52 agreement, that had been referred to in the Parish Council’s response to my Initial Comments paper, plus an Inspectors decision letter in respect of a dismissed appeal for a site immediately to the north of the Site A allocation site.
19. The video conference took place on 19th May and lasted three hours and a record of that session is available on the following You Tube site via this link <https://www.youtube.com/watch?v=LrUKA2VNtdc&feature=youtu.be>
20. I wish to express my gratitude for the contributions and positive engagement of all contributors, for what was a new experience for all of us.

The Consultation Process

21. On 4th November 2019, the District Council’s Executive considered the Examiners Report and resolved to accept all his recommendations with the exception of Modifications 15,21,24,26 and 27 and agreed the Proposed Changes to the two policies, E1 and C1 and the other consequential changes. It agreed that these

changes should be the subject of a period of further consultation, as allowed by Regulation 19 of the Neighbourhood Planning Regulations. This was the subject of a public consultation period, that ran from 15th November 2019 to 10th January 2020 and as a result 7 responses were received from:

- Scottish and Southern Electricity Network
- Environment Agency
- Natural England
- Oxfordshire County Council
- Weston-on-the-Green Parish Council
- Highways England
- The Pegasus Group on behalf of Lagan Homes

The Basic Conditions

22. The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions which are set down in legislation. It will be against these criteria that my examination must focus.

23. The five questions, which seek to establish that the Neighbourhood Plan meets the basic conditions test, are: -

- Is it appropriate to make the Plan having regard to the national policies and advice contained in the guidance issued by the Secretary of State?
- Will the making of the Plan contribute to the achievement of sustainable development?
- Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
- Will the making of the Plan breach or be otherwise incompatible with EU obligations or human rights legislation?
- Will the making of the Plan breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017?

24. The neighbourhood plan was submitted before 24th January 2019, which was the cut-off date set in paragraph 214 of the 2018 version of the NPPF that stated, that under the transitional arrangements, examinations would be conducted having regard to the 2012 version of the NPPF.

Compliance with the Development Plan

25. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan, which in this case is the Cherwell Local Plan, adopted in July 2015 and the saved policies of the Cherwell Local Plan 1996.

26. In the adopted local plan, Weston-on-the-Green is identified as a Category A village in Policy Villages 1. Policy Villages 2 states that a total of 750 homes will be provided within this category of settlement, in addition to small sites, windfall and planning permissions for 10 or more dwellings. The selection of sites can be through the preparation of neighbourhood plans and the policy sets a range of criteria, for considering the acceptability of sites. Policies for the Green Belt are set out in Policy ESD 14.
27. Other policies relevant to this examination, as they have been quoted by Cherwell District Council in their reasons for not accepting the first Examiner's recommendations, are Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment, Policy ESD 13: Local Landscape Protection and Enhancement and Policy ESD 15 The Character of the Built and Historic Environment.

Compliance with European and Human Rights Legislation

28. The original Examiner, in paragraph 28 of his report, confirmed that he had no issues of compatibility or breaches of European obligations and would be compatible with the requirements of the Conservation of Habitat and Species Regulations. I do not believe that the matters the subject of this examination would change that conclusion, but the District Council as Competent Authority may choose to formally screen the amended plan under the Habitat Regulations.
29. The previous Examiner also considered that there is no conflict with the Human Rights Act and my recommendations will not change that situation.

Policies C1 and E1: An Overview

30. In the context of the two policies at the heart of this examination, Policies C1 and E1, it is clear that the first examiner had concerns that the extent of constraints affecting the village, imposed through the Green Belt, local green spaces, important green spaces, floodplain, conservation area and ecological designations, could potentially prevent the achievement of "sustainable development" and hence would not meet the basic conditions without modification. My partial examination is also bound to have regard to the same legal requirements and the basic conditions.
31. I fully recognise that there can be tensions between the test of contributing to the delivery of sustainable development and the matter of general conformity issues with strategic development plan policy. This can be an issue reflecting the way that the neighbourhood plan legislation was drafted and requires a holistic assessment of all the basic conditions before a recommendation is made as to whether the plan can move forward to referendum.
32. The achievement of sustainable development has three strands, which are set out in paragraph 7 of the NPPF (2012), namely an economic role, a social role and an environmental role. Of particular relevance to my considerations of this examination, is the social dimension, of supporting strong vibrant and healthy

communities, by providing a supply of housing required to meet the needs of present and future generations. The environmental role is of equal importance, which recognises the role of the planning system to protect and enhance the natural, built and historic environment.

33. The examiner's recommendations recognise that development may be required in locations which would ordinarily be constrained, outside of the village confines, alongside the B430 and also possibly on The Schoolfield site, if there is shown to be a need for "sustainable development" which cannot be met in "a more sustainable location".
34. My approach to the limited scope of this examination has been to seek to test whether the neighbourhood plan is likely to be able to deliver its housing requirements, in a way that could be consistent with the existing development plan policy, as proposed by the District Council proposed re wording of Policy E1.
35. The parish's housing needs identified by the neighbourhood plan, are found on page 45 of the plan, which sets out an objective of a 15% growth in new housing over the plan period 2017 - 2031, which equates to 38 new homes. I note that Cherwell District Council accepts the figure and it has not been challenged on the basis of what new housing is required to meet the village's own housing requirements.
36. During the video conference, I heard evidence that may have not been available to the previous examiner, specifically, that in addition to the 20 units allocated on Site A, other planning permissions have been granted in recent years and during the period since this version of the plan had been prepared. The position according to evidence given by the District Council's representative is that, as of 31st March 2020, there were planning permissions in place for 26 units (one at The Dower House, four at Southfield Farm, one rear of Ladygrass, Church Lane as well as the 20 units approved on Site A, plus there had been two additional completions.
37. Therefore, that leaves an outstanding requirement for 10 further houses to be provided within the plan period to meet Weston-on-the-Green's housing needs for the plan period.
38. I then turned to the question of how that these houses could be provided in a manner consistent with strategic policies. I heard evidence that windfalls had delivered a total of 19 units within the parish, over the period 2011 to 2019, which averages at close to 2 dwellings per year. There can be some confidence that windfall development will continue to contribute to housing numbers under schemes allowed under Policy H2 of the neighbourhood plan.
39. However, I recognise that it is not just the total number of units which is important but whether that housing would meet the village's housing requirements going forward. I am confident that the types of housing can be influenced in the future by Policy H3, once the plan becomes part of the development plan and is used in the development management context.
40. I did hear concerns regarding the "affordability" question. Affordable housing will only be required on sites of 10 units or more, under the new Policy H9. However, I learnt that the Parish Council is proposing to deliver affordable housing for local people, on land which it is to be gifted at Fir Tree Farm. The Parish Council had indicated in its response to CDC's Housing and Employment Land Availability

Assessment (HELAA) following a call for sites, that in respect of Site HELAA 229 in Appendix F, it fully supported development on the site, “if planning conditions could be met”. It transpired that the Parish Council had been advised by Cherwell District Council that it could not allocate the site due to its Green Belt status and development could only proceed if the site was to be taken out of the Green Belt, which is not normally within the scope of a neighbourhood plan.

41. I do not agree with that assertion, as paragraph 89 of the NPPF (2012) allows “limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan”. If development is “appropriate development” in Green Belt terms, I do not consider that there is anything to prevent a community within its neighbourhood plan from allocating a site for such development within the Green Belt. Such an allocation could, in my opinion, meet the basic conditions test and could comply with Policy ESD 14 of the Cherwell Local Plan. I have been sent details of the terms of the proposed gifting of the land to the Parish Council. If the development is appropriate then there is no reason for saying that the site must come out of the Green Belt.
42. The District Council contest that this would be a strategic matter and I would agree that it would be if it was allocating land in the Green Belt that did not fall into the definition of appropriate development or the neighbourhood plan was promoting Green Belt boundary changes, (in the absence of a strategic policy framework that supports such changes). I have been pointed towards the comments of the Examiner of the Chalfont St Giles NP where the Examiner is purported to be stating that neighbourhood plans cannot be allocating sites in the Green Belt, but her comments were made in the context of representations made at Regulation 16 from promoters seeking to allocate Green Belt land for housing development that would not have been appropriate development. I would contend that my interpretation is consistent with CDC Local Plan Policy ESD 14 which refers to the assessment of proposals in accordance with national policy, which allows “limited infilling in villages”.
43. It is not necessary as part of my examination to pursue this matter, in terms of my recommendations, but the Parish Council could choose to include the site as a future allocation, then that could be taken forward in a neighbourhood plan review, which is something I will return to later in this report. Alternatively, it could propose a Community Right to Build Order which would effectively grant planning permission for the development and could provide ongoing protection as social rented accommodation against general “right to buy” provisions.
44. I heard that another site at Gallisbrook Way could be developed for affordable housing as it is owned by Sanctuary Housing, a registered social landlord, but as I had not visited the site, I do not intend to comment or rely upon its suitability.
45. Based on the level of completions and commitments, past rates of windfall development and specific information that more affordable housing could be delivered in the village over the plan period, I am satisfied that the community’s housing needs for the present and future housing needs of the village can be delivered, which is one of the indicators whether the plan will be delivering sustainable development.

46. As a Category A village, it is possible that additional homes could be promoted under the provisions of Local Plan Policies Villages 1 and 2, which could contribute to meeting the wider housing needs of the district.
47. This major conclusion has implications for the proposed wording of both Policy E1 and C1, as modified by the first examiner, in that I can be satisfied that despite the constraints within the village, that the housing needs of the community can be achieved in the way that is consistent with the other policies in the neighbourhood plan and the general local plan. This has implications for my conclusions in respect of the examiner's proposed modifications in respect of Policies E1 and C1 based on this new information.
48. I will be recommending that the District Council's proposed amendments to Policy E1 be retained but I cannot agree with its reasons for not accepting the Examiner's recommendations in its entirety. I do not consider that the implications of his recommendations would necessarily have led to inefficient use of the land. I interpreted his proposed policy wording as seeking to restrict the amount of land required to be developed to the extent required to meet the need, rather than to restrict the amount of development that took place on the site to that required to meet the need, irrespective of the size of the site.
49. Similarly, I believe that the test of whether there is a more sustainable place for development to take place, would have to be restricted to the plan area and effectively the sequential approach would have considered whether other sites are more or less sustainable and that search should be restricted to within Weston-on-the-Green. and hence the development would be focused on one of the designated villages deemed to be acceptable to accept some development in the strategic policies in the local plan. I do not believe that the examiner's intention was that the village's housing needs would need to be tested against the availability of sites in less sustainable locations beyond the plan area.
50. The reference to Policies ESD 10, ESD 13 and ESD 15 in the reasons for not accepting the two modifications, 15 and 21, is not necessarily justified, as these three policies would not necessarily rule out development. Rather they set criteria on how development should take place in terms of protecting and enhancing biodiversity, the character of the built and historic environment of the area and local landscape. As no schemes have been put forward, I do not see how it can be concluded that the modifications would actually be inconsistent with these policies to protect the natural, built and historic environment.
51. My consideration of Policy C1 has not been so straightforward. I am satisfied that the protection of the Schoolfield site has been something of a touchstone for the village. That was recognised by the first Examiner, who acknowledged the importance the community attached to its protection and his recommendation was only countenancing development on that site, if unmet housing need had been established and it was shown that no more sustainable sites were available.
52. I agree with the plan's contention that the Schoolfield is seen by the village as a valuable green space. However, as was discussed during the video conference, the current land-use is agricultural, it is primarily used for grazing. I suspect that the current ecological value of the eastern section of the site is limited, but I can fully appreciate the importance of the western part of the site away from the

surrounding houses, which extends to the west of the north-south footpath crossing the site. I saw for myself the clear evidence of “ridge and furrow” being present, a feature which I am familiar with from other neighbourhood plans in the Midlands, which have chosen to designate such features as non-designated heritage assets. Authorised public access to the field is currently restricted to users of the public footpaths which runs across the site. The land is in private ownership and any public recreational use beyond the footpaths would be unauthorised.

53. The original policy and Cherwell District Council’s proposed replacement policy refer to the site as “a habitat” and its use as “recreational open space”. In terms of land-use, it would appear that the plan is anticipating a change of use from agricultural to recreational open space, although upon being pressed on the matter, it was confirmed that this was not necessarily the aspiration, if public access could be achieved.
54. Public access can only normally be secured through public ownership or with the consent of the landowner. It cannot be something that can be conferred through a planning policy. The representation submitted on behalf of the landowners, Lagan Homes, indicated that the intention is that the land will remain in private ownership. No parties have suggested the possible use of Compulsory Purchase powers. I am also conscious of the Secretary of State’s advice that neighbourhood plans “should be prepared positively in a way that is aspirational but *deliverable*”.
55. Whilst the District Council’s proposal for this policy is that such usage “will be encouraged”. I consider that the expectations of the policy will never be realised without the agreement of a willing landowner and as such the policy is undeliverable. I do not believe that the Parish Council has recognised that the proposal as submitted would constitute a material change of use of the land which would require the submission of a planning application.
56. The matter has been further complicated by the information, which had not been apparent as part of the first examination, that a Section 52 agreement, covering the entirety of Area B was completed in 1980, which restricts the usage of the land to its “*current use*”, which everyone agreed was agricultural use, both then and remains so to date. Whilst this agreement could, under certain circumstances, be used to frustrate the residential development of the site, equally it could be argued that its terms, would prevent the change of use from agricultural to recreational land.
57. The legal advice which was circulated before the video conference, and was not challenged, was that the Section 52 covenants could only be set aside by the District Council acting as party to the agreement, separate from its role as local planning authority. Without their explicit consent, there is only one way that the covenants could be set aside, and that is by application to the Upper Tribunal (Land Division) under the Law of Property Act 1925.
58. That Section 52 agreement would also have been a material consideration had I been minded to recommend the allocation of the Schoolfield site or part thereof as a residential site. In my view of my conclusions elsewhere, such an allocation is not required or justified, but if I had needed to consider it, the existence of the covenant could have cast doubt on the deliverability of that allocation. It also

- undermines, in my opinion, the first Examiner's proposed modification to Policy C1, although it goes without saying, that he was not aware of its existence.
59. A detailed analysis of the drafting of the Proposed Modification to Policy C1 equally throws up questions on whether the new policy meets basic conditions and the legal tests for a neighbourhood plan policy.
60. The policy wording refers to the "*preservation*", of "*a potential* grassland habitat." The use of "*potential*" implies that it currently does not exist and therefore cannot be something that can be "*preserved*". If it is a potential habitat, then the policy should have referred to the "*creation*" of that habitat. The policy also refers to the "*management*" of that habitat. How land is "*managed*" is not a matter that ordinarily would require planning permission as it is not development and "habitat" is a description of the role of land in terms of its ecological value, it is not a land use. How land is managed and maintained is a matter for the land owner and any obligations he/ she is bound by, such as Stewardship Schemes.
61. I have therefore concluded that Policy C1 is not "a policy for the development and use of land" as it principally refers to the "preservation", "maintenance" and "management" of the land as habitat and as a lowland meadow. Similarly, a planning policy cannot grant access onto private land for passive recreational open space. From the comments made during the video conference call it was not the intention of the Parish Council to seek to change the agricultural use of the land, although that is how the policy actually reads, but merely to enable public access to an area which will be managed in the way that enhances its biodiversity. This, however, is beyond the scope of planning control.
62. I have concluded that even though the policy is now worded as a matter of "encouragement", it is not a policy that meets the statutory definition of being a policy for "the development and use of land". I will therefore be recommending that the policy be deleted although the community's aspirations for this land and its management can be included within the plan document, but not as a development plan policy.
63. If the expectations of the neighbourhood plan had been to seek to prevent development because of the importance attached to the green space by the *whole community*, as opposed to just the properties that back onto the site, then it could have chosen to designate it as a Local Green Space, which effectively would rule out development, except in very special circumstances. It would have to be demonstrated that it met all the requirements set out in paragraph 76 and 77 of the NPPF (2012).
64. I probed this issue in my Initial Comments document and at during the video conference. In hindsight, the Parish Council conceded that it was an opportunity missed. It is not my role to introduce a new local green space designation into the plan at this late stage of an examination. That is not really within an examiner's remit and such a designation would need to be subject to public consultation and direct contact with the landowner about possible designation, as set out in Planning Practice Guidance advice. If the Parish Council were to be minded to pursue this route in the future, then this would either have to be dealt with as a modification to the plan, once a referendum is held, or if a formal review of the neighbourhood plan were conducted.

65. In conclusion, my overall recommendations on this partial examination are:

- to accept Cherwell District Council's proposed modification to Policy E1 on the basis that it meets basic conditions, particularly in terms of being in general conformity with strategic policies in the Cherwell Local Plan, has regard to Secretary of State advice and policy and it will contribute to the delivery of sustainable development and other legal tests are complied with.
- but to recommend not to proceed with the Policy C1 whether as submitted, or as proposed to be changed by the District Council, as it does not meet the legal definition of being a policy for the use and development of land and, in view of my conclusions in respect of Policy E1, to not proceed with the modification proposed by the first Examiner,

66. The impact of my recommendation to delete policy C1 will have consequential implications for the proposed responses to modifications 24,26 and 27. It will require consequential amendments to subsequent policy numbering and the removal of sections of the supporting text.

67. Finally, there is a minor point that may have been missed in the response to the Examiner's report. The first Examiner's Modification 15 included "Replace ", in particular" in Policy E2 with "and where appropriate"

68. I consider that to be a necessary amendment which may have been inadvertently overlooked in the District Council's Decision Statement which stated that Modification 15 be not accepted. I will include it in Recommendation 1.

Recommendations

Recommendation 1

Modification15

That the District Council 's proposed changes to Policy E1 be accepted, but that the last element of the Examiners Modification 15 be accepted, which amends the wording of Policy E2.

Recommendation 2

Modification21

That the District Council's proposed alternative wording of Policy C1 should not be accepted and that Policy C1 should be removed from the plan and all the other policy numbers be amended accordingly.

Recommendation 3

Consequential changes

Amend Executive summary to remove reference to Policy C1

Page 26 – remove from the second sentence: "and the subject to Policy C1((Area B))"

Page 37 – remove from the final paragraph "(see Policy C1 and)

Page 38 –from the final paragraph change "propose for protection" to "wish to see protected"

Remove just the wording “(Area B)” from Figure 15

Recommendation 4

Modification 24

Remove Box C1 on Page 84 in its entirety and renumber policies accordingly

Recommendation 5

Modification 26

Replace the title “The policy proposes Policy C1 of the Plan: Area B” on page 140 with “The Parish Council’s aspirations in terms of The Schoolfield”

Recommendation 6

Modification 27

On page 43 replace in the third paragraph “The intention of Policy C1...” with “The Parish Council desires...”

Remove paragraph on Page 144 beginning “Policy C1 embodies...”

Delete the paragraph immediately above the map on Page 144

Map on Page 146 Remove the wording “(Area B)” and the map to be coloured as per first Examiners Modification 10 (which has already been agreed. In the Decision Statement”

Amend Map on Page 144- Replace “Area B: Community Neighbourhood Green Space (to be managed as lowland meadow” with “The Schoolfield-The Parish Council would wish to see the area managed as a lowland meadow”

Delete the last sentence on Page 152

Summary

69. This examination has been a focussed examination conducted under the provisions of Paragraph 13(2) of Schedule 4B of the Town and Country Planning Act 1990, which has concentrated on two specific policies and consequential modifications that had been proposed by the first examiner, which had not been accepted by the District Council. I have recommended acceptance of one of the proposed changes, the revised wording of Policy E1, as it meets the basic conditions.
70. However, I am not recommending acceptance of the proposed alternative wording to Policy C1 and I go further, by recommending that the original policy as well as the Council’s proposed change, be deleted on the basis that neither are a policy that meets the definition of a policy for the use and development of land.
71. As all the original examiners other recommendations, not considered by this report, have already been accepted by the District Council in its Decision Statement including confirmation that the referendum area does not need to be extended, I am delighted to recommend to Cherwell District Council that the

Weston-on-the-Green Neighbourhood Plan, if my recommendations are accepted, should proceed in due course, to referendum.

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

8th June 2020

Appendix 2 – Schedule of the Examiner’s recommendations and officers’ consideration of each recommendation and proposed changes		
Recommendation Number	Recommended Modification to the Submission Neighbourhood Plan	Officer Response and proposed changes to the draft Submission Plan
Recommendation 1	<i>Modification 15</i> That the District Council’s proposed changes to Policy E1 be accepted, but that the last element of the Examiner’s Modification 15 be accepted which amends the wording of Policy E2 by replacing ‘, in particular’ with ‘and where appropriate’	Accept recommendation – <i>Modification 15</i> That the District Council’s proposed changes to Policy E1 be accepted, but that the last element of the Examiner’s Modification 15 be accepted which amends the wording of Policy E2 by replacing ‘, in particular’ with ‘and where appropriate’
Recommendation 2	<i>Modification 21</i> That the District Council’s proposed alternative wording of Policy C1 should not be accepted and that Policy C1 should be removed from the plan and all other policy numbers be amended accordingly.	Accept recommendation – <i>Modification 21</i> That the District Council’s proposed alternative wording of Policy C1 should not be accepted and that Policy C1 should be removed from the plan and all other policy numbers be amended accordingly.
Recommendation 3	<i>Consequential changes</i> Amend Executive summary to remove reference to Policy C1 Page 26 – remove from the second sentence: ‘and the subject to Policy C1 (Area B)’ Page 37 – remove from the final paragraph ‘propose for protection’ to ‘wish to see protected’ Remove just the wording ‘(Area B)’ from Figure 15.	Accept recommendation – <i>Consequential changes</i> Amend Executive summary to remove reference to Policy C1 Page 26 – remove from the second sentence: ‘and the subject to Policy C1 (Area B)’ Page 37 – remove from the final paragraph ‘propose for protection’ to ‘wish to see protected’ Remove just the wording ‘(Area B)’ from Figure 15.
Recommendation 4	<i>Modification 24</i> Remove Box C1 on Page 84 in its entirety and renumber policies accordingly	Accept recommendation – <i>Modification 24</i> Remove Box C1 on Page 84 in its entirety and renumber policies accordingly
Recommendation 5	<i>Modification 26</i> Replace the title ‘The policy proposes	Accept recommendation –

	<p><i>Policy C1 of the Plan: Area B' on page 140 with 'The Parish Council's aspirations in terms of The Schoolfield'</i></p>	<p><i>Modification 26</i> Replace the title '<i>The policy proposes Policy C1 of the Plan: Area B' on page 140 with 'The Parish Council's aspirations in terms of The Schoolfield'</i></p>
Recommendation 6	<p><i>Modification 27</i> On page 43 replace in the third paragraph "<i>The intention of Policy C1...</i>" with "<i>The Parish Council desires...</i>" (NB there is a typo in the Examiner's Report. This modification relates to page 143 not page 43).</p> <p>Remove paragraph on Page 144 beginning "<i>Policy C1 embodies...</i>"</p> <p>Delete the paragraph immediately above the map on Page 144</p> <p>Map on Page 146 Remove the wording "<i>(Area B)</i>" and the map to be coloured as per first Examiners Modification 10 (which has already been agreed. In the Decision Statement"</p> <p>Amend Map on Page 144- Replace "<i>Area B: Community Neighbourhood Green Space (to be managed as lowland meadow)</i>" with "<i>The Schoolfield- The Parish Council would wish to see the area managed as a lowland meadow)</i>"</p> <p>Delete the last sentence on Page 152</p>	<p>Accept recommendation –</p> <p><i>Modification 27</i> On page 43 replace in the third paragraph "<i>The intention of Policy C1...</i>" with "<i>The Parish Council desires...</i>" (NB there is a typo in the Examiner's Report. This modification relates to page 143 not page 43).</p> <p>Remove paragraph on Page 144 beginning "<i>Policy C1 embodies...</i>"</p> <p>Delete the paragraph immediately above the map on Page 144</p> <p>Map on Page 146 Remove the wording "<i>(Area B)</i>" and the map to be coloured as per first Examiners Modification 10 (which has already been agreed. In the Decision Statement"</p> <p>Amend Map on Page 144- Replace "<i>Area B: Community Neighbourhood Green Space (to be managed as lowland meadow)</i>" with "<i>The Schoolfield- The Parish Council would wish to see the area managed as a lowland meadow)</i>"</p> <p>Delete the last sentence on Page 152</p>



Cherwell District Council

Weston-on-the-Green Neighbourhood Plan Examiner's Report

Regulation 18 Decision Statement

14 November 2019

Background

Cherwell District Council designated the Parish of Weston-on the-Green as a Neighbourhood Area on 2 November 2015.

The Weston-on-the-Green draft Submission Neighbourhood Plan was submitted by Weston-on-the-Green Parish Council to Cherwell District Council on 11 October 2018. The Neighbourhood Plan and supporting documents were publicised as required and public consultation took place between 19 November 2018 and 11 January 2019.

Following the consultation, the Council, in agreement with the Parish Council, appointed an Independent Examiner to undertake the independent examination. The Examiner's report is dated 11 September 2019.

The Examiner found that:

- The Weston-on-the-Green Neighbourhood Development Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012 (as amended) and that;
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;
- The making of the Plan would contribute to the achievement of sustainable development;
- The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

- The Plan would not breach and will be otherwise compatible with European Union obligations, the Conservation of Habitats and Species Regulations 2017 and the European Convention on Human Rights;
- The Plan should proceed to a referendum subject to the modifications that he recommends;
- The Plan should proceed to a referendum based on the area of the draft Neighbourhood Plan.

Recommendations, Decisions and Reasons

Regulation 18 of The Neighbourhood Planning (General) Regulations 2012, requires Cherwell District Council to outline what action it intends to take in response to each of the Examiner's recommendations.

On 4 November 2019 Cherwell District Council, having considered each of the recommendations made by the Examiner:

- 1) approved all the Examiner's recommendations and modifications with the exception of Modifications 15,21, 24, 26 and 27.
- 2) Agreed not to proceed to referendum on the Weston-on-the-Green Neighbourhood Plan at this time;
- 3) Approved the area for the future referendum as being the designated Neighbourhood Plan area in accordance with the Examiner's recommendations, noting that there will be no extension to the area.

The Schedule of the Examiner's recommendations not accepted by the Council and its proposed changes, with reasons, are set out in Annex 1 of this Statement.

Invitation to Make Representations

The Council is now required to invite comments on its proposed changes and the reasons for its decision. These are set out in Annex 1 to this Statement.

Please note the Council is not inviting comments on the Examiner's recommendations that have been accepted by the Council nor the draft Submission Weston-On-The-Green Neighbourhood Plan.

The consultation period commences on **Friday 15 November 2019** and the deadline for receiving representations is **5pm Friday 10 January 2020**.

The following documents

- 1) *Schedule of Examiner's recommendations not accepted by the Council and its proposed changes, with reasons.*
- 2) *Examiner's report dated 11 September 2019.*
- 3) *Draft Submission Weston-on-the-Green Neighbourhood Plan incorporating Examiner's recommendations (in track changes)*

AND All other documents relating to the Weston-on-the-Green Neighbourhood Plan are available to view on-line at:

<https://www.cherwell.gov.uk/info/221/neighbourhood-plans/402/weston-on-the-green-neighbourhood-plan>

Hard copies of documents 1 to 3 listed above are also available to view at the locations below at the following times:

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

Ben Johnson Pub, Weston-on-the-Green, OX25 3RA, during opening hours (01869 350222)

Submitting Comments

Comments on the Council's proposed changes and the reasons for its decision should be sent by email to NeighbourhoodPlanningConsultation@cherwell-dc.gov.uk or by post to: Planning Policy, Conservation and Design, Cherwell District Council, Bodicote House, Bodicote, Banbury, OX15 4AA.

All comments received will be made publicly available

The information you provide will be stored on a Cherwell District Council database and used solely in connection with the Weston-on-the-Green Neighbourhood Plan.

Representations will be available to view on the Council's website, but address, signature and contact details will not be included. However, as copies of representations must be made available for public inspection, they cannot be treated as confidential.

Copies of all representations will be forwarded to the person appointed to carry out a focussed examination on the Council's modifications to the Examiner's recommendations.

Data will be processed and held in accordance with the Data Protection Act 2018.

YVONNE REES, CHIEF EXECUTIVE

Annex 1: Schedule of Examiner's recommendations not accepted by Cherwell District Council and its proposed changes, with reasons.

Examiner's Recommendation Number	Examiner's Recommended Modification to the Submission Neighbourhood Plan	CDC's response and proposed changes to the Submission Neighbourhood Plan
Modification 15	<p><i>Pages 65-66</i></p> <p>Replace E1 with: <i>"E1: Development should provide a positive contribution to the locally distinctive character of Weston-on-the-Green and conserve important aspects of the setting of the village, in particular it should:</i></p> <ul style="list-style-type: none"> <i>• Recognise the importance of open space, rural character and important views;</i> <i>• Achieve a biodiversity net gain for the parish including appropriate maintenance and expansion of green spaces;</i> <i>• Implement a biodiversity measure for all development proposals; and</i> <i>• Resist development outside the village confines along the B430 unless both</i> <i>(1) a need for further sustainable development in or next to the village has been shown to exist and the extent of land used for the development does not exceed that needed to meet the need and</i> <i>(2) it is shown that there is no more sustainable place where such development is deliverable."</i> 	<p>DO NOT accept recommendation for the following reasons:</p> <ol style="list-style-type: none"> 1) the reference to the extent of land used for development not exceeding that needed to meet the need is not clear and measurable and could lead to inefficient use of land and harm to the natural environment contrary to strategic Local Plan Policies ESD10, ESD13 and ESD 15. 2) The introduction of a test that there should be 'no more sustainable place' is contradictory to the strategic policies of the Local Plan which direct rural development to (in relative terms) the most sustainable villages including Weston on the Green (subject to Green Belt restrictions) <p>Conclusion The Basic Conditions are not met by this proposed modification as it would not be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p>

		<p>CDC Proposed Alternative Wording</p> <p>Page 65</p> <p>Replace Policy E1 with:</p> <p><u>E1: Development should provide a positive contribution to the locally distinctive character of Weston-on-the-Green and conserve important aspects of the setting of the village, in particular it should:</u></p> <ul style="list-style-type: none"> • <u>Recognise the importance of open space, rural character and important views; and</u> • <u>Achieve a biodiversity net gain for the parish including appropriate maintenance and expansion of green spaces; and</u> • <u>Implement a biodiversity measure for all development proposals; and</u> • <u>Avoid development outside the village confines along the B430 unless it is in accordance with policies in this Plan and the adopted Cherwell Local Plan.</u>
<p>Modification 21 (part)</p>	<p>Replace the whole of the bold text shown as policy C1</p> <p><i>“Development that prevents Area B’s preservation as an open space or that destroys ridge and furrow of value on it on it will only be</i></p>	<p>DO NOT accept that part of the recommendation relating to Policy C1 for the following reasons:</p> <p>1) the reference to the extent of land used for</p>

	<p>permitted if each of the following apply:</p> <p>(1) a need for further sustainable development in or next to the village has been shown to exist and the extent of land used for the development does not exceed that needed to meet the need;</p> <p>(2) it is shown that there is no more sustainable place where such development is deliverable;</p> <p>(3) no development takes place in flood zones 2 and 3;</p> <p>(4) no development harms the potential priority habitat area in flood zones 2 and 3, the millstream and Gallos Brook;</p> <p>(5) the site has been fully surveyed at appropriate times of the year for the presence of protected species;</p> <p>(6) there is full compliance with policy H9; and</p> <p>(7) the impact on the Oxfordshire Way is kept to a minimum.”</p>	<p>development not exceeding that needed to meet the need is not clear and measurable and could lead to inefficient use of land and harm to the natural environment contrary to strategic Local Plan Policies ESD10, ESD13 and ESD 15.</p> <p>2) The introduction of a test that there should be ‘no more sustainable place’ is contradictory to the strategic policies of the Local Plan which direct rural development to (in relative terms) the most sustainable villages including Weston on the Green (subject to Green Belt restrictions)</p> <p>Conclusion</p> <p>The Basic Conditions are not met by this proposed modification as it would not be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p> <p>CDC Proposed Alternative Wording</p> <p>Page 73</p> <p>Replace Policy C1 with</p> <p><u>C1: The preservation and management of Area B (The Schoolfield as shown in Appendix F) as a potential grassland habitat with access for passive recreational open space commensurate with the</u></p>
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		<u>maintenance of a lowland meadow will be encouraged.</u>
Modification 24 (part)	<p>Page 84 Replace the wording under C1 with: “Development that significantly prevents Area B’s preservation as an open space or that destroys ridge and furrow of value on it will only be permitted if each of 7 criteria apply.”</p>	<p>DO NOT accept part of recommendation that relates to:</p> <p>Page 84 Replace the wording under C1 with: “Development that significantly prevents Area B’s preservation as an open space or that destroys ridge and furrow of value on it will only be permitted if each of 7 criteria apply.”</p> <p>Reason This is as a consequence of the recommendation not to accept Modification 21 which refers to Policy C1.</p> <p>CDC Proposed Alternative Wording</p> <p>Page 84</p> <p>Replace the wording under C1 with:</p> <p><u>The preservation and management of Area B (The Schoolfield as shown in Appendix F) as a potential grassland habitat with access for passive recreational open space commensurate with the maintenance of a lowland meadow will be encouraged.</u></p>
Modification 26	<p>Appendix F, page 140, box</p> <p>Delete the box and the text in it and replace it with “Policy C1 is set out on page” [AS MAY BE] “above”.</p>	<p>DO NOT accept recommendation</p> <p>Reason This is as a consequence of the recommendation not to accept Modification 21 which refers to Policy C1.</p>

		<p>CDC Proposed Alternative Wording:</p> <p>Appendix F, page 140, box</p> <p>Retain the box and replace text with:</p> <p><u>The preservation and management of Area B (The Schoolfield as shown in Appendix F) as a potential grassland habitat with access for passive recreational open space commensurate with the maintenance of a lowland meadow will be encouraged.</u></p>
<p>Modification 27</p>	<p><i>Appendix F, page 143</i></p> <p>Replace <i>“The intention of this policy (C1)”</i> with <i>“The hope of the community”</i>.</p> <p>Replace <i>“The plan will retain”</i> with <i>“Unless needed for sustainable development the plan will retain”</i>.</p> <p>Replace <i>“The proposal includes an option to set”</i> with <i>“The community’s aspirations might be met by setting up”</i></p>	<p>DO NOT accept recommendation</p> <p>Reason This is as a consequence of the recommendation not to accept Modification 21 which refers to Policy C1.</p> <p>CDC Proposed Alternative Wording:</p> <p>Appendix F, page 143</p> <p>No change to text</p>

Summary of Representations to the Weston-on-the-Green Neighbourhood Plan Decision Statement (Regulation 18)		
01	Scottish and Southern Electricity Networks	No further comments to make
02	Environment Agency	No further representations at this time
03	Natural England	No comments to make but refer to letter dated 18 December 2018 which comment on the value of biodiversity enhancement at the Schoolfield.
04	Oxfordshire County Council	Support CDC's proposed changes to the examiner's modifications and agree that these changes are necessary to provide for clear interpretation and for conformity with policies of the adopted Local Plan. Support the principle of protecting and conserving The Schoolfield, which provides an important accessible natural green space and forms part of a mosaic of habitat that ultimately connects to Western Fen SSSI to the north west, in an otherwise largely arable landscape.
05	Weston-on-the-Green Parish Council	The Parish Council agree that these changes more accurately reflect the intention of the Plan to manage development within the village in a way which provides for the Parish's needs and preserves important features for residents and for the future biodiversity of the area. The proposed changes simplify policies E1 and C1 and remove a number of conditions which could not be precisely tested. The Parish Council unanimously accepted the proposed changes set out by CDC.
06	Pegasus Group for Lagan Homes	Strong objection to the proposed amended wording of Policy C1. The Council has: <ul style="list-style-type: none"> - Failed to consider the Examiner's Report and made an error in law in proposing that alternative changes to the Plan should be made, based upon the unfounded conclusion that the Examiner's modifications are not in general conformity with these policies. - Failed to correctly interpret the draft policy text and the intended modification. The Council has misconstrued the Examiner's modification 21 in identifying that this allocates The Schoolfield for development. The policy wording does not supersede the provisions of the existing development plan, which would remain fully applicable to any planning application. - Failed to correctly interpret the relevant legislation. Paragraph 8(2)(e) of Schedule 4B requires a comparison to be made between the policies of the neighbourhood plan and the strategic policies of development plan taken as a

		<p>whole, and not a comparison between individual policies within either plan. The matter should be referred back for independent examination.</p>
07	Highways England	No comments

Cherwell District Council

Executive

6 July 2020

Appointment of Representatives to Partnerships, Outside Bodies and Member Champions 2020/2021
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Report of Corporate Director – Commercial Development, Assets and Property (Interim Monitoring Officer)

This report is public

Purpose of report

To appoint representatives to Partnerships and Outside Bodies and Member Champions for the municipal year 2020/2021.

1.0 Recommendations

The meeting is recommended:

- 1.1 To make and cease appointments to partnerships, outside bodies and Member Champions for 2020/2021 as set out in Appendix 1 to this report.
- 1.2 To delegate authority to the Monitoring Officer, in consultation with the Leader, to appoint Members to outstanding vacancies and make changes to appointments as may be required for the 2020/2021 Municipal Year.

2.0 Introduction

- 2.1 Appointments to outside bodies and partnerships and Member Champion appointments are made annually. To enable appointments to be made in a timely manner, Executive is requested to consider and agree appointments for 2020/2021 and delegate authority to the Monitoring Officer, in consultation with the Leader, to appoint to any vacancies and make changes as required during the municipal year.

3.0 Report Details

- 3.1 Appointments are usually required to be updated following local elections each year, following retirement or Councillors not being re-elected. Due to the current situation with Covid-19, the local elections due to take place in May 2020 were postponed until May 2021. Those Members who were due to stand for election have had their terms of office automatically extended for one year.

- 3.2 As the Annual Meeting of the Council has been postponed and Committee memberships remain unchanged, the same approach will be taken with Outside Body and Member Champion appointments.
- 3.3 Executive is required to reconfirm appointments made in 2019/2020, to enable representatives to continue the roles in 2020/21.

Representatives on Outside Bodies and Partnerships

- 3.4 The business of local government includes considerable partnership working and work in the community. The Council's and a Councillors' representational role is enhanced and strengthened by participating in outside bodies.
- 3.5 Members are appointed annually to serve as representatives on outside bodies and partnerships.

Member Champions

- 3.6 The Terms of Reference for Member Champions include the following with regards to their role and appointment:
1. Member Champions will only be appointed in support of agreed Council policies and objectives and shall be elected members of Cherwell District Council.
 2. Member Champions may be created by Council, the Executive or the Leader of the Council. Member Champions will remain in their role until the expiration of their term of office as a Councillor, when the relevance of the appointment will be reviewed. The appointing body or office holder may decide at any point to review and terminate the appointment of a member Champion for good reason.
 3. Member Champions shall have no Executive or decision making powers and may not instruct officers. Champions shall not duplicate the work of Committee Chairmen and Executive members and shall ensure they liaise with and advise them appropriately. Member Champions may not commit the Council to any course of action or any Council resources.
 4. Member Champions shall not attract a Special Responsibility Allowance, but shall be able to re-claim travelling and subsistence expenses in line with the agreed scheme and may attend appropriate events, seminars, training and conferences, subject to budget availability.
 5. Each Member Champion will have a link officer assigned from within the relevant or most appropriate service area. Officers will bring issues, initiatives and areas of work to the attention of Member Champions.
- 3.7 Within their Terms of Reference, Member Champions may carry out the following functions with regard to the issue for which they have been appointed Member Champion:
- Ambassador - to raise the profile of an issue, provide a visible focus and raise the profile of an issue both internally and externally to the Council;
 - Adviser to the Council in relation to the issue to provide a source expertise;

- Bringing issues to the Council's attention;
- Liaising with and providing a bridge between the Council and external groups, bodies and communities; and
- May be appointed by Council to outside bodies by virtue of office.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is proposed that representatives are re-appointed to Partnerships, Outside Bodies and as Member Champions as set out at Appendix 1 to ensure that the Council is represented and maintains links with partnerships and outside bodies.
- 4.2 Delegation to the Monitoring Officer in consultation with the Leader provides flexibility for the remainder of the Municipal Year to appoint to the outstanding vacancies, or if amendments are required to any appointments, and ensures they are made in a timely manner.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to appoint representatives to outside bodies, partnerships and as Member Champions. This is not recommended as the internal working groups would be ineffective and the Council would not be represented on these outside bodies and could miss valuable information and opportunities.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report and travel for members to attend meetings is included within agreed budgets.

Comments checked by:

Lorna Baxter, Director of Finance, 01295 221526, lorna.baxter@cherwell-dc.gov.uk

Legal Implications

- 7.2 There are no legal implications arising directly from this report.

Comments checked by:

Chris Mace, Solicitor, 01295 221808, christopher.mace@cherwell-dc.gov.uk

Risk Implications

- 7.3 Through providing support for representatives and indemnity insurance the council has mitigated the risks posed through appointing members to partnerships and outside bodies.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes, 01295 221786
Louise.tustian@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

All

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
1	Appointments to Outside Bodies, Partnerships and Member Champions 2020/2021
Background Papers	
None	
Report Author	Emma Faulkner, Democratic and Elections Officer
Contact Information	01295 221953, emma.faulkner@cherwell-dc.gov.uk

Appointments to Outside Bodies, Partnerships and Member Champions 2020/21

Outside Body / Partnership	2020/21 Councillor Representative
Age UK Oxfordshire	Cllr John Donaldson
ARC Leaders	Cllr Barry Wood
Banbury Bluecoats	Cllr Colin Clarke
Banbury Business Improvement District (BID) Board	Cllr Colin Clarke
Banbury Charities	Cllr Colin Clarke Cllr Kieron Mallon Cllr John Donaldson
Banbury Town Centre Partnership	Cllr George Reynolds
Banbury Traffic Advisory Committee	Cllr Colin Clarke Cllr George Reynolds
Bicester and District Chamber of Commerce	Cllr Richard Mould
Bicester Traffic Advisory Committee	Cllr Dan Sames Cllr Lynn Pratt Cllr Richard Mould
Bicester Vision	Cllr Lynn Pratt
Cherwell Community and Voluntary Services	Cllr Andrew McHugh
Cherwell Local Strategic Partnership (LSP)	Cllr Barry Wood
Cherwell Safer Communities Partnership	Cllr Andrew McHugh
Citizens Advice North Oxon and South Northants	Cllr Andrew McHugh
Community First Oxfordshire	Cllr Andrew McHugh
Community Partnership Network	Cllr Andrew McHugh
Cotswold AONB Conservation Board	Cllr Phil Chapman
District Councils Network	Cllr Barry Wood
Kidlington & District Information Centre	Cllr Maurice Billington
Kidlington Neighbourhood Action Group (NAG)	Cllr Maurice Billington
Kidlington Traffic Advisory Committee	Cllr Maurice Billington

Appointments to Outside Bodies, Partnerships and Member Champions 2020/21

Oxford Airport Consultative Committee	Cllr Maurice Billington
Oxfordshire Association of Local Councils (OALC)	Cllr Phil Chapman
Oxfordshire Blue Plaques Board	Cllr Timothy Hallchurch
Oxfordshire Health Improvement Board	Cllr Andrew McHugh
Oxfordshire Waste & Resources Partnership <i>(formerly Oxfordshire Environment Partnership)</i>	Cllr Dan Sames Sub: Cllr Andrew McHugh
Oxfordshire Safer Communities Partnership	Cllr Andrew McHugh
Oxfordshire Sports Partnership	Cllr Andrew McHugh
Oxfordshire Stronger Communities Alliance (OSCA)	Cllr John Donaldson
Sanctuary Group	Cllr Mark Cherry Cllr John Donaldson Cllr Andrew McHugh Cllr Barry Wood
The Apprenticeship & Training Company Ltd	Cllr Andrew McHugh
The Mill Arts Centre Trust	Cllr Andrew McHugh

Member Champions

CDC Member Champion appointments coincide with the appointees term of office so appointment lengths / appointments to be made vary. Champions with the term of office expiry at the left are:

Member Champion for	Councillor	Appointment ends
Cycling	Cllr Jason Slaymaker	May-23
Design	Cllr Colin Clarke	May-23
Military	Councillor Andrew McHugh	May-22
Generations Together	Councillor Andrew McHugh	May-22

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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