

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 26 February 2018 at 4.30 pm

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

Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead member for Housing
Councillor Tony Ilott, Lead Member for Financial Management
Councillor Mike Kerford-Byrnes, Lead Member for Change Management, Joint Working and IT
Councillor Kieron Mallon, Lead Member for Public Protection and Community Services
Councillor D M Pickford, Lead Member for Housing
Councillor Lynn Pratt, Lead Member for Estates and the Economy

Also Present: Councillor Alan MacKenzie-Wintle
Councillor Neil Prestidge
Councillor Sandra Rhodes
Councillor Barry Richards
Councillor Nigel Simpson

Apologies for absence: Councillor Richard Mould, Lead Member for Performance

Officers: Yvonne Rees, Chief Executive
Adrian Colwell, Executive Director: Place and Growth
Cecilie Booth, Interim Assistant Director of Finance
David Peckford, Deputy Manager – Planning Policy and Growth Strategy
James Doble, Assistant Director: Law and Governance / Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

104 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

106 **Urgent Business**

There were no items of urgent business.

107 **Minutes**

The minutes of the meeting held on 5 February 2017 were agreed as a correct record and signed by the Chairman.

108 **Chairman's Announcements**

There were no Chairman's announcements.

109 **Submission of the Partial Review of the Cherwell Local Plan 2011-2031-
Oxford's Unmet Housing Needs**

The Executive Director for Place and Growth submitted a report to seek approval for the submission of the Partial Review of the adopted Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination.

Resolved

- (1) That, having given due consideration, the responses to the consultation on the Proposed Submission draft of the Partial Review of the Local Plan be noted.
- (2) That the supporting documents relevant to the preparation of the Partial Review of the Local Plan be noted.
- (3) That the Schedule of Focused Changes and Minor Modifications to the Proposed Submission draft of the Partial Review of the Local Plan (annex to the Minutes as set out in the Minute Book) be approved.
- (4) That the Proposed Submission Draft of the Partial Review (July 2017) (Annex to the Minutes as set out in the Minute Book) incorporating the Schedule of Focused Changes and Minor Modifications (Annex to the Minutes as set out in the Minute Book) be approved as the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031.
- (5) That Full Council be recommended to approve to submit the Submission draft of the Partial Review of the Cherwell Local Plan 2011-2031 to the Secretary of State for Housing, Communities and Local Government for independent examination with all necessary prescribed and supporting documents.
- (6) That the Executive Director for Place and Growth be authorised to make any necessary, presentational changes to the Submission draft

of the Partial Review and to necessary prescribed and supporting documents before the meeting of Full Council.

Reasons

This report presents the Partial Review of the Cherwell Local Plan 2011-2031 – Oxford's Unmet Housing Needs for approval and subsequent presentation to Council as a 'Submission' Local Plan. Upon approval by Council the Plan would be submitted to the Secretary of State for Housing, Communities and Local Government for independent examination.

Consultation on the Proposed Submission Plan commenced on 17 July 2017 and extended to 10 October 2017. A total of 1460 representations were received in response to the consultation. They have been considered by officers in reviewing whether the Partial Review (the Plan) is 'sound' and legally compliant - the tests of the independent examination of the Plan that commences upon the Plan's submission.

The view of officers is that the Plan is sound but that a number of 'focused changes' and 'minor modifications' should be made to it in the interests of its improvement, clarification and updating and to address minor presentational, grammatical and typographical issues.

Alternative options

Officers have considered all reasonable alternatives in preparing the Partial Review of the Local Plan. This is documented in the Sustainability Appraisal presented at Appendices 5, 6 & 7. The Plan as presented is considered to be sound, legally compliant, and, in the view of officers, would result in sustainable development.

The following alternative options are open to Members but are not recommended for the reasons as set out below:

Option 1: Not to approve the Plan

Joint work with the other Oxfordshire councils has revealed that Cherwell and other Districts need to meet additional housing need for Oxford. In accordance with paragraph B.95 of the adopted Local Plan, this triggered the Partial Review process to be completed within two years of adoption (from July 2015). Officers consider the proposed Partial Review of the Plan to be sound and legally compliant. Not to approve the Plan would lead to a reconsideration of how the whole District would contribute in meeting the identified housing need in the context of the statutory Duty to Cooperate. There would be significant uncertainty for partner authorities, local communities and the development industry.

Option 2: Not to approve the Plan and seek significant changes

New, significant changes would need to be considered by officers on an evidential basis before the Plan could be re-presented to Members for approval. Changes involving new planning considerations may require re-consultation. The consideration of significant changes would lead to delay.

Option 3: To approve the Plan and seek changes.

Changes would need to be considered by officers to determine whether they would affect the submission of the Plan for examination; whether they would be significant; and, whether they need to be considered on an evidential basis. Changes involving new planning considerations may require re-consultation. The consideration of significant changes would lead to delay.

110 **Oxfordshire Housing and Growth Deal**

The Chief Executive submitted a report to consider the Oxfordshire Housing and Growth Deal (the Deal) announced by Government in the November Budget, which provides £215 million of additional government funding for Oxfordshire, along with a package of planning freedoms and flexibilities for the Oxfordshire authorities.

The outline agreement made it clear that full agreement of the Deal was subject to agreement by each local authority and the Oxfordshire Local Enterprise Board (OxLEP) board (referred to collectively as the “Oxfordshire Partners”).

The deal also required a detailed delivery plan to be agreed by Oxfordshire Partners, Homes England and the Ministry of Housing, Communities and Local Government (MHCLG) by 31 January 2018.

In presenting the report, the Lead Member for Planning confirmed that all other local authorities in Oxfordshire had approved the Deal.

Resolved

- (1) That Full Council be recommended to agree to the Oxfordshire Housing and Growth Deal (the Deal).
- (2) That Full Council be recommended to agree the Delivery Plan as the basis for the Deal; noting that elements will be updated as detailed work programmes develop.
- (3) That Full Council be recommended to delegate authority to the Chief Executive in consultation with the Leader and the Growth Board, to make minor changes to the Delivery Plan that may be required to secure agreement with Government.
- (4) That Full Council be recommended to delegate authority to the Chief Executive in consultation with Leader and the Growth Board, to agree the Year 1 affordable housing delivery programme, phasing and processes specified in the Delivery Plan.
- (5) That Full Council be recommended to agree to appoint Oxfordshire County Council as the accountable body in respect of the Oxfordshire Housing and Growth Deal.
- (6) That Full Council be recommended to delegate authority to the Chief Executive in consultation with the Leader and the Growth Board, to review the terms of reference of the Growth Board and agree any

amendments and any appropriate inter-authority agreements required to support the Delivery of the Housing and Growth Deal.

- (7) That Full Council be recommended to delegate authority to the Chief Executive in consultation with the Leader to take any other decisions arising from agreement to the Oxfordshire Housing and Growth Deal, until the revised terms of reference of the Growth Board are in place.
- (8) That Full Council be recommended to agree to participate in the preparation of a Joint Statutory Spatial Plan (JSSP) for Oxfordshire in accordance with the timescales set out in the Delivery Plan and in accordance with Section 28 of the Planning and Compulsory Purchase Act 2004 (Districts only) with the milestones for progressing the JSSP being contingent on Government delivering the Planning Freedoms and Flexibilities as described in the Delivery Plan.

Reasons

This Deal is the only one of its kind in the UK, so far. It provides a significant level of additional level of additional resources for infrastructure and affordable housing to support the planned growth of Oxfordshire. Growth which in Cherwell is directed by the adopted Local Plan (itself based on the 2014 SHMA).

The protection offered by the bespoke planning freedoms will be significant allied with the strategic direction which a Countywide Spatial Plan will provide for shaping the growth which the development of the Oxford to Cambridge corridor will bring.

Alternative options

No alternative options are identified.

The meeting ended at 4.40 pm

Chairman:

Date: