

Committee: Executive
Date: Monday 2 March 2009
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)	
Councillor Norman Bolster	Councillor Kieron Mallon	Councillor Nicholas Turner
Councillor Michael Gibbard	Councillor Nigel Morris	
Councillor James Macnamara	Councillor D M Pickford	

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**

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

3. **Petitions and Requests to Address the Meeting**

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

4. **Urgent Business**

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

5. **Minutes** (Pages 1 - 8)

To confirm as a correct record the Minutes of the meeting held on 9 February 2009.

6. Forward Plan (Pages 9 - 21)

Report of Leader of the Council

Summary

To review the Leader's Forward Plan of the key decisions which will be taken by the Executive over the next four months.

Recommendations

The Executive is recommended:

- (1) To resolve to note the Leader's Forward Plan for the next four months.

Strategy and Policy

7. Integrated Parking Strategy , Residents Parking and Parking Enforcement
(Pages 22 - 49) **6.35pm**

Report of Head of Urban and Rural Services

Summary

To present progress on a number of key vehicle parking initiatives in the Cherwell District, specifically: Civil Parking Enforcement; the outcomes of a public consultation exercise on the Bicester Residents Parking Scheme; proposals for and public consultation on a Banbury Residents Parking Scheme; implementation of the Council's Vehicle Parks Enforcement Policy; provision of Hackney Carriage ranks in Banbury, Bicester and Kidlington.

Recommendations

The Executive is recommended to:

- (1) For Civil Parking Enforcement
 - a) Approve the proposals and outline timetable for the introduction of Civil Parking Enforcement (CPE) across the Cherwell District.
 - b) Approve negotiations with Oxfordshire County Council (OCC) on the basis of implementing CPE in Cherwell on the basis of no or lowest cost to the Council.
 - c) Approve investigation of a phase two which considers on street paid parking provided that there are benefits to the Council in doing so.
 - d) Report back on progress early in 2009/10.
- (2) Approve the interim and long-term proposals for the Bicester Residents Parking Scheme, and to delegate the confirmation of final scheme details to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.

- (3) Approve the process for considering a Residents Parking Scheme for Banbury, including:
 - a) The scheme principles
 - b) The consultation process
 - c) The outline timescales
 - d) The amendment to the previously agreed evaluation criteria
 - e) That areas consulted that do not wish Residents Parking to be introduced are not re-consulted within a two year time period.
- (4) Note the implementation of the Council's revised Vehicle Parks Enforcement Policy as approved at the October 2008 Executive.
- (5) For Hackney Carriage ranks in Banbury, Bicester and Kidlington
 - a) Note progress on the provision of Hackney Carriage ranks in Banbury, Bicester and Kidlington.
 - b) Approve the delegation of any decision on additional and /or amendments to existing ranks to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.
- (6) Approve the process for considering a Residents Parking Scheme for Banbury, including:
 - f) The scheme principles
 - g) The consultation process
 - h) The outline timescales
 - i) The amendment to the previously agreed evaluation criteria
 - j) That areas consulted that do not wish Residents Parking to be introduced are not re-consulted within a two year time period.
- (7) Note the implementation of the Council's revised Vehicle Parks Enforcement Policy as approved at the October 2008 Executive.
- (8) For Hackney Carriage ranks in Banbury, Bicester and Kidlington
 - c) Note progress on the provision of Hackney Carriage ranks in Banbury, Bicester and Kidlington.
 - d) Approve the delegation of any decision on additional and /or amendments to existing ranks to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.

8. Choice Based Lettings Scheme - Allocations Policy (Pages 50 - 118) 6.55pm

Report of Head of Housing Services

Summary

To seek approval to adopt a new Allocation Scheme and to enter into the Sub-Regional Choice Based Lettings Framework

Recommendations

The Executive is recommended:

- (1) To approve the adoption of the Allocation Scheme as at Appendix 1, effective from 1 June 2009.
- (2) To delegate to the Head of Housing Service in consultation with the Portfolio Holder for Planning & Housing the authority to amend this effective date, if required.

9. Juniper Hill Conservation Area Appraisal (Pages 119 - 152) 7.15pm

Report of Head of Planning and Affordable Housing Policy

Summary

To report on the consultation responses to the draft review of the Conservation Area appraisal.

Recommendations

The Executive is recommended:

- (1) To resolve, under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to approve the Juniper Hill Conservation Area appraisal and to extend the boundary with immediate effect

10. Treasury Management Strategy (Pages 153 - 157) 7.20pm

Report of Strategic Director Customer Service and Resources and Chief Accountant

****Please note Appendix 1 is to follow****

Summary

This report sets out the strategy and policy framework for treasury operations for 2009/10 and outlines the Council's prudential indicators for 2009/10 – 2012/13 as approved by Council on 23 February 2009. It fulfils two key requirements of the Local Government Act 2003:-

- approval of the Treasury Management Policy in accordance with the CIPFA Code of Practice on Treasury Management; and
- approval of the Investment Strategy in accordance with the DCLG investment guidance.

Recommendations

The Executive is recommended:

- 1) To recommend to Council approval of the Treasury Management Policy and Investment Strategy 2009/10.

11. Risk Management Strategy (Pages 158 - 163) 7.40pm

Report of Strategic Director Customer Service and Resources

Summary

To present an updated Risk Management Strategy for the Executive to approve and adopt.

Recommendations

The Executive is recommended:

- (1) To approve and adopt the updated Risk Management Strategy as outlined in Appendix A.

Service Delivery and Innovation

12. Service Delivery in Kidlington (Pages 164 - 172)

7.50pm

Report of Customer Services and Information Systems

Summary

To report on research conducted into service access in Kidlington and to ask the Executive to support the preferred option for the development of multi-agency service delivery in Kidlington

Recommendations

The Executive is recommended to:

- (1) Support the proposal to fully investigate the provision of a multi-agency service point at Exeter Hall in Kidlington in partnership with Kidlington Parish Council, and the development of a programme of co-hosted service delivery activities with the Oxfordshire Library Service.
- (2) Request that a report on the outcome of that investigation be brought forward to the Executive at its meeting in July 2009.

13. Parsons Street Pedestrianisation Scheme Traffic Regulation Order (Pages 173 - 213)

8.00pm

Report of Head of Economic Development and Estates

Summary

To consider amendments to the draft Parsons Street/Market Place traffic regulation order.

Recommendations

The Executive is recommended:

- (1) That the draft Parsons Street, Bridge Street and Market Place Order be amended to delete the evening core period between 8.00pm and 1.00am each day, in accordance with the Inspector's recommendation.

- (2) To amend the draft order to make it clear that the exemption for vehicles delivering mail extends to all Licensed Postal Operators, as defined by the Postal Services Commission, following de-regulation of postal services.
- (3) To vary the arrangements relating to the issue of residential exemption certificates issued to residents having private off-street parking spaces within the area, to enable them to have two certificates per space which can be used by residents or visitors.
- (4) To vary the arrangements relating to commercial exemption certificates similarly, so that two certificates can be issued in respect of each private business parking space.
- (5) To vary the arrangements relating to commercial exemption certificates issued to the owners of private business parking spaces, street and market traders, to entitle them to enter the pedestrianised areas during the core period, for the purposes of accessing their premises or stall.
- (6) To seek the County Council's authority to make an amendment order to amend the existing High Street and Sheep street Orders, to make similar provisions for commercial exemption certificates.
- (7) To make other minor adjustments to the wording of the draft order recommended by the Inspector to clarify the Council's intentions.
- (8) To advertise the Council's intention to make these amendments, and consider any objections received at a future meeting.

14. Food Waste Recycling Service (Pages 214 - 219)

8.10pm

Report of Head of Environmental Services

Summary

To seek approval to launch the rollout of food waste recycling across the district from October 2009

Recommendations

The Executive is recommended:

- (1) To note the proposed timescales for the plans in launching a Food Waste recycling scheme using the existing brown bin
- (2) To authorise the launch of food recycling across the district from October 2009 subject to a satisfactory analysis of the financial and environmental impacts of the interim arrangements.

Value for Money and Performance

15. Performance Management Framework Quarter 3 Report (Pages 220 - 271)

8.20pm

Report of Chief executive and Head of Improvement

Summary

To report the Council's performance against the Performance Management Framework for the period October – December 2008.

Recommendations

The Executive is recommended:

- 1) To note the progress made on delivering against the Corporate Scorecard and the other performance frameworks appended to this report.
- 2) To note the responses to the issues raised in the 2nd quarter report and to seek further information in the next quarterly Performance Management Framework report if required.
- 3) To agree that in the next quarterly report there will be an update on the impact of the economic downturn on:
 - a) The Council's ability to deliver the 2008/09 corporate targets of 400 new homes and the creation of 200 gross new jobs and the impact on our targets in these areas for 2009/10.
 - b) The income received through building control, planning applications and land charges during 2008/09, the projections for 2009/10 and the proposals for responding to a sustained drop in income as embodied in the 2009/10 budget.
 - c) The progress of key development projects such as Banbury Canalside, Bicester Town Centre and South West Bicester.
- 4) To agree that in the next quarterly report there will be an update on the following:
 - a) The target for reducing acquisitive crime by 5% is unlikely to be met and current projections suggest a 2% reduction will be achieved.
 - b) The amount of waste sent to landfill. This is expected to be reduced by a minimum of 1400 tonnes but with the real possibility of further improvement to achieve the annual target of 1500 tonnes.
 - c) The worsening performance on fly tipping and prosecutions.
 - d) The time taken to process minor and other planning applications. These met 59% and 71% of the respective performance targets and are rated Red and there has been a slight deterioration in the performance of both since the last quarter.
 - e) The delay in introducing the Food Waste Recycling Service. It is now likely to be Autumn 2009 before the delayed local food waste processing facility is built by the County Council.
 - f) The increase in the number of days lost through sickness from 3.58 per full time employee a year to 6.31.

Urgent Business

16. Items of Urgent Business

Any other items which the Chairman has decided is urgent.

(Meeting scheduled to close at 8.55pm)

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221587 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. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

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.

Queries Regarding this Agenda

Please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221587

Mary Harpley
Chief Executive

Published on Friday 20 February 2009

Cherwell District Council

Executive

Minutes of a meeting of the Executive held in at Bodicote House, Bodicote, Banbury, OX15 4AA, on 9 February 2009 at 6.30 pm

Present: Councillor Barry Wood (Chairman)

Councillor G A Reynolds
Councillor Norman Bolster
Councillor Michael Gibbard
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nigel Morris
Councillor D M Pickford
Councillor Nicholas Turner

Officers: Mary Harpley, Chief Executive and Head of Paid Service
Ian Davies, Strategic Director - Environment and Community
Julie Evans, Strategic Director - Customer Service & Resources
John Hoad, Strategic Director - Planning, Housing and Economy
Mike Carroll, Head of Improvement
Phil O'Dell, Interim Head of Finance and Section 151 Officer
Steve Newman, Head of Exchequer
Karen Curtin, Chief Accountant
Richard Hurst, Senior Legal Assistant
Claire Taylor, Community Planning Manager
Kevin Larner, Rural Development and Countryside Officer
Linda Rand, Design & Conversation Team Leader
Tony Ecclestone, Communications Officer
Alexa Coates, Senior Democratic and Scrutiny Officer
Natasha Clark, Trainee Democratic and Scrutiny Officer

RECOMMENDATIONS TO COUNCIL

160 Cherwell Rural Strategy

The Head of Urban and Rural Services submitted a report to consider the final draft Rural Strategy and Delivery Plan, to consider appointing a Rural Champion and to commend the final draft Cherwell Rural Strategy 2009-2017 and the Delivery Plan to the Cherwell Community Planning Partnership.

Resolved

- (1) To recommend to Council the approval of the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan as amended by the Portfolio Holder for Urban and Rural Services.
- (2) To approve the appointment of the Executive Member for Urban and Rural Services to lead the delivery of the Strategy as Cherwell District Council's "Rural Champion".

- (3) To commend the final draft Cherwell Rural Strategy 2009-2014 and the Delivery Plan to the Cherwell Community Planning Partnership as amended by the Portfolio Holder for Urban and Rural Services.

Reason – The Rural Strategy 2009-2014 and the Delivery Plan, which sets out detailed actions, will be part of the strategic framework that helps deliver the rural themes in Cherwell's Community Plan.

161

Consultation and Engagement Strategy and the Duty to Involve

The Chief Executive and Community and Corporate Planning Manager submitted a report to present a final version of a consultation and engagement strategy and action plan for Cherwell District Council and to outline the steps the council needed to take to meet the requirements of new legislation in this area.

Resolved

- (1) To undertake consultation on the draft strategy and make any amendments in consultation with the Portfolio Holder for Policy and Community Planning.
- (2) Following consultation, to recommend Council the adoption of the consultation and engagement strategy and action plan as council policy and the preferred approach to improving consultation and community engagement, to delivering our commitment to be an Accessible, Value for Money Council and to meeting the statutory requirements of the Duty to Involve in the Local Government and Public Involvement in Health Act 2007.
- (3) To request an annual progress review of the strategy and action plan to be received by the Executive.

Reasons – The business benefits of adopting the consultation and engagement strategy as proposed in this paper, and the supporting appendices go beyond meeting statutory requirements. They reflect and develop the Council's current commitment and approach and include:

- A clear statement of our commitment to consultation and engagement and an overview of the standards the public can expect when we undertake consultation.
- Support for Members in terms of better information about community needs and also improved opportunities to be involved in consultation.
- Closer alignment between service and financial planning and community needs as expressed through robust consultation and engagement opportunities. This will include the provision of an evidence base for service developments and growth bids.
- A clear set of standards and requirements for managers in terms of service consultation and support to help them fulfil this. Support will include consulting with harder to reach groups.
- Improved coordination of consultation across the Council and in conjunction with partners. This will ensure consultation results are timely, improved sharing of information and the reduction of consultation fatigue.

- Improved access to consultation for members of the local community. Consultations will be better planned and publicised. This will include better online access.
- Better value for money by working with others to procure consultation and share results.
- By adopting clear principles and standards the quality of our consultations will improve.
- A programme of corporate consultation that can be used to underpin the Council's strategic framework including setting the budget and the corporate plan and understanding customer satisfaction trends

162

Draft Budget 2009/10

The Strategic Director Customer Service and Resources and Chief Accountant submitted a report that advised the Executive regarding the final draft budget for 2009-2010 which had been updated to reflect changes since the first draft, which was reported to the December 1 2008 Executive meeting and the second draft, which was reported to the January 12 2009 Executive meeting. The final version was due to be presented to the full Council on 23 February 2009.

Resolved

- (1) To approve the changes to the draft budget since January 12 2009 and consider the draft revenue budget (detailed in Appendix 1) in the context of the Council's service objectives and strategic priorities;
- (2) To agree the approach to the overall capital programme and 09/10 expenditure profile (detailed in Appendix 2);
- (3) To note the latest MTFs financial forecast (detailed in Appendix 3);
- (4) To request officers to produce the formal 09/10 budget booklet on the basis of Appendices 1-3;
- (5) To recommend, subject to any further changes Members may wish to include tonight, the updated draft budget for adoption by the Council on 23 February 2009 (as a key decision);
- (6) To recommend that the draft service plans be endorsed.

Reasons – The budget forms the financial expression of the Council's service delivery plans for 2009/10 and the allocation of resources against agreed service priorities is necessary in order to achieve its strategic priorities. There is also a statutory requirement that the Council sets a balanced budget by 11 March 2009, and the draft budget is part of that process.

RESOLUTIONS

163 **Declarations of Interest**

8. Cherwell Rural Strategy.

Councillor Nicholas Turner, Personal, As the Chairman of an NFU branch who had been consulted on the document.

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

The Chairman informed the meeting that Councillor Sibley hoped to attend the meeting and had requested to speak on agenda item 16: Bicester Hospital.

165 **Urgent Business**

There was no urgent business.

166 **Minutes**

The minutes of the meetings held on 1 December and 12 January were agreed as a true and accurate record and signed accordingly.

167 **Forward Plan**

The Chief Executive submitted the Leader's Forward Plan of the key decisions which will be taken by the Executive over the next four months.

Resolved, that the Forward Plan for the next four months be noted.

Reasons – to create a Forward Plan for the Council as required by the Local Government Act 2000.

168 **Shenington and Alkerton Conservation Area Appraisal**

The Head of Planning and Affordable Housing Policy submitted a report that advised the Executive of the outcome of the public consultation on the draft conservation area appraisal and to recommend that a conservation area be designated at Shenington with Alkerton.

The Chairman expressed his gratitude to all residents who had addressed correspondence to him personally and noted that lessons could be learned from this case, including dispelling myths about conservation designation.

Councillor Reynolds and Councillor Turner requested that their abstentions be noted.

Resolved

(1) To note the outcome of the public consultation of the draft appraisal and proposed conservation area boundary.

(2) To approve the changes it is recommended be made to proposed boundary in response to comments received.

- (3) To designate, under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a conservation area as proposed in the revised appraisal and as at Fig 1 appended to the report with immediate effect.

Reasons – To approve Shenington with Alkerton Conservation Area appraisal and to designate a conservation area to cover both villages including historical landscape backdrop, as indicated in Fig.1.

169 **Oxfordshire 2030 - A Sustainable Community Strategy for Oxfordshire**

At the request of the Chairman this item was deferred to April to allow for further consultation.

Resolved, that the Oxfordshire 2030 – A Sustainable Community Strategy for Oxfordshire be deferred to allow for further consideration.

170 **Performance Management Framework Quarter 3 Report**

At the request of the Chairman this item was deferred to March.

Resolved, that this item be deferred until March to allow for further consideration.

171 **Authorisation of Staff - Safer Communities and Community Development**

The Head of Safer Communities and Community Development submitted a report requesting the Executive to update the authorisation of a newly qualified member of staff.

Resolved

- (1) That Authorisation be given to Rachel Anne Mason for the purposes of the following legislation:-

Building Act 1984
Caravan Sites Act 1968
Clean Air Act 1956, 1968 and 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Dogs (Fouling of Land) Act 1996
Environmental Protection Act 1990
Factories Act 1961
Litter Act 1983
Offices, Shops and Railway Premises Act 1963
Prevention of Damage by Pests Act 1949
Public Health (Control of Disease) Act 1984
Refuse Disposal (Amenity) Act 1978
Sunday Trading Act 1994
Water Acts 1973 and 1989
Water Industry Act 1991

- (2) That the Council be invited to authorise Rachel Anne Mason

Animal Boarding Establishments Act 1963
Breeding of Dogs Act 1973

Breeding and Sale of Dogs (Welfare) Act 1999
Caravan Sites and Control of Development Act 1960
Dangerous Wild Animals act 1976
Food Hygiene (England) Regulations 2006
Food Safety Act 1990
Health Act 2007
Health and Safety at Work, etc Act 1974
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Noise and Statutory Nuisance Act 1993
Official Feed and Food Controls (England) Regulations 2007
Pet Animals Act 1951
Public Health Acts 1936 and 1961
Riding Establishments Acts 1964 and 1970
Scrap Metal Dealers Act 1964
Zoo Licensing Act 1981

Reasons – This will ensure that the Council undertakes its regulatory duties in compliance with the law.

172 **Exclusion of the Press and Public**

Resolved, that, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph(s) 3 of Schedule 12A of that Act.

173 **Healthcare Provision in Bicester**

The Strategic Director Environment and Community submitted an exempt report to consider the Council's response to the Oxfordshire Primary Care Trust's (PCT) request for expressions of interest to deliver proposals for replacement Bicester Hospital facilities and services.

Resolved

(1) That the resolutions as set out in the exempt minutes be agreed.

Reasons – The provision of new healthcare facilities to meet the current and future needs of Bicester and surrounding areas is a critical part of the town's infrastructure. In submitting its proposal, the Council is ensuring that the PCT has a range of delivery options to consider providing the best possible service.

174 **Internal Audit Procurement**

The Strategic Director Customer Services and Resources submitted a report to consider the granting of delegated power to award to the Strategic Director Customer Services and Resources, in consultation with the Portfolio Holder for Resources and the Chairman of the Accounts, Audit and Risk Committee, for a contract for the Supply of Internal Audit Services.

Resolved

(1) That the progress made to date in the appointment of an external provider for the Supply of Internal Audit Services be noted.

- (2) That the granting of delegated powers be awarded to the Strategic Director of Customer Services and Resources, in consultation with the Portfolio Holder for Resources and the Chairman of Accounts, Audit and Risk Committee for a contract for the Supply of Internal Audit Services, commencing on 1 April 2009 for a period of 3 years with the option, purely at the discretion of the Council, to extend the contract by up to 2 years.

Reasons - The exempt report demonstrates that the procurement of Internal Audit Services is being undertaken via a competitive, compliant and robust process with the demonstration of effective partnership working with a neighbouring local authority. The Strategic Director Customer Services and Resources has provided strategic direction throughout the process and will consult with the Portfolio Holder for Resources and the Chairman of the Accounts, Audit and Risk Committee prior to deciding upon an award.

The meeting ended at 7.45pm

Chairman:

Date:

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

Document is Restricted

Executive

Forward Plan

2 March 2009

Report of Leader of the Council

PURPOSE OF REPORT

To review the Forward Plan of the key Executive decisions which will be taken over the next four months. These are the key decisions of which the Council's Executive is currently aware.

This report is public

Recommendations

The Executive is recommended:

- (1) To resolve to note the Forward Plan for the next four months.

Executive Summary

Introduction

- 1.1 The Forward Plan is updated and rolled forward on a monthly basis. As this takes place, the programme is adjusted with further key decisions being added and others rescheduled or removed. The covering introductory note identifies the Members of the Executive by name and title, as required by the Regulations.
- 1.2 Appendix 1 is a schedule of changes to the Forward Plan since the last publication and the plan itself.

Proposals

- 1.3 The proposals is to note the Forward Plan as attached.

Conclusion

- 1.4 Acceptance of these recommendations creates a Forward Plan for the Council as required by the Local Government Act 2000.

Background Information

- 2.1 The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 require that a forward plan be prepared by the Leader of the Council. The Forward Plan sets out the planned key Executive decisions which will be taken on behalf of the Council over the next four months.
- 2.2 The definition of what constitutes a key Executive decision can be found in Article 13 of the Council's Constitution which has guided the compilation of the attached Forward Plan. In particular, determination of whether a decision is "key" has been assessed with regard to its financial significance, the impact on local people and the degree of discretion that can be exercised. The content of the Forward Plan is prescribed in the Regulations and reflected in the Council's Access to Information Procedure Rules of the Constitution.
- 2.3 The Forward Plan has to be updated and rolled forward on a monthly basis, and a new forward plan produced at least 14 days prior to the first day on which it comes into effect. Any outstanding matters from the previous plan will be rolled forward into latest plan.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The Council must by law publish a Forward Plan. Acceptance of these recommendations creates a Forward Plan for the Council as required by the Local Government Act 2000.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** To adopt the recommendation. The Council must by law publish a Forward Plan. The only options concern its contents.
- Option Two** To propose amendments to the Forward Plan.

Consultations

All Chief Officers The plan has been updated in light of responses received.

Implications

- Financial:** None arising directly from this report.
Comments checked by Karen Curtin, Chief Accountant 01295 221564
- Legal:** The Council must by law publish a Forward Plan.
Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587
- Risk Management:** Risk assessment - No significant risk implications have

been identified in connection with this report other than the consequences of not complying with the legal requirement to publish a Forward Plan. Each report to the Executive on the items in the Forward Plan will carry its own risk assessment.

Comments checked by Karen Curtin, Chief Accountant
01295 221564

Wards Affected

All

Corporate Plan Themes

The Forward Plan provides a framework for consideration of Council policies over the next four months.

Executive Portfolio

Councillor Barry Wood
Leader of the Council

Document Information

Appendix No	Title
Appendix 1	Draft Forward Plan
Background Papers	
None	
Report Author	James Doble, Democratic, Scrutiny and Elections Manager
Contact Information	01295 221587 james.doble@Cherwell-dc.gov.uk



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Forward Plan Summary

March 2009 to June 2009

Cherwell District Council

Summary of the Forward Plan

This summary of the Forward Plan, (produced by officers on behalf of the Leader of the Council) sets out the key Executive decisions which will be taken at Cherwell District Council over the next four months. These are the key decisions of which the Council's Executive is currently aware. The Forward Plan will be updated and rolled forward on a monthly basis. As this takes place, the programme will be adjusted: further key decisions may be added, or anticipated ones may be rescheduled or removed. The summary shows the decisions programmed to be taken during each month. A likely date of decision is shown, but it is possible that a decision may be rescheduled to a later month. The full Forward Plan, including the latest position on prospective decisions is available on the council website at www.cherwell-dc.gov.uk, using the link to Council meetings.

This summary sets out the key decisions by month and says whether they will be taken by the Full Executive or by one of its individual Members, or portfolio holders as they are known (see below for details of the membership of the Executive). While key decisions may be taken by officers exercising authority delegated by the Executive, it is the Council's intention that this will very much be the exception.

Key decisions are those which are financially significant (in terms of spending or savings) for the service or function concerned or which will have a significant impact on communities, usually in two or more wards in the District. For the purposes of compiling its Forward Plan the Council has decided that a decision will be financially significant

- if it is equivalent in value to more than 10% of the annual gross budget for the unit concerned or £50,000 whichever is the lesser. If the figure is below £50,000 regard will be had to the impact on communities in deciding whether the decision is key.
- If it involves an individual capital projects with a value greater than £250,000.

In assessing impact on local people (including businesses and organisations) the following factors will be borne in mind:

- The number of users of the service in the wards affected
- Whether the impact will be short term or will last for a number of years, or be permanent.
- The nature of the impact on communities in terms of economic, social and environmental well-being.

For a decision to be key there must be a significant degree of discretion to be exercised by the decision-maker.

The Forward Plan lists documents which are currently available to decision makers. Generally these are also available to the public but some may have restrictions on the information given in them. Copies of public documents listed may be obtained on request from

James Doble,
Democratic, Scrutiny and Elections Manager
Cherwell District Council,
Bodicote House,
Bodicote,
Banbury, Oxfordshire OX15 4AA (e-mail: democracy@cherwell-dc.gov.uk).

There will be a copying charge for each document. Comments on the matters for decision may be made to the relevant contact officer up to the date of the meeting, unless otherwise specified in the consultation details.

Cherwell District Council – Executive Members

<u>Portfolio</u>	<u>Member</u>
Communications and Public Relations (with Special Responsibility for Climate Change)	Councillor Mallon
Community, Health and Environment	Councillor Reynolds
Customer Service and ICT	Councillor Turner
Economic Development and Estates	Councillor Bolster
Organisational Development and Improvement	Councillor Miss Pickford
Planning and Housing	Councillor Gibbard
Policy and Community Planning	Councillor Wood
Resources	Councillor Macnamara
Urban and Rural Services	Councillor Morris

Cherwell District Council Forward Plan

Key decisions to be taken by the full Executive

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
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Likely date of decision: April 2009

<p>Older Persons Housing Policy To consider and adopt and Older Persons Housing Strategy</p>		Portfolio Holder for Planning and Housing	Gillian Greaves Tel: 01295 221654	None.
<p>2009/10 Improvement Plan and Corporate Scorecard To consider the priorities for improvement in 2009/10 and how there should be monitored.</p>		Portfolio Holder for Organisational Development and Improvement	Mike Carroll Tel: 01295 227959	None.
<p>Corporate Performance Assessment (CPA) To consider the results of the Audit Commission's Corporate Performance Assessment of the Council in November 2008.</p>		Leader of the Council and Portfolio Holder for Policy and Community Planning	Mary Harpley Tel: 01295 221573	None.
<p>Annual Audit and Inspection Letter March 2009 To consider the Audit Commission's Annual Audit and Inspection Letter published in March 2009.</p>		Leader of the Council and Portfolio Holder for Policy and Community Planning	Mary Harpley Tel: 01295 221573	None.
<p>Constitutional Changes To consider proposed amendments to the constitution following a review.</p>		Leader of the Council and Portfolio Holder for Policy and Community Planning	Liz Howlett Tel: 01295 221686	None.

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
Capital Finance Strategy To consider proposed changes to the Council's Capital Finance Strategy.		Portfolio Holder for Resources	Karen Curtin Tel: 01295 221551	None.
VFM Review of Property Management Update To consider progress with regard to the review of property management and to consider options with regard to market testing.		Portfolio Holder for Resources	Julie Evans Tel: 01295 221595	None.

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
<p>Phone Access and Telephony Review To consider</p> <ul style="list-style-type: none"> • A proposal and associated business case and plan for a single customer contact number or small suite of numbers • Revised procurement practice in respect of telephony with associated reduction in costs • Plan for upgrade for main telephone switch and decommissioning of satellite switches • A clear product catalogue for telephony services to the Council 		Portfolio Holder for Organisational Development and Improvement	Simon Park Tel: 01295 223707	None.

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
Asset Management Plan To consider the 2009/10 Asset Management Plan		Portfolio Holder for Economic Development and Estates	David Marriott Tel: 01295 221603	None.
Addressing Health Inequalities in Cherwell To consider the current position and progress.		Portfolio Holder for Community, Health and Environment	Ian Davies Tel: 01295 221698	None.
Review of Organisational Restructure To consider a report on the results following the re-structure of the Council		Leader of the Council and Portfolio Holder for Policy and Community Planning, Portfolio Holder for Organisational Development and Improvement	Mary Harpley Tel: 01295 221573	None.
Kidlington Area Appraisal Programme To consider responses to the appraisal draft and approval of final appraisal.		Portfolio Holder for Planning and Housing	Linda Rand Tel: 01295 221845	None.
Sports Centre Modernisation To consider progress to date and opening arrangements.		Portfolio Holder for Community, Health and Environment	Paul Marston-Weston Tel: 01295 227095	None.
Support for the Horton Hospital To consider a donation to the cancer care appeal fund.		Portfolio Holder for Community, Health and Environment	Ian Davies Tel: 01295 221698	None.

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
Oxfordshire 2030 - A Sustainable Community Strategy for Oxfordshire (including a review of the Local Area Agreement 2) To consider the Oxfordshire County Sustainable Community Strategy including a review of the Local Area Agreement 2.	The strategy has been subject to county wide consultation and both the Executive and the Cherwell Community Planning Partnership have provided formal responses.	Leader of the Council and Portfolio Holder for Policy and Community Planning	Claire Taylor Tel: 01295 221563	None.

Likely date of decision: May 2009

Annual Review of Corporate Equality and Diversity Policy To consider the Annual Review of Corporate Equality and Diversity Policy.		Portfolio Holder for Community, Health and Environment	Grahame Helm Tel: 01295 221615	None.
Environmental Crime Enforcement To consider activity to date and proposals for improvement.		Portfolio Holder for Community, Health and Environment	Ed Potter Tel: 01295 221902	None.
Information Communication Technology Strategy To consider an information communication technology strategy for the Council.		Portfolio Holder for Customer Services and ICT	Pat Simpson Tel: 01295 227069	None.

Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
<p>Conservation Area Appraisal Programme Subject of further reports to be specified as programme progresses</p> <p>To consider responses to the consultation draft and approval of final appraisal.</p>		Portfolio Holder for Planning and Housing	Linda Rand Tel: 01295 221845	None.
<p>Banbury Residents Parking Scheme To consider proposals for the scheme.</p>		Portfolio Holder for Urban and Rural Services	Chris Rothwell Tel: 01295 221712	None.
<p>Banbury Cultural Quarter To consider proposals for the development of a cultural quarter.</p>		Portfolio Holder for Community, Health and Environment	Ian Davies Tel: 01295 221698	None.

Likely date of decision: June 2009

<p>A sustainable community strategy for Cherwell To consider an update regarding the progress of the new sustainable community strategy for Cherwell. To endorse the next steps of the project.</p>	The strategy will be subject to extensive consultation with members, partners and the public.	Leader of the Council and Portfolio Holder for Policy and Community Planning	Claire Taylor Tel: 01295 221563	None.
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Subject for Decision	External Consultees/ method of consultation	Executive Portfolio	Contact Officer(s)	Documents submitted to decision-maker
<p>Pitt Review into Summer 2007 Floods - Further Implications following the Government's Response to the Report Recommendations</p> <p>To consider further implications arising from the Government's response to the Pitt Report.</p>		Portfolio Holder for Community, Health and Environment	Tony Brummell Tel: 01295 221524	None.
<p>Conservation Area Appraisal Programme</p> <p>Subject of further reports to be specified as programme progresses</p> <p>To consider responses to the consultation draft and approval of final appraisal.</p>		Portfolio Holder for Planning and Housing	Linda Rand Tel: 01295 221845	None.
<p>Performance Management Framework Year End Report</p> <p>To consider the Performance Management Framework Year End Report</p>		Portfolio Holder for Organisational Development and Improvement	Mike Carroll Tel: 01295 227959	None.

Likely date of decision: July 2009

None to date

Agenda Item 7

Executive

Integrated Vehicle Parking Strategy

2 March 2009

Report of Head of Urban and Rural Services

PURPOSE OF REPORT

To present progress on a number of key vehicle parking initiatives in the Cherwell District, specifically: Civil Parking Enforcement; the outcomes of a public consultation exercise on the Bicester Residents Parking Scheme; proposals for and public consultation on a Banbury Residents Parking Scheme; implementation of the Council's Vehicle Parks Enforcement Policy; provision of Hackney Carriage ranks in Banbury, Bicester and Kidlington.

This report is public

Recommendations

The Executive is recommended to:

- (1) For Civil Parking Enforcement
 - a) Approve the proposals and outline timetable for the introduction of Civil Parking Enforcement (CPE) across the Cherwell District.
 - b) Approve negotiations with Oxfordshire County Council (OCC) on the basis of implementing CPE in Cherwell on the basis of no or lowest cost to the Council.
 - c) Approve investigation of a phase two which considers on street paid parking provided that there are benefits to the Council in doing so.
 - d) Report back on progress early in 2009/10.
- (2) Approve the interim and long-term proposals for the Bicester Residents Parking Scheme, and to delegate the confirmation of final scheme details to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.

- (3) Approve the process for considering a Residents Parking Scheme for Banbury, including:
 - a) The scheme principles
 - b) The consultation process
 - c) The outline timescales
 - d) The amendment to the previously agreed evaluation criteria
 - e) That areas consulted that do not wish Residents Parking to be introduced are not re-consulted within a two year time period.
- (4) Note the implementation of the Council's revised Vehicle Parks Enforcement Policy as approved at the October 2008 Executive.
- (5) For Hackney Carriage ranks in Banbury, Bicester and Kidlington
 - a) Note progress on the provision of Hackney Carriage ranks in Banbury, Bicester and Kidlington.
 - b) Approve the delegation of any decision on additional and /or amendments to existing ranks to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.

Executive Summary

Introduction

- 1.1 A number of issues in connection with the management of vehicle parking across the District were reported to the Executive at its meeting on 13 October 2008. This report brings Members up to date on progress with these matters.

Proposals

- 1.2 Civil Parking Enforcement

Cherwell District Council (CDC) has agreed with OCC that an Expression of Interest be submitted to the Department of Transport for a target date for implementation of April 2010. For progress to be made on CPE, agreement first needs to be reached with OCC on the financial arrangements and risks as well as the detailed management, enforcement and operational arrangements. Discussions with OCC will continue over coming months to try and achieve a satisfactory outcome to these matters.

- 1.3 Bicester Residents Parking

The changes required to the existing Bicester Traffic Regulation Order (TRO) that have been identified from the consultation review process, need to be negotiated with OCC and be considered once their TRO consolidation work has been completed. A revised TRO will then need to be formally advertised and any responses dealt with. It is proposed that changes to the Scheme be introduced from April 2010. The existing Scheme arrangements will run until this date with only minor modification.

1.4 Banbury Residents Parking

Consultants RTA have been working with the Council to develop proposals for a Residents Parking Scheme for Banbury. Initial consultation with residents in proposed permit areas is planned to take place in April/May 2009 with a public consultation exhibition on 29 April in Banbury Town Hall. Implementation of a scheme will be subject to 50% of those that respond supporting a scheme being introduced. Implementation will not be prior to Spring 2010 and after the implementation of CPE.

1.5 Vehicle Parks Enforcement Policy

The new policy came into operation on 31 January 2009, together with the new pay and display parking tariffs and Excess Charge Notice (ECN) levels. The aim of the policy is to ensure an efficient, effective, fair and equitable appeals process that minimises the exposure of the Council to risk.

The new ECN levels bring 'fines' into line with the Government's current approved CPE Penalty Charge Notices levels. A copy of the policy is available on the Council's website together with the newly introduced appeals form.

1.6 Hackney Carriage ranks: Banbury, Bicester and Kidlington

A petition was received at the start of February 2009 from representatives of the Hackney Carriage trade and signed by 65 license holders. Initial consideration is being given to possible location of further Hackney Carriage ranks across the District. Any decision on amendments and/or additions to rank space to be delegated to the Head of Urban and Rural Services in consultation with the Executive Member for Urban and Rural Services.

Conclusion

1.7 Significant progress has been made on a number of vehicle parking related matters over recent months, but there remains considerable work to be done, particularly in relation to a scheme for residents parking in Banbury, CPE and investigation and provision of Hackney Carriage ranks.

1.8 All these issues, together with finalising the Bicester Residents Parking Scheme, are impacted on by the work being done by OCC in consolidating TRO's in preparation for CPE. This will mean that the Council has to plan its priorities in conjunction with this work as effective implementation is dependent on this work being completed.

Background Information

Civil Parking Enforcement

- 2.1 In 2005, Government imposed a duty to manage congestion upon the network upon all Local traffic Authorities. Parking on waiting restrictions can be a significant cause of congestion, particularly within the main towns and strategic routes. CPE involves the transfer of the police powers for on street parking offences to district councils via OCC so that Civil Enforcement Officers are able to issue Penalty Charge Notices (PCN's) for any vehicle parking contraventions. The police remain responsible for any moving traffic offences.
- 2.2 Discussions have taken place over several months with OCC and the other Oxfordshire district councils in connection with co-ordinated roll-out of CPE. Implementation stalled in 2008 because final Government guidance was awaited and because the initial financial appraisal undertaken by consultants RTA put the deficit on scheme operation across the County at some £300,000 for the first two years. The Government confirmed its guidance in mid 2008 in the Traffic Management Act and district councils in Oxfordshire have progressed independent discussions with OCC as to how CPE is to be implemented in their district.
- 2.3 Cherwell's discussions with OCC are progressing on this independent basis, with no collective work being done on shared services in view of the different timescales and positions each of the district councils have. CPE remains critical in Cherwell for the long-term success of other initiatives such as residents parking schemes. A watching brief will be maintained with the other districts to identify any beneficial partnering arrangements.
- 2.4 Current dialogue with OCC has targeted April 2010 for the introduction of CPE. This has slipped from Autumn 2009 as OCC are progressing with West Oxfordshire District Council an earlier implementation date and are not able to resource more than one CPE application at this time.
- 2.5 An Expression of Interest has been submitted by OCC to the Department of Transport for Cherwell's CPE on this basis. There is no guarantee that DoT will accept this application and final timetable will be subject to DoT review and planning of other councils that are seeking to implement CPE at this time.
- 2.6 The benefits to Cherwell of CPE include:
1. Integration of parking functions and enforcement at the local level, although there is a clear requirement in the Act to keep separate accounts for off-street and on-street parking. For a number of months the Cherwell district has had limited Traffic Warden enforcement.
 2. Better management of parking to meet the needs of residents and businesses whilst maintaining the safety and free flow of traffic. Examples being: ability to allow passengers to board at bus stops; assist residents being displaced by commuter parking; improve safety at junctions; enable safe passage of fire tenders and refuse vehicles etc in narrow roads.

3. Transfer of powers to enable effective on street enforcement which will be essential in long-term enforcement of Resident Parking Schemes
4. Shared back office resources for both on street and off street parking and integrated systems and processes
5. Integration of inspection functions with off street vehicle park wardens services
6. Ability to manage town centre parking and traffic matters at the local level and secure improved co-ordination.
7. Potential to introduce on street charging through pay and display (although income from on street parking is to the benefit of OCC).
8. Establishes owner liability for parking tickets.
9. As car ownership continues to increase effective parking management will become more and more important to ensure safe highways and reduce impediment to economic activity that can arise from traffic congestion.

2.7 The dis-benefits include:

1. Potential increased cost based on the current very detailed and technical model based on key business drivers: staff costs; effectiveness of ticket issuing; effectiveness of payment administration.
2. A risk to the Council in that there are a range of assumptions which have to be made in relation to the numbers of tickets issued by each attendant per day; the effective payment rate on tickets issued: the cost of back office administration.
3. Additional costs to set up and administer on-street parking.
4. The base model projects annual deficit over Oxfordshire of £296,124 with deficit in Cherwell at £104,296.
5. PCN level set by Section 6 of the Traffic Management Act (TMA). The Council brought its ECN's into line with these rates on 31 January 2009.
6. Additional staffing and accommodation requirements

The base model and assumptions used require detailed review and assessment with sensitivity analysis to look at worst case/best case position before a more developed financial appraisal can be submitted. A series of model assumptions and sensitivities have been run as alternatives to the base model. These need further analysis to consider the operational effectiveness set by each assumption.

- 2.8 The initial 2007 countywide discussions agreed that OCC should fund all start up costs with a view to ongoing surpluses within the scheme paying back the deficit over a period of time. However, with the base model showing a scheme deficit this premise does not appear viable and further discussions are required on the alternative models. It is clear however that OCC will want to minimise any exposure to costs and it is understood that in WODC, the District Council has agreed to take the risk. This could well expose this Council to a county position that is not viable as the Council's position to date has been to implement CPE at no additional cost.
- 2.9 The TMA also sets out other significant changes around staff training; separation of policy and appeals processes; the establishment of a National Adjudication Service, and other matters that will need detailed consideration.
- 2.10 Further detailed analysis of the alternative modelling is required to understand the cost implications and resource requirements to staff and manage CPE in a way that avoids or minimises any additional cost to the Council. These will be subject to further reports in due course. No revenue costs have been included in the Service and Financial Planning work that has so far been undertaken.
- 2.11 A negotiating position of this Council is required before further discussions can take place with OCC. In setting this position, consideration needs to be given to the difficulties caused in enforcing Residents Parking Schemes without the powers to issue PCNs.
- 2.12 Subject to a decision to move forward on the scheme, it is proposed that the initial approach to resourcing is from a minimum capacity basis whilst the scheme is observed and reviewed. This would have to be with the proviso that the back office systems are fully resourced and robust as anything other than this is likely to lead to inefficiencies. Additional office space will also be required to accommodate the new Civil Enforcement Officers that will need to be employed.
- 2.13 A later phase of development could be the investigation of on street paid for parking should this have benefits to the Council.

Bicester Residents Parking Scheme

- 2.14 The Bicester Scheme was introduced in January 2008 through a TRO made by OCC under the 1984 Traffic Management Act. It was felt at the time that the Scheme should be run on an initial 12 month trial basis, with a review prior to considering the future of the Scheme. This item updates following the residents consultation that took place through December and January.
- 2.15 A summary of the consultation feedback is set out in Appendix 1 which has been placed on the Council's website for residents' information. With support for the scheme at over 90%, it can be argued that it has been a success and has achieved what it set out i.e. to offer the opportunity for residents to have parking priority over non-residents.
- 2.16 However, there have been some teething problems. Most significantly, enforcement has been a concern as a consequence of the Council not having the

powers to issue PCNs on vehicles that contravene the Scheme conditions. Enforcement has at best been patchy. Reliance on Thames Valley Police, and through the Vehicle Park Wardens issuing Warning Notices with a view to securing prosecutions, has been a far from satisfactory position. This has led to some abuse of the Residents Permit and Visitor Permit system. More robust enforcement processes and targeted actions in conjunction with the police have been taken since the consultation and we are in process of prosecutions through court process. This is a time consuming activity that would be largely unnecessary if we had powers that will be conferred on the Council by the CPE transfer i.e. the power to issue PCNs and levy the fines that these are linked to.

- 2.17 There have also been issues raised by individual residents that are of specific concern to them but do not reflect adversely on the wider success of the scheme. Some of these have been dealt with; others require amendments to the TRO; some will not be possible to address without a negative effect on the Scheme or on other residents.
- 2.18 In addition, having had the benefit of operating for 12 months, and with the experience of the new team developing proposals for Banbury, a number of amendments to the TRO have been suggested to OCC. The intention is to simplify the process and review mechanisms in the future around costs of permits, eligible properties and permit numbers, so that a formal legal process for 'house keeping' amendments is not required in the future. As things stand at the moment, the TRO, for example, sets the cost of permits at £50 and this cannot be changed without formal advert and Notice, and the consequent time pressures and costs that are associated with advertising formal Notice. This position needs to be negotiated and agreed with OCC.
- 2.19 In terms of moving forward with a scheme from 1 April 2009, there is a need to implement on a further interim basis as a consequence of the amendments required to the TRO as set out above. The moratorium OCC have placed on any new TRO's whilst they complete the TRO consolidation process ahead of CPE means there is not the time to negotiate new scheme details before expiry of the current permits. As a consequence, it is proposed to extend the scheme largely unchanged until 31 March 2010, with a revised TRO negotiated, advertised and agreed for an updated Scheme to run from 1 April 2010, albeit that we will still not have the benefit of the enforcement powers through CPE for a few more weeks (based on current plan).

Banbury Residents Parking Scheme

- 2.20 Consultants RTA have been assisting the Council with researching and developing a Residents Parking Scheme for Banbury. Initial feasibility work has been carried out and report produced on proposed locations for residents schemes to operate. This report and updated recommendations (following further discussions in the project team) are based on traffic counts and analysis of parking patterns in the areas. A copy of the reports has been placed in the Members Room.
- 2.21 Appendix 2 sets out the FAQ's that include the general principles of the scheme. These have been discussed with relevant District Councillors whose wards are

affected by the proposals. Some of the more significant principles that the consultation process will seek to set out and secure views on are:

- Costs of permits at up to £100 (Business permits at £125). Consideration to be given in the longer-term as to Banbury and Bicester costs being the same levels.
- Eligible Properties. Only those with no off street parking (driveway, garage or other parking that is off the highway).
- Number of permits. Limited to one per eligible property.
- Arrangements for Visitors. 24 hour scratch card Visitor Permits, limited to 100 per eligible property. Visitor permits to be available at a cost.
- Blue Badge Holders purchasing residents parking permits.
- Streets that choose not to have a residents parking scheme are not reviewed within a 2 year time period.

2.22 The Executive at its October 2008 meeting proposed an amended recommendation for the evaluation criteria and agreed:

1. Consultation undertaken on a per household basis with one vote per household.
2. A household being defined as a property which is separate for council tax purposes (houses in multiple occupation will be treated as one household).
3. Minimum of 50% of eligible residents, voting on a one vote per household basis, from individual streets responding positively for the introduction of a scheme.

The amendment removed one of suggested criteria being: Where households do not return consultation questionnaires this will be assumed to be a positive response in that they do not object to a scheme.

2.23 Further discussions with the consultants and the project team have identified that this evaluation methodology is not viable. RTA has advised that consultation rarely returns more than 30% response rate. The criteria in point three above is most unlikely to achieve the response rate required and consequently, it is proposed that a revised criteria to replace item 3 above be used: 50% of respondents voting in favour of a scheme in specific areas.

2.24 If these criteria are agreed, it will be important to emphasise to residents in the consultation process the details of the scheme and that, if the outcome of the consultation process is not sufficient support for a scheme, then the Council will not be in a position to reconsider introducing a scheme for at least 2 years. The importance of emphasising this arises from the likely displacement parking that will affect areas that may not currently have a parking problem. Further phases may well need to be considered anyway to take account of this displacement parking into streets that are not currently being considered in this proposal.

- 2.25 Should residents support a scheme, detailed proposals will need to be worked up and discussions with OCC about a TRO. In light of earlier comments about CPE, OCC's review of TRO's, and the issues about enforcement capabilities, it is proposed that target date for scheme introduction is post CPE. May 2010 is a reasonable date to suggest at this stage, assuming CPE is implemented in April 2010.
- 2.26 Progress on a scheme will consider each of the proposed zones with a view to amending the boundaries if specific streets within a zone do not wish to be included. Streets that do not wish to be included need to be aware that they may suffer detriment from displacement parking but will not be reconsidered within a two year period. A plan of the locations is set out at Appendix 3.
- 2.27 To progress with securing residents views, a consultation process is planned in after Easter in April and May and a consultation exhibition is planned to take place on 29 April in Banbury Town Hall. If the consultation indicates support for a scheme, detailed scheme plans will be drawn up and a TRO prepared for consultation in the autumn.

Vehicle Parks Enforcement Policy

- 2.28 The Executive approved at its October 2008 meeting a revised Vehicle Parks Enforcement Policy and the procedures that underpin it, bringing them up to date following the transfer of functions to Urban and Rural Services. The Policy was brought into operation on 31 January 2009, in line with the new car park tariffs and the revised ECN levels.
- 2.29 The purpose of the revised Policy is to:
- a) Establish more effective management controls in the administration of appeals in line with new Council structures in Urban and Rural Services.
 - b) Ensure transparency and consistency of decision making in respect of enforcing Excess Charge Notices (ECNs) thereby mitigating the Council's exposure to challenge against unfair treatment.
 - c) Begin to put in place the arrangements that will support the implementation of CPE.
- 2.30 A copy of the revised policy together with the appeal form and the new pay and display tariffs have been placed on the Council's website. A further review will be required as part of CPE.

Additional Hackney Carriage Rank Space

- 2.31 Initial consideration is being given to possible location of further Hackney Carriage ranks across the District. The Trade have previously brought this to the Council's attention and, at the start of February 2009, a petition was received signed by 65 license holders. It has not been possible to address this matter until now.

- 2.32 Initial options for additional ranks have been discussed with representatives of Cherwell Valley Hackney Association and further consideration is being given to these. The approach has been to identify possible sites; being either extension or reconfiguration of existing ranks; new locations; or shared use of existing vehicle parking, for example council owned car parks and disabled parking.
- 2.33 Not all these are feasible nor necessarily desirable for a range of different reasons. Options are in process of being further researched with the trade and will then need negotiation/consultation with relevant parties, including with OCC, with probable revised TRO's and Car Park Orders required for any of the locations that are progressed. The current TRO consolidation exercise in preparation for CPE may delay these discussions.
- 2.34 Proposals for ranks on Council land may be possible to implement more easily but will still require revised TRO advertising if on Council car parks. It is intended to review the proposals that have been put forward; discount those that are impractical or not desirable and then concentrate on the most favoured options of the Council and the Trade. It is proposed that any decisions on amendments and/or additions to rank space to be delegated to the Executive Member for Urban and Rural Services. Funding will need to be identified.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The options in italics are the basis of the recommendations in this report and are believed to be the best way forward:

- | | |
|---|---|
| Options:
Civil Parking
Enforcement: | <ol style="list-style-type: none"> 1. Not to pursue CPE. 2. To pursue only on a co-ordinated basis across the County. 3. <i>To pursue independently of the other district councils in Oxfordshire.</i> |
| Options:
Bicester Residents
Parking Scheme | <ol style="list-style-type: none"> 1. Not to continue a Scheme. 2. To continue a scheme with no amendments. 3. <i>To introduce an amended scheme in conjunction with revised TRO.</i> |
| Options:
Banbury Residents
Parking Scheme | <ol style="list-style-type: none"> 1. Not to investigate further the introduction of a Residents Parking scheme. 2. <i>To undertake consultation with residents on the introduction of a Scheme.</i> |
| Options:
Vehicle Parks
Enforcement Policy | <ol style="list-style-type: none"> 1. No alternative options considered. |
| Options:
Additional Hackney
Carriage rank space. | <ol style="list-style-type: none"> 1. No further rank spaces to be considered. 2. <i>Review requirements for additional spaces and identify possible sites.</i> |

Consultations

Civil Parking Enforcement

Discussions have taken place with the other rural districts in Oxfordshire and OCC. An Expression of Interest has been requested by and submitted to DoT.

Residents Parking Scheme

This report sets out proposals for consultation with residents on the Banbury Scheme.

Consultation with Bicester residents took place in December 2008/January 2009.

Cherwell Valley Hackney Association

Initial discussions have taken place on additional Hackney Carriage rank spaces.

A petition from representatives of the trade has been received and response made on the proposed actions as detailed in this report sent.

Implications

Financial:

Civil Parking Enforcement (CPE)

Financial effects relating to CPE are currently being determined as part of a detailed financial modelling process. There are costs associated with implementing the proposals as increased staffing, office accommodation, IT systems and the like will be required. It is intended that these be minimised by planning an integrated approach with the other vehicle parking matters set out in this report.

Once fully researched and identified they will be the subject of future reports to the Executive for the approval of a Supplementary Estimate for the 09/10 Budget should that be required.

As detailed in the main body of the report, initial calculations commissioned by the Oxfordshire Chief Executives group projects annual deficit over Oxfordshire of £296,124 with deficit in Cherwell at £104,296.

Residents Parking Scheme Banbury

The report seeks approval for a consultation process with Banbury residents. The costs of this consultation process and scheme feasibility are included in the Revenue Estimates.

There are costs associated with implementing the proposals as increased staffing, office accommodation, IT systems and the like will be required. It is intended that

these be minimised by planning an integrated approach with the other vehicle parking matters set out in this report.

Residents Parking Scheme Bicester

Any financial implications of the Interim Scheme will be contained in approved revenue estimates. Costs for revised scheme will be subject to formal advertising of the TRO and any objections received.

There are costs associated with implementing the final scheme proposals but it is intended that these be minimised by planning an integrated approach with the other vehicle parking matters set out in this report.

Vehicle Parks Enforcement Policy

There are no financial effects arising directly from the recommendations on the revised Vehicle Parks Enforcement Policy, although it is anticipated that efficiencies can be derived that will assist in developing other aspects of Council Vehicle Parking Policy.

Additional Hackney Carriage rank space

The report only seeks approval to investigate the feasibility of the provision of additional space. There are no financial effects at this stage, however there will be costs of implementing any additional or new ranks that will need to be considered depending on the nature and extent of the proposals that are brought forward.

Comments checked by Karen Muir, Finance Officer, 01295 221545.

Legal:

On Civil Parking Enforcement and Residents Parking there are resource implications because it will mean undertaking prosecutions for unpaid PCN's/ECN's and new parking orders will be required.

Any new parking orders will need to be correctly prepared by the legal department to ensure they are enforceable. The appeals procedure will need to be properly managed to prevent complaints to the Local Government Ombudsman.

Comments checked by Nigel Bell, Assistant Solicitor 01295 221687

Risk Management:

There are risks associated with these proposals many of which are interlinked.

The Council's reputation could be affected if schemes are not implemented correctly or the public are not kept fully informed or misunderstand the scheme proposals; or the

Council is not able to carry out effective enforcement.

Enforcement of schemes could give rise to negative press; prosecution of individuals through the courts; and increased workload in administering Penalty Notices.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer, 01295 221566

Wards Affected

All Wards

Corporate Plan Themes

An Accessible Value for Money Council

Executive Portfolio

Councillor Nigel Morris
Portfolio Holder for Urban and Rural Services

Document Information

Appendix No	Title
Appendix 1	Residents feedback on Bicester Residents Parking Scheme
Appendix 2	Banbury Residents Parking Scheme-plans
Appendix 3	Banbury Residents Parking Scheme-FAQ's
Background Papers	
RTA reports on Banbury Residents Parking Vehicle Parks Enforcement Policy Bicester Residents parking consultation response	
Report Author	Chris Rothwell, Head of Urban and Rural Services
Contact Information	01295 221712 chris.rothwell@cherwell-dc.gov.uk

Residents Feedback on Bicester Residents Parking Scheme

Introduction

In December 2008 the Council invited residents that are part of the Bicester Residents Parking Scheme (the Scheme) to provide feedback on the pilot that was introduced in January 2008.

There are currently 85 Permit holders (35 of whom have a second permit). In addition health care agencies have been issued with permits.

A copy of the consultation form, the Frequently Asked Questions (FAQ's) and covering letter are attached.

The FAQ's formed the basis of the Council's proposals for a scheme from 1 April 2009, should residents consultation show support for the scheme.

The closing date for consultation feedback was 9 January 2009. A summary of the consultation feedback is set out below.

Consultation Summary

- 44 responses received.
- 39 of these responses support the Scheme
- 6 did not support the Scheme

Attached is a summary of the comments and issues raised by residents. It does not include every individual comment as some issues highlighted are specific to individuals. It summarises the general views on the scheme and the themes that have emerged from residents as to how the scheme might be improved.

The Council will be considering all these comments and discussing them with the highway authority (Oxfordshire County Council) as part of its determination of proposals for a Scheme from April 2009.

This web page will be updated to take account of the outcomes from these discussions and plans for April. Two of the key issues that have been fed back to the Council are dealt with below.

Permit Costs

The Council's proposal is for permits to cost £52 included for the 12 months from April 2009. In summary:

- 36% felt that the permits should be at a lower cost
- 10% were in agreement with £52
- 26% responded it should be more expensive
- 28% did not have a comment.

Enforcement

The main concern residents have about the scheme is the effectiveness of enforcement. A number of residents raised concerns that cars without valid permits continue to park in the permit holders only areas. There is also concern that the visitor permits are being abused by a small minority of residents.

The Council agrees that enforcement action needs to be improved considerably. Cherwell District Council does not currently have the legal powers to issue fines for 'On Street' parking infringements, and this restricts the effectiveness of our enforcement work.

Thames Valley Police do have the powers to issue Fixed Penalty Notices (FPNs). Police Community Support Officers patrol the Permit Areas and have been issuing FPNs. The Council want to ensure that residents that abide by the Scheme rules benefit from a fair scheme, we are therefore liaising further with the Police and undertaking some more targeted enforcement to ensure this is the case.

The scheme is also enforced by Council Vehicle Park Wardens. Daily patrols are made and Warning Notices issued. Evidence is being gathered against persistent offenders who ignore the Warning Notices and photographic evidence taken of offending vehicles. We have a number of vehicles that we consider are abusing the scheme. Ownership of these is now being collated through the DVLA with a view to prosecution action being taken. To date one action has been taken and a successful prosecution against the offender secured.

Work is also being undertaken to secure the legal powers to enable the Council to issue PCNs. Unfortunately, the legal process to achieve this will take at least a year and is part of a wider initiative that requires work on other parking matters before this could be introduced.

Further Information

This section will be added to as the Scheme proposals develop.

If you have any comments or further queries at this stage please telephone the Parking Services 24 hour hotline on 01295 221993. This is an ansaphone service and we will endeavour to respond within two working days.

Alternatively you can e-mail the Council at parking.services@cherwell-dc.gov.uk

Summary of Consultation Feedback

Residents comments about Support for the Scheme

93% of eligible properties either support the scheme or have not raised any issues about the scheme.

44 responses received. 39 supported the Scheme. 6 did not support the Scheme

Comments received in support included:

- The scheme is fantastic.
- It is invaluable to us.
- It is enormously beneficial.
- Love the Scheme.
- Brilliant scheme.
- A1 Scheme.

Council Response

Where households have not responded the Council are assuming that they are broadly happy with the Scheme proposals, hence the 93% set out above.

We will therefore continue to develop the scheme as proposed, taking into account the comments received and issues raised where these can improve the scheme.

However, there are legal processes connected to the Traffic Regulation Order (TRO) that need to be resolved and the agreement of Oxfordshire County Council (OCC) secured, as the Highway Authority.

Issues and Suggestions for Improvement

Residents comments about Enforcement of the Scheme

The following comments were made by residents about enforcement:

- More enforcement required.
- Why can't the Council issue tickets.
- Council should prosecute vehicle owners that abuse the scheme.
- Specific residents that abuse the scheme should be warned.
- Problem is mainly Friday nights and weekends.
- Lots of cars park outside the Methodist Church.
- Provide telephone numbers for inspectors.
- Improve signage.

Council's Response

We need to demonstrate that we are doing more to ensure the Scheme is operating correctly and fairly and is not being abused by a minority of residents, or commuters/visitors.

Unfortunately Cherwell District Council do not have the legal powers to issue Penalty Charge Notices for On Street parking offences. We are looking to achieve this through a process called Civil Parking Enforcement that will see this power transfer from the Police to the Council. The process for this requires legal agreements to be

drawn up and an application to the Secretary of State. It will be Spring 2010 before this is achieved as there are wider parking related matters that have to be organised for the Secretary of State to approve this.

In the meantime, Thames Valley Police are working with us to police the scheme and issue Fixed Penalty Notices where vehicles do not display valid permits. We are aware that there are still instances of cars parking without valid permits so we are planning a targeted enforcement campaign with the police.

In addition, evidence has and will continue to be gathered on persistent offenders so that prosecution action can be brought against them.

Mobile numbers of the inspectors will not be issued but there is a hotline number (01295 221993) and e mail address parking.services@cherwell-dc.gov.uk on which you can let us have details of any issues/incidents. This will not generate immediate response but allows us to gather intelligence as well as advise Wardens of issues.

Signage will be reviewed if there are any material changes to the scheme, but this may delay introduction of any changes.

Residents feedback on space available for residents parking.

The following comments were made by residents:

- Permits should only be available to properties that do not have off street parking.
- Space is taken up by inconsiderate parking by residents.
- It might be better to identify parking bays by road markings.
- Residents should only be allowed to park in the streets they live.

Council's Response

The Order currently states the properties that are eligible for permits. The Council consider that only properties without off street parking (garage, driveway, other parking that is not on the public highway) should be eligible and will be looking into this with OCC.

The current Scheme operates without sub zones to offer the best flexibility for parking by residents. To move to designated zones can be done but would require a new Order and new signage. No decision has yet been taken on this but, in the short term, it is unlikely that OCC would agree to such a change prior to the introduction of Civil Parking Enforcement.

The existing road markings do not designate parking bays as vehicle size can vary. The Council's view is that this approach helps to maximise parking space whereas designated bays would reduce available parking space.

Unfortunately not everyone considers the impact of their parking on others. This should be self policing (as it effects all scheme participants). The Council will enforce the Scheme as set out above but we will not get involved in managing considerate parking and good neighbourliness.

Residents feedback on Visitor Permits

The following comments were made by residents:

- Visitor permits should not be issued.
- Visitor permits should be 24 hour and not run out at 2359 hours.
- Should be maximum 3 hour stay only.
- Should be available free to non permit holders.
- Should be free.
- Free to houses with off street parking.
- Same cost for all. Should reduce the number of visitor permits.
- 100 visitor permits is not enough.
- Unused permits should be allowed to be used the following year.

Council's response

The reason for introducing the Scheme was to exclude non residents parking to enable home owners to park close to their homes. We recognise however that the Scheme should try and reasonably accommodate visitor parking, albeit that pay and display parking is fairly close to most roads in the Scheme and these car parks are free after 6pm Mon-Sat and 4pm Sun. We envisage Visitor Permits continuing but will look at cost and operation of these.

The Council are concerned that Visitor permits are being abused by a small number of residents. Action is being planned to stamp this out.

We also need to consider the various options with the current scratch cards and consider that there are benefits of 24 hour permits rather than the current arrangement where visitor permits expire at 23.59.

We will be looking at permits costs and will resolve through an allocation of free and/or chargeable visitor permits. This type of approach enables all residents in permit areas to benefit from no cost permits and also have a choice to purchase a further allocation for their visitors. There will need to be a limit.

Unused permits need to have expiry date in order to ensure that demand for parking places can be monitored and consequently there are no plans to move away from end of term expiry.

Residents feedback on Medical Carers and Family Carers Permit

The following comments were made by residents:

- A Medical Carers Permit is required for all health professionals.
- Family Carers should use Visitor Permits.
- Family carers should get permit free.

Council's response

The Residents Parking Scheme was introduced with the primary aim of making parking more accessible for residents. This principle has to continue to be the basis of the Scheme otherwise the complexities of trying to cover other requirements will make it non viable.

The Council's proposal is to continue to offer Medical Carers Permits but to limit the numbers as there are currently 85 Medical Carers Permits issued to Health Care Agencies.

With the Scheme emphasis on Residents it is felt reasonable to introduce a restriction bearing in mind that there is available parking close to hand in public car parks and that emergency vehicles are exempt from restrictions.

The Council also propose a Family Carers Permit when it can be demonstrated that a resident at an Eligible Property has need for care, this to be demonstrated via letter of support from the residents GP. Permits will cost the same as Residents Permits.

Residents feedback on Blue Badge Holders

The following comments were made by residents:

- Not happy that Blue Badge Holders should be able to park free.
- Blue Badge Holders should not have to pay.

Council's response

The Council's current thinking is:

- Blue Badge Holders that are not permit holders should be allowed to park in residents parking areas subject to the Blue Badge Scheme conditions i.e. maximum stay restrictions and provided Blue Badge and clock are displayed.
- Blue Badge Holders that are Eligible Residents and wish to benefit from Residents Parking be required to purchase a Residents Parking Permit. There may be eligibility to apply to OCC for disabled parking bay.

Residents feedback about second permit

35 respondents agreed with the limit of 2 permits. 4 respondents did not agree.

The following comments were made by residents:

- Scrap the second permit.
- Issue one permit to every eligible resident that applies.
- Happy with 2 permits.
- More than 2 permits should be available.
- Second permit should be at same cost as first.
- Second permit should be at higher cost.
- Second permit should be at lower cost.

Council's response

Currently there are 35 second permits in the Bicester scheme at 50% of the price of a first permit. It is possible that demand will expand over time and so this needs to be kept under review.

Most scheme participants have no problems with finding parking spaces close to their homes so it is likely that the limit to 2 permits will remain.

There are two or three small areas where specific issues are causing concern to a

few residents. Some of these issues can be overcome by better enforcement, others by moving to a position where Eligible Properties do not have off street parking. We also have to recognise that there may be some issues that cannot be resolved without negative impact of greater number of residents. In these circumstances we have to be pragmatic. This may take the form of changes being made.

Our current thinking is that a maximum of 2 permits continue to be made available but that this is kept under review. Costs are currently proposed at the same level as first permits to ensure fairness in scheme costs.

Residents feedback on other monitoring.

The following comments were made by residents:

- Provide CCTV.
- Provide 24 hour monitoring.
- Install speed ramps.

Council's response

It is not proposed that these suggestions be considered further due to costs. If they were, permit costs would have to increase considerably and it is not considered that the current scheme requires these to operate effectively.

Residents feedback on Permitted Vehicles

The only concerns raised are on height of vehicles being restricted to 2.0m

Council's response

The Order specifies the requirements to be classed as a Permitted Vehicle. Camper Vans are currently exempt from any restriction. This may be too vague and the Council will review this with OCC.

Residents feedback on Eligible Properties

There are concerns about properties with off street parking and a specific concern about which properties are eligible to park in which areas.

Council's response

The Order sets out Eligible Properties. We will review the situation on properties that have off street parking, and we have raised with OCC the issue of drop curbs and white lines in front of property access'.

There are no legal powers to designate on street parking to specific properties so there will be no change to this. Where there are no restrictions in place, drivers are free to park where they choose provided vehicles are not parked dangerously or so as to cause an obstruction or hazard.

Zoning could be considered but this would have cost implications as is unlikely to solve the specific matters raised. This has been raised with OCC and it is unlikely to be supported.

Residents feedback on North Road issues and the Chinese Take Away/F&C shop
These businesses have many short term stop offs to their premises which restricts parking to Eligible Residents.
Council's response
<p>We acknowledge that this is occurring. Presumably, prior to introduction of the Residents parking scheme, similar activity was taking place.</p> <p>This is possibly a situation where a pragmatic view has to be taken. The business existed before the introduction of the Scheme and in these times of economic uncertainty, it is important to support local business.</p> <p>On balance, as Residents Parking has decreased the amount of commuter parking that existed before the Scheme was introduced, with consequent benefits to residents, the Council are not planning any changes.</p>

Frequently Asked Questions Banbury Residents/Business Parking Schemes

These FAQ's have been put together to assist in setting out how the Council envisage a Residents'/Business' Parking Permit Scheme (The Scheme) operating in Banbury.

What is a Residents'/Business Parking Scheme?

The Scheme provides for permit only parking in designated streets. It aims to provide protected parking for eligible residents/properties/business' without their own off-street parking facilities, that experience pressure from commuter/visitor parking, generally in streets close to the town centres. It does NOT provide dedicated parking places outside properties, nor does it guarantee parking at any time.

What is 'Off-Street' Parking?

For the purpose of the Scheme this means residential or business properties that have their own garage, driveway or other dedicated parking that is not on the Highway.

How is the Scheme introduced?

The Council will first consult with residents/local business' and identify support for specific areas. Subject to support for the Scheme, the Council have to apply through legal process for a Traffic Regulation Order (TRO) that enables restrictions on parking to be introduced on designated streets. Once a TRO is approved and the Scheme introduced, the Council are able to enforce the Scheme.

When will the Scheme be introduced?

At this stage the Council is consulting to gauge the level of support. If a Scheme is supported by residents/business' then the Council will need to establish a legal Order. The timing of this can not at this stage be determined, but is likely to be early 2010.

How do I apply for a residents/Business parking permit?

You will receive an application form and information, in plenty of time for the start of the Scheme, advising you how to apply for a permit.

How will you stop non-residents getting permits?

Permits will only be issued to eligible residents/business' who can prove that they live or have a business within one of the permit parking zones and that they can prove that they own/lease a vehicle or are eligible for the other forms of permits covered by the Scheme.

Where are the proposed Residents/Business parking zones?

These are set out on the plans in the information pack. When a Scheme is introduced, Zones are established consisting of designated streets which are indicated by signage and road markings. Individual parking bays are not identified by road markings.

Who is eligible for a permit?

To qualify for a permit you must be an Eligible Resident whose principle place of residence is at an Eligible Property, or be an Eligible Business. As defined below.

In addition visitors, carers and contractors may be eligible for special permits to park in Residents Parking Zones. A permit will be valid in one Zone only.

Eligible Resident?

Is a person whose principal place of residence is at an Eligible Property.

Eligible Property?

To be an Eligible Property, the property must:

- a) Be an address within a street covered by the Traffic Regulation Order
- b) Be registered separately for council tax purposes
- c) NOT have Off Street Parking.

Eligible Business?

To be an Eligible Business, the property must

- a) Be an address within a street covered by the Traffic Regulation Order
- b) Be a non-residential property
- c) Be registered separately for and paying Business Rates
- d) NOT have Off Street Parking.

I live in rented accommodation. Am I eligible for a Residents Permit?

Rented accommodation and houses in multiple occupancy will be treated in the same way as other residential property. The same restrictions will apply.

Why do I have to buy a permit to park?

The road outside your home/business (unless you live on a Private road – where the Council could not introduce parking controls), is a public highway and that means that any driver has an equal right to park, providing they are not in breach of any existing restriction or causing an obstruction. Effectively, your permit allows you to park, space permitting, during the prescribed hours of the zone and non-permit holders are excluded.

Will I be guaranteed a parking space outside my house?

No. It must be emphasised that there is no guarantee of parking either in your street or any other street in the zone.

What times of day/night will the Scheme operate?

This has yet to be decided. Options include:

- 24 hours per day, 7 days per week
- 0800-1800 hrs, 7 days a week
- 0800-2000 hrs, 7 days per week.

The outcome of the consultation will guide decisions and will be set out in the advertised Order.

The Council may consider introducing on street public pay parking as part of the Scheme and some limited waiting for non permit holders.

How do non residents know it is a Residents'/Business' only parking zone?

All areas where parking is restricted to permit holders will have signs erected on the pavement informing everyone that parking in that area is designated for specific use such as "permit holders only".

Can I apply for more than one permit?

It depends on the demand (remembering that demand can change over time and either result in more or less pressure for parking spaces). At this stage it is anticipated that one permit only will be available to each Eligible Property.

Is it just one car per permit?

Yes. Each permit will have the vehicle registration number printed on it and can only be used for that vehicle. Second permits may be available subject to demand. Special Carers Permits may be permitted two registration numbers per permit.

What is the cost of a Permit?

The Council has yet to finalise the annual permit fees but permits are likely to cost £100,, including the application fee, for the first twelve months.

What happens if I lose my permit or require a replacement?

You will need to reapply to the Council and this will be subject to an administration charge. This charge is likely to be £16.

Why is there an Application/Administration charge?

This is to cover the costs of processing permit applications and to keep Scheme costs down so that only residents requiring changes to permits have an additional fee to pay.

How long does a permit last?

The Council's scheme will have specified commencement and expiry dates. A full permit will be valid for 12 months. If a Scheme is decided on, the Council may phase this in over a number of months to assist in administering permit renewals at the end of the 12 month period.

What if I move house? Do I get a refund?

If you move you may be entitled to a refund of unexpired complete months less the application fee.

What if I change my vehicle?

You must inform the Council. Your old permit should be submitted with a copy of your new vehicle details registered at your address. There will be an administrative charge of £16.

Can I give my permit to a visitor?

No. Residents/Business permits are for specified vehicles only, but each property registered for Council Tax within the streets covered by the TRO will be eligible to apply for visitors' permits. Unauthorised use of permits could result in a Penalty Charge and or criminal proceedings against the permit holder.

Will workmen/deliveries to my house have to pay?

Special arrangements will apply for workmen, normally by way of a weekly cost, on application to the Council.

Loading and unloading of goods are permitted – vehicles making deliveries will not need a permit.

What about gas, electricity, water supply company vehicles, emergency vehicles and funeral hearses?

All will be permitted to park in Residents Parking Zones to undertake their legitimate business.

Where will my doctor, carer, district nurse etc park?

Carers Permits will be available to Medical Practices whose staff need to visit patients living within the residents parking zones. These will be arranged with the Primary Care Trust/health practice. There will be no charge for Carers Permits issued to Medical Practices, but the number issued to each practice will be limited and operate on a 'pool' basis. Charges will apply for replacements.

Family Carers

The Council's proposal includes for Family Carers permits. This may be applied for if a resident within one of the eligible properties requires home care by a family member. If this is introduced, a letter of support will be required from the residents GP. One permit only will be issued for up to a maximum of two vehicle registrations. The cost will be the same as a Residents Permit.

The permit would be kept by the resident and be displayed by the Family Carer in the vehicle when required. Permits may only be given to those calling at the residents address and would only be valid only in the Zone in which the resident requiring care lives. It would be the householders' responsibility to ensure that their permit is retrieved from the vehicle at the end of the vehicle's stay.

Do I need a permit for a motorbike?

Yes, if the motorbike is to be parked on the public highway in a Permit Only Parking Zone. These need to be applied for in the same way as a Residents Permit and will cost the same.

I operate a business in one of the zones – am I eligible for a permit?

Owners or tenants of eligible business' within the Residents'/Business' parking permit zones will be eligible to apply for a resident's/business parking permit. The fee proposed is £124 per permit and will be limited to 2 permits on a 'pool' basis. The pool basis allows a business to register up to 2 vehicles per permit with the Council.

I live in one of the parking permit zones, but usually park my car/s in my garage or on my driveway – Am I eligible for a Residents Permit?

No. If you have your own garage, driveway or off street parking you will not be eligible for a permit. You will however be eligible to apply for Visitor Permits. You will need to fill out an application form and give proof of residence. You can apply for up to four books of 25 permits. Each book of 25 will cost £10.

What arrangements are being made for Visitors?

Visitors will be able to park in Residents/Business Parking Zones but only if they display a Visitors Permit.

Permits for visitors will be made available through the issue of single use scratch cards which will be valid for one day only ... 24 hour period.

All eligible households/Business' are able to apply for Visitors Permits which are available in books of 25. Residents/Business Permit Holders will be entitled to 4 books of 25/annum at no cost provided that they are applied for at the same time as the Residents'/Business Permit. This may be reviewed for future years.

There will be a pro rata reduction in permits issued to applicants for Residents Permits that are not full 12 month permits.

If I don't have a car can I still get permits for visitors?

Yes, there is an annual entitlement of 100 visitors' permits per eligible household. You will need to fill out an application form and give proof of residence. You can apply for books of 25 permits. Each book of 25 will cost £10.

I am planning to buy a car – can I apply later in the year?

Yes. Complete the application form and send in with documents and payment when you purchase your car.

My car is a company car/lease car so I do not have my own V5 (vehicle registration document). Can I still apply for a permit?

Yes, but we shall require a declaration from the owner of the vehicle that you are the registered user.

Can I get a permit for my childminder?

Not unless the person is an eligible resident.

What arrangements are there for Blue Badge holders.?

Blue badge holders will be exempt from the Residents Parking restrictions, however,,all terms and conditions of the Blue Badge Scheme will apply.

If you are a Blue Badge holder and you are an eligible resident living at an eligible property, and you wish to access the full benefits of the Scheme you will need to apply for a Residents Permit. All Scheme conditions apply.

Do Senior Citizens get a discount?

We do not offer discounts on permits.

What happens to the personal documents which are copied to you as part of the permit application?

We will retain the documents for a 12 month period and then they will be shredded. We will not use the document for any purpose other than in connection with the administration of the Scheme

How will the Council enforce the Scheme?

The Council and the Police will patrol the areas, this may result in Penalty Charge Notices being issued or prosecution action been taken.

How much is the fine?

These will be published on the Council's website. It is likely to be of the order of £70 per contravention.

What arrangements are there for large vehicles?

The Traffic Regulation Order will specify the types of vehicles which will be eligible for permits. It is envisaged that permits will be available for powered two wheelers, cars and vehicles not exceeding 2.25 tonnes gross vehicle weight. A height restriction of 2.0m will apply and a maximum length of 5.0m and width of 2.0m. Caravans and trailers will not be permitted.

My vehicle is over the approved size.

Vehicles that are not of the permitted dimensions will not be eligible to park in Residents/Business Parking Zones.

Where should I make enquiries if I still have any queries?

We would like you to complete the enclosed questionnaire to assist the Council in this consultation process.

Should you have further queries you can e mail us at Parking.Services@cherwell-dc.gov.uk or telephone our hotline on 01295 221993 with your enquiry and we will get back to you within 2 working days.

We will also make available information on the Council's website at www.cherwell.gov.uk



Agenda Item 8

Executive

Sub-Regional Choice Based Lettings Scheme and Allocation Policy

2 March 2009

Report of Head of Housing Services

PURPOSE OF REPORT

To seek approval to adopt a new Allocation Scheme and to enter into the Sub-Regional Choice Based Lettings Framework

This report is public

Recommendations

The Executive is recommended:

- (1) To approve the adoption of the Allocation Scheme as at Appendix 1, effective from 1 June 2009.
- (2) To delegate to the Head of Housing Service in consultation with the Portfolio Holder for Planning & Housing the authority to amend this effective date, if required.

Executive Summary

Introduction

- 1.1 In August 2007 the Council approved Cherwell's participation in developing a sub-regional Choice Based Lettings Scheme (CBL) with Oxford City, Vale of White Horse and South Oxfordshire. This partnership approach is recognised by Communities & Local Government as good practice. It was also resolved that further consideration would be given to amendments to Cherwell's Allocations Scheme to enable alignment with the policies of the other participating districts in due course.
- 1.2 Initially it was proposed that each local authority would retain its own Allocation Scheme and there would be a separate scheme for the sub-region. This proved problematic and in April 2008 it was proposed that a common framework to provide one Allocations Scheme for all four local authorities and within the sub-region. Customers and staff will find one Allocation Scheme more transparent, easier to understand and easier to explain.
- 1.3 This report details the changes to Cherwell's Allocation Scheme so that the sub-regional choice based lettings scheme can proceed. It was originally proposed to launch this initiative in April 2008, but the approach taken has now been fundamentally reviewed and re-negotiated. It is now proposed to launch the sub-regional scheme, as set out in this report, in the early summer 2009.

Background Information

Progress on Oxfordshire Sub Regional Choice Based Lettings Scheme

- 2.1 In December 2006, the Oxfordshire Housing Partnership (OHP) comprising of Cherwell, South Oxfordshire, and Vale of White Horse District Councils, and Oxford City Council as the lead authority, were awarded £101,085 by the Government to develop a sub-regional framework. Since that time, the project has been overseen by a Steering Group and Project Group, comprising of officers from each authority and other stakeholders.
- 2.2 Vale of White Horse District Council was, at that time, already operating a Choice Based Lettings Scheme. Oxford City and Cherwell District launched schemes in January 2008, and South Oxfordshire in July 2008. All four authorities have selected the same ICT provider to support this work.
- 2.3 In March 2008, a 'Heads of Terms' partnership agreement was signed between all four authorities. A co-operation agreement has also been agreed, covering the operation of the sub-regional framework, subject only to confirmation from each district that their new Allocation Schemes are approved.
- 2.4 Throughout 2008, the project has focused on agreeing a joint banding assessment scheme between all four districts. This has necessitated some detailed consideration and negotiation on aspects of Allocations Policy. Specialist Counsel opinion has been sought on three occasions in relation to this, to ensure that the scheme agreed between all four districts is as robust as possible. An 'Oxfordshire Housing Allocations Policy' has now been agreed by officers of all four districts covering those aspects of Allocation policy that are agreed as common to all authorities and their Registered Social Landlord (RSL) partners. These common elements are now being incorporated into the Allocation Scheme of each of the four authorities. Other aspects of policy, that are not commonly agreed, will also be set out in each authority's Allocation Scheme. Based on this, computer specifications have jointly been signed off with the CBL ICT supplier, and detailed work on mapping current assessment priorities and aligning assessment procedures has begun.

Key Features the Sub-Regional Choice Based Lettings Scheme

- 2.5 The key change to the previous sub-regional scheme that was proposed to Executive is that the new arrangement will be fully integrated into the policy of each of the four councils, and there will, in effect, only be one assessment criteria. Previously it was proposed that an additional sub-regional banding scheme would be created, to sit alongside each council's own banding scheme. The sub-regional scheme would only be used to prioritise applicants should they bid for a property from the sub-regional 'property pool'. Now applicants will only have one common assessment, and only one set of prioritisation criteria will apply. This is a far easier to understand system for customers. It is a more aligned arrangement than officers originally expected to achieve at the beginning of the project, and has only been agreed on the basis of extensive negotiations and compromise for all partners.

- 2.6 The differences between Cherwell's previous scheme and the proposed sub-regional policy are set out in Appendix 2. All Cherwell's Housing Register applications will be re-assessed when the sub-regional scheme is implemented.

Sub-Regional Properties

- 2.7 The original intention relating to the properties available for sub-regional bidding remains the same, in that generally each council will make available the following proportion of properties to applicants across the sub-region to bid for:
- 10% of general needs property (four beds or larger and some rural schemes will be excluded)
 - Up to 100% of sheltered accommodation for the elderly
 - Up to 100% of disabled adapted accommodation (Wheelchair Standard or properties with major adaptations, such as a stair-lift)
- 2.8 The agreement is that the number of properties put into this 'sub-regional pool' must also be reciprocal and neutral for each authority, in that the number of Cherwell applicants accepting properties in the other three districts, should equal the number of district applicants accepting property in Cherwell. This will be achieved by advert labelling, if and when required, to determine who can express an interest for particular properties. Performance of each authority in relation to this, and the mix of stock made available to the 'pool' will be monitored and managed through joint arrangements between all four districts. Cherwell will determine which individual properties are put forward to be allocated to applicants within the sub-region taking into account local stock availability and levels of housing demand.
- 2.9 The proportion of general needs properties included in the scheme is thought to be a reasonable amount to 'pilot' this new approach and to gauge interest in inter-district moves. It should give a reasonable amount of vacancies to make the scheme of interest to applicants, whilst allowing all four authorities to ensure the scheme is working for them. The new priority arrangement is easily 'scaleable' in that the percentage of properties allocated to the sub-region could be increased without amendment of the scheme itself. It is proposed that Council are asked to approve the new percentages on an annual basis, when setting the years Allocation Percentage Targets.

Banding Scheme

- 2.10 All councils have now agreed to move to a 5 band priority scheme. This is detailed in the Allocation Scheme at Appendix 1 to this report.
- 2.11 It is proposed that no transitional arrangements are put in place as part of this change. The re-prioritisation of applicants will inevitably effect some cases to advantage and disadvantage but all authorities have agreed that a easily understandable and transparent approach to the new priority scheme is essential, and trying to incorporate any transitional arrangements put forward by each of the four current schemes, would not meet this objective, and would prove impracticable and expensive in terms of ICT and staff time.

Property Selection

- 2.12 The new sub-regional CBL arrangement will operate in much the same way for applicants, in that applicants can continue to make up to three expressions of interest, per cycle, on property they are eligible for. However, as well as expressing

interest for property in the applicants 'own' district, they may now be able to choose properties that they are eligible for in the wider sub-region.

- 2.13 The fortnightly allocations cycle will continue. The 14th day will be closed, and will allow allocations officers in each district time to contact applicants (especially concerning their preferences if they are on the top of more than one shortlist) and to allocate property.
- 2.14 The cycle length will be included in a review of the sub-regional arrangement, in 2009, at least three months after the sub-regional scheme launch, to see whether to retain the fortnightly cycle, change to a weekly cycle, or adopt some other approach.

Key issues for Consideration/Reasons for Decision and Options

- 3.0 The decision to be taken is whether or not to adopt the revised Allocations Policy to enable Cherwell to participate in the Oxfordshire Sub-Regional Scheme as recommended by the OHP. The following options have been identified:

Option One To proceed with the Allocation Policy as recommended in this report.

Option Two To withdraw from the Sub-Regional Choice Based Lettings Scheme and continue to operate a CBL Scheme at district level only.

Cherwell could decide not to participate in the sub-regional scheme. If this option is considered there would be implications for Cherwell's reputation, as well as financial and contractual implications with our partner local authorities and software supplier.

Consultations

The Council's work to develop choice based lettings scheme both at district level and as part of the sub-regional partnership has been within a framework of extensive consultation. Consultation has take place with partner housing associations, statutory and voluntary agencies, customers and staff. It is anticipated that consultation will be ongoing.

Implications

Financial: The implementation costs of sub-regional CBL are being largely met from the Government's grant allocation, and some efficiency savings have been made by all four authorities contracting with the same ICT supplier to develop the system. There are no additional budgetary requirements, other than those already budgeted for in 2009/10, as a result of this report.

The operational costs of sub-regional CBL will be the same as for the present CBL system, and will be met within current budget provision. There are no additional staffing requirements.

Should Cherwell decide not to participate in the sub-regional scheme there would be financial implications for the Council. The grant awarded by the Government to develop the sub-regional scheme would have to be repaid; Cherwell's allocation was in the region of £26,000. Additional ICT costs (to be determined) would also be incurred by the Council if Cherwell withdrew from the sub-regional scheme.

Comments checked by Karen Curtin, Chief Accountant – Service & Management Accounts, 01295 221551

Legal:

There are specific legal issues arising from the sharing of personal data which will be managed through an information sharing agreement ensuring compliance with the Data Protection Act 1998. Legal advice and support has been provided throughout the development of the proposed policy"

Comments checked by Liz Howlett, Head of Legal Services 01295 22

Risk Management:

There are no identified risks associated with the recommendations of this report. Any such risks of entering into a partnership with the four other authorities have been dealt with previously and are mitigated through detailed partnership and co-operation agreements.

Should the recommendations set out in this report not be acceptable, there are potential risks however. It will not be possible to re-negotiate an agreement within the timescale available, and any sub-regional CBL launch would need to be delayed, or would exclude Cherwell. This would present a reputation risk, and could incur additional ICT costs, should ICT specifications need to be changed, or should the work for all four districts not be implemented together.

Should CDC decide at a later date to join the scheme, or should the pressure from government to join a sub-regional scheme increase, Cherwell would have lost the opportunity to be involved in the Oxfordshire Sub-regional scheme and influence its structure.

Comments checked by Rosemay Watts, 01295 22[Insert extension number]

Equalities Impact

A full Equalities Impact Assessment (EIA) relating to Cherwell's original Allocations and Choice Based Lettings Scheme has already been undertaken. A copy of the EIA is attached as Appendix 3. The EIA covers all the operational matters relating to the revised policy except for the bandings. This will be reviewed within three months of the new policy being implemented.

Comments checked by Grahame Helm, Head of Safer
Communities and Community Development, 01295
221615

Wards Affected

All

Corporate Plan Themes

Priority 1: Cherwell – A District of Opportunity

Aim: Give you advice and support to find a home if you are without one

Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
Appendix 1	Allocation Scheme 2009
Appendix 2	Main differences to Allocation Scheme 2008
Appendix 3	Equalities Impact Assessment
Background Papers	
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Allocation Scheme

Draft 2009

Cherwell District Council

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1. Introduction

Councils are required by law to have policies and procedures in place for the letting of properties. This is called an “Allocation Scheme”.

Cherwell District Council along with three other local authorities and their housing association partners has agreed a common framework for assessing priority for housing applicants within Oxfordshire. The other local authorities are:

- Oxford City Council
- South Oxfordshire District Council
- Vale of White Horse District Council.

The partnership has also agreed to advertise its empty properties through a Choice Based Lettings (CBL) scheme with a percentage of properties being made available to applicants on the Housing Register of each local authority.

The four authorities and their housing association partners intend that our policies are applied consistently across the four housing register schemes. There may be some minor variations to reflect local accountability.

2. Definition of Terms

An allocation

- the selection process by which a person becomes a secure or introductory tenant of housing accommodation held by a housing authority; *or*
- the nomination process by which a person becomes an assured or assured shorthold tenant of housing accommodation held by an RSL.

Children

Children are defined as dependents, in a household, under the age of 18 years of age.

Choice Based Lettings

The advert based system that we use so that applicants on our Housing Register can apply for properties. Applicants are assessed, properties are advertised and applicants apply for them.

Housing Register

The Housing Register is the waiting list administered by Cherwell District Council on behalf of our partner housing associations.

Effective date

The date on which an application became eligible for the priority awarded in Band 1.

Registration date

The date used for prioritising order within Bands 2 to 5. For applications added to the Housing Register, this is the date the application was received at Cherwell District Council.

RSL

A Registered Social Landlord. The official name for housing associations, housing cooperatives

and housing companies that are registered with the Housing Corporation/ Tenants Services Authority.

Social housing

Low cost housing that you rent or part rent/part buy from a council, housing association, charity or faith organisation.

General need properties

General need properties are suitable for applicants who do not have a need for sheltered accommodation or specially built or adapted properties. They include bedsitters and houses, flats and maisonettes of any size.

Sheltered housing

Sheltered housing is housing with communal facilities and with visiting or residential staff support.

Disabled adapted properties

Disabled adapted properties are properties that have been specially built or adapted for people with disabilities.

Joint Applicants

Joint applicants may be:

- married couples
- partners living together
- others who wish to set up home together.

General register applicant

Applicants who have been accepted onto our housing register as being eligible to apply for social housing.

Transfer applicant

A transfer applicant is either:

- a secure tenant or an assured tenant of one of our partner RSLs who lives in our district and whose application has been accepted onto our housing register, *or*
- a secure tenant or an assured tenant of a sub-regional partner or one of their partner RSLs, eligible to be included on their own districts transfer register.

Homeless applicant

Applicants found to be homeless, in a priority need group and where a duty to offer housing has been accepted under sections 193 or 195 of Part 7 of the Housing Act 1996.

Housing association partners

We work closely with a number of housing associations in our district. Our partners are:

- Charter Homes
- Bromford Housing Group

- Paradigm
- Oxford City Housing Association
- Vale Housing Association
- Sovereign

We also have links with smaller specialised housing associations.

3. Allocation Scheme key objectives

The law and Codes of Guidance are designed to ensure that reasonable preference is given to applicants in the greatest housing need and are easily understood. As such the key objectives are to:

- comply with the Housing Act 1996, as amended by the Homelessness Act 2002, the Housing Act 2004 and the Codes of Guidance on Allocations 2002 and Choice Based Lettings 2008.
- be transparent and easily understood by applicants, staff, elected members and partner organisations
- give new tenants a feeling of ownership in their new home
- help tackle low demand
- reduce the number of refusals
- help prevent homelessness and support the Council's homelessness strategy
- widen choice and be more accessible
- reflect local needs and encompass rural sensitivities
- make the most effective use of the housing stock
- respond to the circumstances of vulnerable individuals
- ensure equality of opportunity in accessing the Housing Register
- be fair and perceived as being fair, with increased customer satisfaction
- promote mobility
- be open and accountable
- promote sustainable tenancies by ensuring adequate support is available for vulnerable people.

4. General overview

The Allocation Scheme sets out details of who can join the Council's Housing Register and how priority for dwellings will be decided between different applicants on the register. To summarise:

- eligible applicants can apply to the Housing Register

- the criteria for assessing housing need will be applied fairly to all housing applicants
- each applicant will be assessed for housing need and placed in a band appropriate to the severity of their housing need
- applicants assessed with multiple needs will be placed in the band according to the severity of those needs
- applicants in the process of being assessed, will not be placed in a band until the application has been fully processed and all relevant documentary proofs have been received
- a banding system will be used to order the priority of applicants
- our partner housing associations will advertise empty properties using CBL
- 10% of general need properties will be advertised in the sub-region
- up to 100% of sheltered properties and properties adapted or built for the disabled (mobility levels 3 & 4) will be advertised in the sub-region
- generally the priority list will be sorted into band order with applicants in the highest band coming before those in lower bands
- generally applicants with a district connection will be given priority over those without a district connection in the same band
- applicants will be considered for housing in date order within the band
- sometimes priority or preference will be given to applicants based on their individual circumstances, for example, large families, disabled applicants and transfer applicants
- details of the successful applicant (usually the one at the top of the shortlist) will be passed to the RSL landlord
- the results of applications for properties will be publicised on our website and in the property newsletter.

5. Applying to the Housing Register

Subject to fulfilling the eligibility requirements anyone aged 16 or over is able to apply to Cherwell District Council for accommodation. The Housing Register is administered on behalf of our partner housing associations.

Application forms

Applicants can request an application form using any of the following methods:

- by telephone
- personal visit to the office
- by post
- by email
- download a form from our website.

Assisted completion of an application form is available for the house bound and those who request help with the form's completion.

Providing all relevant information is supplied when the application form is received, we aim to notify applicants of their banding within 20 working days from the date received in the office.

If we receive an incomplete application form or supporting information is not provided, the form will be returned to the applicant.

We will send out our information booklet 'How to apply for housing' along with each new application form.

Confidentiality

Any information provided as part of the application process is treated in the strictest confidence and in accordance with current data protection legislation.

6. Refusal on to the Housing Register

There are two instances when we will refuse an application on to the Housing Register. These instances are set as follows.

Immigration and habitual residence

The law states that the following persons are ineligible:

- a person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is ineligible unless in a class prescribed by regulations made by the Secretary of State;
- other people from abroad who are not subject to immigration control but have to be habitually resident in the Common Travel Area (CTA) in order to be eligible.

This restriction does not apply to persons who are already assured or secure tenants of a Registered Social Landlord (RSL) or Council.

Unacceptable behaviour

We can decide that an applicant is to be treated as ineligible if we are satisfied that:

- a person or member of the person's household, has been guilty of unacceptable behaviour serious enough to make the person unsuitable to be a tenant; and
- in the circumstances at the time the application is considered, the person is unsuitable to be a tenant by reason of that behaviour.

There is a three stage test before we can use the power to exclude someone from the housing register. The stages are:

- Has the applicant or a member of the household been guilty of unacceptable behaviour?
- Was the unacceptable behaviour enough to entitle the landlord to obtain a possession order?
- At the time of the application, is the applicant still unsuitable to be a tenant by reason of their behaviour, or the behaviour of a member of their household?

Before arriving at a decision a full investigation takes place, reports are requested and a Senior

Officer (Head of Housing Services or Housing Needs Manager) makes the final decision.

Where it is decided that an applicant is ineligible to come onto the Housing Register we will inform them in writing of this decision and the reasons for it. Applicants have the right to request a review of this decision.

An applicant treated as ineligible for the Housing Register can make a fresh application in the following circumstances:

- If the applicant's immigration status has changed, or
- the applicant can demonstrate good behaviour for at least 6 months from the date of the decision, supported by a satisfactory investigation into the original cause of the unacceptable behaviour.

7. Acceptance on to the Housing Register

The vast majority of applicants who want to come on to our Housing Register will be eligible to do so. When we have successfully processed their applications we will let them know:

- their Housing Register reference number
- their band
- the size of property they can apply for.

We will also send them a copy of:

- 'It's your Choice' which explains about Choice Based Lettings and
- 'Housing Options' which explains about different housing options that are available.

Suspending applications

Applicants who have not provided information required to process their first application fully will have their application form returned. Once registered and made active applicants may be suspended if:

- they have rent arrears
- they refuse a significant number of properties
- the applicant is the subject of a case conference or court hearing, which has a significant bearing on their assessment
- supporting documentation has not been provided
- there is a suspicion that information provided is inaccurate or misleading.

We reserve the right not to suspend an application.

8. Reasonable preference criteria

To comply with the Housing Act 1996, as amended, the law states that reasonable preference must be given to applicants who:

- are homeless (within the meaning of Part 7 of the 1996 Act)

- are owed a duty to secure or continue temporary accommodation under homelessness legislation i.e. those threatened with homelessness and in priority need, those intentionally homeless and in priority need and those who are not in priority need but who are occupying accommodation secured by the housing authority
- are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- need to move on medical or welfare grounds including grounds relating to a disability
- need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or to others.

These preferences are reflected within the bandings. The law also allows us to take into account any:

- financial resources available to a person to either purchase or to rent their own home
- behaviour of a person or member of that household which affects their suitability to be a tenant
- local connection (within the meaning of s199 of the Housing Act 1996, as amended by the Homelessness Act 2002) which exists between the applicant and the district.

9. Local connections

There are three types of local connection that we take into account.

Village or parish connection

For some housing schemes there are planning restrictions requiring that vacancies should go in the first instance to people who have a connection with the village or parish.

Qualifying village or parish connections are that the applicant or joint applicant must:

- have lived in the village for the last 5 years
- be employed in the district for a minimum of fifteen hours per week and the employment is not of a short-term nature
- have 10 years previous residence in the village if not currently residing there
- be over 60 or with a disability requiring support on health grounds from close relatives currently living in the village
- have close relatives living in the village for a period of at least the last five years.

Close relatives are defined as parents, children, siblings, grandparents or grandchildren including step relatives, where there is evidence of frequent contact, commitment or dependency.

The above does not apply to rural exception sites where properties are let to local people only in accordance with the relevant planning agreement and in consultation with the specific Parish Council and Registered Social Landlord.

We check village connections prior to making nominations to our housing association partners.

District connection

The following rules are used to define a district connection:

- the applicant or joint applicant is permanently resident in the district and that residence is of their own choice
- the applicant or joint applicant was previously resident in the district as a matter of choice and the period of residence was either:
 - at least six out of the last twelve months or
 - three out of the last five years
- the applicant or joint applicant is employed in the district for a minimum of fifteen hours per week and the employment is not of a short-term nature
- the applicant or joint applicant must have close relatives in the district.

Close relatives are defined as parents, children, siblings, grandparents or grandchildren including step relatives, where there is evidence of frequent contact, commitment or dependency. To qualify the relatives must live in the district now and have been continuously resident for a minimum of five years.

A district connection is **not** established where the applicant is:

- in prison within the district or
- detained in the district under the Mental Health Act.

Applicants who do not qualify for district connection under the new Allocation Scheme will still maintain any district connection which was awarded under the previous scheme.

Sub-regional connection

Applicants who have a district connection to any one of the four authorities will automatically have a sub-regional connection.

For most properties advertised within the sub-region, preference is given to those with a sub-regional connection over applicants without such a connection.

Vacancies of sheltered housing and properties designed or adapted for the use of disabled people are advertised to all eligible applicants, but preference **may** be given to applicants with a connection to the district where the vacant property is located. This reflects the importance for elderly and disabled people to remain close to relatives and other support networks.

10. Applicant requirements

It is necessary to consider the individual requirements and circumstances that apply to certain groups of applicants, to ensure appropriate banding on the Housing Register. These are set out as follows.

Registered Social Landlord (RSL) tenants or Council tenants

Housing Register applicants who are either tenants of one of the partner councils or partner RSL and live within the boundaries of the four local authorities are registered as transfers. As such they are expected to comply with the terms of their tenancy agreement.

All transfer applicants are encouraged to register for a mutual exchange.

Arrears of rent or mortgage

In order to receive an offer of accommodation, applicants will normally be expected to have no outstanding rent or mortgage arrears from their last settled accommodation. This applies to council, RSL and private sector tenants as well as owner occupiers.

To streamline the application process, references are sought when applicants are placed on the Housing Register. If the references indicate outstanding housing debt, applicants are encouraged to discuss the situation with the Housing Options Team and their landlord at the earliest opportunity. If a nomination of accommodation is to be made the applicant's up-to-date references are obtained by telephone to ensure there has not been a change of circumstances that affects their application.

Applicants who have persistent rent arrears may be suspended. They are also informed that the level of arrears (or other housing related debts) may mean that a council or housing association may not be prepared to offer them a tenancy without an agreement to repay the amount owing.

Applicants with relatively low levels of debt are expected to discharge the debt before we make a nomination.

Applicants with significant debts will need to provide evidence that they have agreed a repayment plan with the current or former landlord and have kept to that plan for a reasonable period of time.

Where there is evidence that applicants were not responsible for the debts accruing in the first place or a financial assessment has concluded that they genuinely could not afford to meet the rent then an applicant will not be suspended.

Housing debts include:

- current rent arrears
- former tenancy debts
- mortgage repayments.

In arriving at a decision all the applicant's circumstances will be taken into account in deciding whether to suspend or not.

Misleading or fraudulent information

Where there is a suspicion that information provided by an applicant is inaccurate or misleading, then the applicant is suspended until accurate information is available. If it is discovered that there was an intention to mislead, then the applicant is placed in Band 5.

In extreme cases applicants who give false or misleading information may be removed from the Housing Register and may be liable to prosecution.

Refusals

No limit is placed on the number of times applicants may refuse properties offered to them. However, if they refuse a significant number of properties we reserve the right to suspend their application.

Applicants not applying for properties

Applicants who have been assessed for Band 1 but who are not applying for suitable properties as

they become available may have their entitlement reviewed.

Persons under 18 years

Applicants aged 16 or 17 years old are assessed for supported accommodation where one or more of the following apply:

- accepted as homeless and in priority need under the Housing Act 1996, as amended by the Homelessness Act 2002
- over the age of 16 where a referral for assistance has been made by Social Services authorities under Section 27 of the Children Act 1989
- a young person who is deemed a relevant or eligible child under the Children (Leaving Care) Act 2000.

In each case, we will undertake a joint assessment with Social Services of the applicant's housing, care and support needs to ensure that adequate support is available.

Applicants aged 16 and 17 who do not meet the above criteria may be allowed to join the Housing Register, but will not be considered for a tenancy until they are 18 unless they have a guarantor.

11. Banding scheme

Once accepted as eligible by any of the four authorities to join the Housing Register, the applicant's housing needs are assessed and they are placed in one of five bands. The bands are numbered 1 to 5. Applicants in Band 1 are assessed as having the most urgent need and those in Band 5 have little or no housing need.

The banding scheme enables us to meet our legal responsibilities and also provides a fair and easily understood way of selecting applicants to receive offers of accommodation.

Applicants are placed in the highest band for which they are eligible. However, if an applicant has adequate financial resources or is already adequately housed they are placed in Band 5.

Applicants are advised in writing when a banding decision is made.

12. Banding reasons

The banding reasons are summarised in the table below.

Band 1	Exceptional circumstances
	Under occupation by two or more bedrooms (Social landlord tenants only)
	Housing management moves including decants
	Succession
	Prohibition / demolition notices
	Statutory Overcrowding
Band 2	Urgent social or welfare

	Urgent health or disability
	Under occupation by one bedroom (Social landlord tenants only)
	Move on from supported accommodation
	Priority homeless
	Overcrowding because 2 or more bedrooms short
	Compound needs from Band 3
Band 3	Significant social or welfare
	Significant health or disability
	Unsatisfactory Housing - Category 1
	Overcrowded because 1 bedroom short
	Insecure tied accommodation
	Insecure private rented accommodation
	Non-priority homeless/no fixed abode
	Compound needs from Band 4
Band 4	Moderate social or welfare
	Moderate health or disability
	Unsatisfactory housing – Category 2
Band 5	Adequately housed
	Sufficient financial resources
	Nil priority

13. Band descriptions

Band 1

An award of Band 1 may be time limited and subject to review.

Exceptional circumstances

In exceptional circumstances, if an applicant's circumstances are not adequately reflected by existing bands a Senior Officer has the authority to determine the banding of the applicant according to their housing need.

An applicant may be awarded exceptional housing need where:

- there is an immediate risk to health and safety
- there are multiple composite needs not otherwise met by the Allocation Scheme
- there are place of safety issues caused by domestic abuse, harassment cases, neighbour disputes or similar occurrences.

The examples given are not exhaustive.

All exceptional need cases are subject to a comprehensive report from the referring officer, RSL or support agency.

Either the Head of Housing Services or the Housing Needs Manager must approve all exceptional housing need cases.

Under-occupation by 2 or more bedrooms

This may apply to anyone who is registered as a transfer applicant.

So that larger accommodation can be made available for families on the Housing Register, RSL tenants who under-occupy their properties by 2 or more bedrooms and are willing to move to a dwelling with 2 fewer bedrooms than they already occupy are placed in Band 1.

Housing management moves including decants

Sometimes there is a need to move social housing tenants where refurbishment or repair is to be carried out. Such applicants are awarded Band 1 if:

- the tenant must be moved to carry out the work, or
- the property has to be disposed of, or
- the property is part of a redevelopment scheme.

Such moves may be either permanent or temporary. Applicants who qualify for a permanent move can apply for properties advertised either in the sub-region or by the local authority they are registered with.

Applicants who qualify for a temporary move can usually only apply for properties advertised by the local authority they are registered with.

Tenants qualify for this status 6 months before they are required to vacate the property. At the end of the six months applicants qualify to receive direct offers, if the applicant has not been successful in applying for a suitable property.

Succession

These fall into two categories

- legal successors other than spouses or civil partners
- policy successors i.e. applicants who would have been entitled to succeed to the tenancy but for the fact that one succession has taken place already.

In both instances priority is awarded where:

- they are occupying a property with adaptations for a disabled person which they do not need, or
- they are occupying a property larger than they would qualify for under the allocation scheme, or
- where occupying the property gives the benefit of facilities and or services for which they would otherwise not qualify.

Legal successors will qualify as transfer applicants and policy successors are classified as general applicants.

Prohibition or demolition orders

Band 1 is awarded if a statutory notice such as a prohibition or demolition order has been served and it is not possible to remedy the defects in a reasonable time.

Statutory overcrowding

Households that are declared statutorily overcrowded in their current accommodation are awarded Band 1.

The rules on statutory overcrowding are set out in legislation. We follow current guidelines or any revised Government guidelines and legislation to work out whether an applicant is living in statutorily overcrowded conditions or not.

Band 2, 3 or 4

Social or welfare housing need

We will convene an officer panel to decide which band an applicant should go in and to achieve consistency at arriving at decisions.

Applicants who are assessed as having some social or welfare need may be placed in either:

- Band 2 urgent
- Band 3 significant
- Band 4 moderate

Factors we may be taken into account include:

- infirmity due to old age
- the need to give or receive care
- violence, or physical, emotional or sexual abuse
- young people at risk
- people with behavioural difficulties
- need to be near friends/relatives

All applicants with social or welfare housing needs are subject to a full assessment. Reports are requested as appropriate from:

- the police
- the applicant's landlord
- Social Services
- Probation and other agencies.

Separate guidelines have been produced for staff.

Health or disability housing need

Applicants who are assessed as having some health or disability need may be placed in either:

- Band 2 urgent
- Band 3 significant

- Band 4 moderate.

Such applicants are assessed by the Council's appointed Medical Advisor in conjunction with a member of staff. It is a joint decision as to which band the applicant is placed in. Medical assessments take account of:

- mental illness or disorder
- physical or learning disability
- chronic or progressive medical conditions (e.g. MS, HIV/AIDS)
- infirmity due to old age
- the need to give or receive care
- violence, or physical, emotional or sexual abuse
- the need for adapted housing and/or extra facilities, bedroom or bathroom
- the need for improved heating
- the need for sheltered housing
- the need for ground floor accommodation
- the need to be near friends/relatives.

Separate guidelines have been produced for staff.

Band 2

Under-occupation by 1 bedroom

This banding reason applies to anyone who is registered as a transfer applicant.

So that larger accommodation can be made available for families on the Housing Register, RSL tenants who under-occupy their properties by 1 bedroom and are willing to move to a dwelling with fewer bedrooms than they already occupy are placed in Band 2.

Move on from supported accommodation

Applicants who have been assessed as ready to move on from supported accommodation, including:

- applicants from voluntary sector hostels, foyers and supported lodgings
- Care leavers: applicants who are former "relevant children" as defined by the Children (Leaving Care) Act 2000.

We are committed to enabling vulnerable people to access supported housing projects according to their needs. We are also committed to enable such applicants to move out of these schemes, when assessed as appropriate, into independent accommodation through the allocation of suitable permanent social housing.

The Allocation Scheme seeks to provide a route for those vulnerable applicants to access independent living via supported accommodation. For those in supported accommodation we will:

- treat any homeless duty as discharged when someone is placed in supported accommodation
- require a comprehensive report from the support worker and agency involved about the applicant's suitability to move on from their existing accommodation
- place them in Band 2 when deemed ready for 'move on' following an interview with a member of staff to discuss all their housing options.

If applicants leave supported accommodation without the backing of their support worker, their housing needs are re-assessed and banded appropriately.

Quota arrangements may be used to ensure a minimum supply of vacancies suitable for those ready to move on from supported housing.

Priority homelessness

Applicants found to be homeless, in a priority need group and where a duty to offer housing has been accepted under s193 or s195 of Part 7 of the Housing Act 1996 will be awarded Band 2.

The Homeless Code of Guidance recommends that where availability of suitable housing allows, secure settled (rather than temporary) accommodation is used to bring the main homeless duty to an end. For example by:

- offering accommodation under our allocation scheme, or
- a qualifying offer of an assured short-hold tenancy from a private landlord.

For all new homeless applicants threatened with homelessness every effort is made to prevent homelessness by explaining and advising on all their housing options. Negotiations also take place to see if they can stay in their present accommodation pending the outcome of investigations.

An applicant who is found intentionally homeless will be placed into Band 5 for the first 12 months from the date of decision. At the end of 12 months their housing circumstances will be reassessed and if appropriate they will be awarded different banding.

Overcrowding – 2 bedrooms short

Each application is assessed for overcrowding. Applicants are placed in Band 2 if the applicant requires at least 2 bedrooms more than they have for their use.

Compound needs from Band 3

Applicants who are assessed for housing need and meet two or more of the qualifying criteria in Band 3 are moved to Band 2.

Band 3

Unsatisfactory housing - category 1

Applicants whose existing housing is of a low standard will have their need assessed against the Housing Health and Safety Rating System (HHSRS). In the most urgent cases, or where an inspection is needed, the assessment is carried out by an Environmental Health Officer or other qualified officer.

A Category 1 Hazard is a defect where the consequences could include serious harm to applicants. For example, accommodation lacking; bathroom facilities, cooking facilities, electricity, or a water supply.

Band 3 will not be awarded, if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, we may decide to award priority at our discretion.

Overcrowded 1 bedroom short

Each application is assessed for overcrowding. Applicants are placed in Band 3 if the applicant requires 1 bedroom more than they have for their use.

Insecure tied accommodation

Applicants living in tied accommodation relating to their employment, and who have received formal notice of termination of their employment and tenancy through no fault of their own are assessed for Band 3.

Band 3 will only be given where there is clear documentary evidence that the employer is terminating the employment and the use of the accommodation in the near future.

Examples of such applicants include:

- agricultural workers
- forces personnel
- school caretakers
- wardens of sheltered schemes.

This list is not exhaustive.

Agricultural workers

We will grant Band 3 to displaced agricultural workers for accommodation according to the requirements of the Rent (Agriculture) Act 1976. In reaching a decision on whether an applicant is to be prioritised for housing on these grounds, the Council will need to be satisfied that:

- the dwelling from which the agricultural worker is being displaced is needed to accommodate another agricultural worker
- the farmer cannot provide suitable alternative accommodation for the displaced worker
- the displaced worker needs re-housing in the interests of efficient agriculture.

The Council will take advice from the Agricultural Dwelling-House Advisory Committee (ADHAC) in all these respects.

Armed forces personnel

Armed Forces applicants are awarded Band 3 once they can officially confirm a discharge date. They are able to apply for properties **12 months** prior to their discharge date.

Insecure private rented accommodation

Applicants renting in the private sector are normally given assured short-hold tenancies for a fixed period of time. In many instances such tenancies are renewed for a further fixed period. However, if the landlord commences eviction proceedings and demonstrates a real intention to evict the application is assessed for Band 3. The applicant must provide formal evidence before Band 3 is awarded. Evidence of a court order for possession may be required.

Non-priority homeless/no fixed abode

An applicant who is of no fixed abode or who has presented as homeless and has been assessed as homeless but is in a non-priority group is assessed for Band 3.

This category is given where a formal assessment has been carried out under the homelessness legislation and the applicant is found to be homeless but not in a defined priority group. The category may also be given without a formal assessment, where it is clear that the applicant has no fixed abode.

Compound needs from Band 4

Applicants who are assessed for housing need and meet two or more of the qualifying criteria in Band 4 are moved to Band 3.

Band 4

Unsatisfactory housing – category 2

Applicants are assessed for Band 4 where remedial action is not possible, or it is not practical to remedy the problem in a reasonable timescale.

A category 2 hazard can include minor defects such as persistent damp and condensation problems.

Where a landlord has been served with an improvement notice but remedial work has not been carried out, we may decide to award priority at our discretion.

Band 5

If Band 5 criteria is awarded this overrides any other criteria in higher bands. Adequately housed in Band 5 will automatically be awarded if no other banding criteria is selected.

Adequately housed

A number of applicants may apply to come onto the Housing Register, who are already adequately housed. Such applicants are placed in Band 5. Applicants who are adequately housed or with no immediate need for housing include:

- applicants sharing where their accommodation is of sufficient quality and there is no overcrowding
- applicants who do not qualify under any other category
- formal and informal house-sharing arrangements where the size and standard of the accommodation is adequate for the needs of those living there
- those living with family or friends where the size and standard of the accommodation is adequate for the needs of those living there
- families living in flats where the internal accommodation is adequate for the family's needs.

Sufficient financial resources

Some general register applicants have sufficient financial resources to meet their own housing requirements. This may be by renting in the private sector, trading down from a large property to a smaller property in the owner-occupied sector, purchasing shared ownership and so on. Such applicants are placed in Band 5.

Nil priority

A few applicants will apply for housing who do not fall into any of the reasonable priority categories laid down in legislation. Such applicants are placed in Band 5.

14. Calculation of overcrowding and under-occupation

The following rules will be used to decide whether a household has either too many or too few bedrooms available for its use when assessing their housing need.

- each couple or a single parent will require their own room
- each additional adult over the age of eighteen will require their own room
- two children may share a room **unless**:
 - children of opposite sex have to share and the oldest child is aged seven or more
 - children of the same sex have to share and the oldest child is between ten and fifteen **and** the age gap is ten years or more
 - children of the same sex have to share and the oldest child is sixteen or over **and** the age difference is five years or more
- where the household includes a pregnant woman the baby will only count in the calculation once it has been born.

The rules will assume the optimum use of the accommodation available, if this is different from actual use and will also take into account:

- number of rooms available in the property and their best use
- the relationship of each person to the other.

Maximum bedroom requirement can be overridden to take account of any health or welfare need issues such as; a live-in carer, need for couples to have separate bedrooms, behavioural issues, step-siblings sharing and so on.

15. Compound needs

Where applicants in Bands 3 or 4 have compound needs, that is, they are assessed for more than one of the qualifying criteria in the same band they will usually be upgraded to the next band. Every effort will be made to ensure that applicants are awarded the most advantageous band based on our assessment of them.

Compounding is not available for those placed in Bands 2 or 5. The reason is that Band 1 is reserved only for the most urgent need cases and Band 5 categories reflect little or no housing needs.

16. Time limited priority

In certain cases priority may be time limited, for example, a decision to grant Exceptional Circumstances in Band 1 might be for a limited period. The length of time is dependent on the availability of suitable accommodation.

Each applicant on time limited priority is reviewed at the end of the period to decide whether it should be extended or not.

17. Pregnant applicants

Proof of pregnancy

Subject to proof of pregnancy at 3 months an application will be assessed to determine their minimum and maximum bedroom need.

Proof of birth

When we have received proof of birth we will re-assess the applicant's housing need and band appropriately.

18. Fostering

Families undertaking long term fostering may be able to include foster children as part of their application to ensure that they are eligible for the appropriate sized property. Long term fostering is fostering for a period in excess of three years (not necessarily involving the same child or children). It is essential that written confirmation of the fostering arrangement is obtained from Social Services. Consideration will be given to this in assessing the application.

Existing social tenants involved in long term fostering may require a 4 or 5 bedroom property that rarely becomes available. In these circumstances and in liaison with Social Services the family may be moved to private sector renting by Social Services until fostering comes to an end. At this time every effort will be made to re-house the applicant(s) in social housing within the framework of the Allocation Scheme.

Short term fostering is discounted.

19. Owner occupiers and owners of property

Applicants who own, or have a financial interest in residential accommodation (either freehold, under mortgage, shared ownership or leasehold) can apply to be included on the Housing Register, but will automatically be placed in Band 5. If an assessment has to be made, for example on medical grounds, consideration is given to the following:

- whether the applicant can sell their current home
- the expected equity after the proposed sale of the property
- the applicant's current financial circumstances and commitments
- whether the applicant is eligible for a mortgage
- the supply of private rented accommodation suitable for the applicant's specific needs
- whether the applicant's housing need can be met in the private sector, taking into consideration the cost of housing in the District.

If applicants demonstrate a need for alternative accommodation and they have "insufficient resources" to secure that alternative accommodation they are placed in the band appropriate to their housing need. If information is not supplied about resources applicants are placed in Band 5.

If their circumstances change and the applicant is placed into a higher band then the applicant must supply information about their resources, otherwise their application may be suspended. It should be noted that a number of RSLs operating in Cherwell have charitable status and therefore seek to offer housing to those who have a low income or little capital. A need for alternative accommodation might include:-

- medical conditions
- disability
- frailty
- serious disrepair
- possession action
- acute financial hardship.

Apart from all the factors already mentioned we will also take into account the [Nationwide house price index](#) for our area in arriving at final decisions.

20. Sufficient financial resources

Applicants will be placed in Band 5, if the combination of their income, savings, and realisable assets would create sufficient funds for them to purchase or rent suitable private housing in their local housing market. The price of suitable housing will vary according to the household's needs and location within the district.

Applicants may be asked to provide evidence of their income, savings and assets in order to verify the affordability assessment. If applicants fail to provide sufficient evidence then their application may be suspended.

Separate guidelines have been produced for staff.

21. Key workers

Key Workers, like other applicants, may be living in circumstances of housing need such as overcrowded conditions, or lacking facilities. If so, their housing needs are assessed and they are placed in the appropriate band taking into account financial resources. Otherwise an assessment as Key Worker only will result in them being placed in Band 5. In either set of circumstances, we will advise such applicants about their housing options which will include:

- Open Market HomeBuy
- New Build HomeBuy - shared-ownership of newly built properties
- 'Intermediate renting' - the rent is set at a level between that charged by social and private landlords
- Registration with the Zone Agent dealing with all aspects of low cost housing.

22. Annual review of applications

In order to keep the Housing Register up to date all applications are subject to an annual review. The review is intended to ensure the applicant still wishes to be considered for accommodation and that the most up to date information about their housing circumstances is held.

Applicants who fail to respond to either the review or reminder letter will have their application closed. If the applicant applies to be re-instated within the next 12 months we will agree to do so provided they have not otherwise become ineligible for acceptance onto the Housing Register.

23. Removing applicants from the Housing Register

Applicants are removed from the Housing Register if the applicant:

- is ineligible for housing
- requests their removal in writing
- fails to renew their application at the annual review
- fails to provide information requested to assess their application

Applicants who are either ineligible or fail to provide information have a right to request a review of the decision to remove their name from the Housing Register. A request for a review must be made within 21 days from the date of the applicant being notified of our decision.

24. Change of address

Applicants must complete a new application form if they change their address. We will reassess their application based on their new circumstances. During the re-assessment the application is suspended.

Where it is considered that an applicant has deliberately worsened their housing circumstances, such as given up accommodation it was reasonable to expect them to occupy, their banding is assessed as at their previous accommodation for a period of 12 months. The applicant has a right to request a review of this decision.

25. Change of circumstances

Applicants must notify us of a change of circumstance in writing. We will re-assess their application and if it results in their band changing, we will notify the applicant of the change.

26. Choice Based Lettings (CBL)

Statement on choice

Cherwell District Council is fully committed to the principle of enabling applicants to play a more active role in choosing accommodation in the social housing sector. We will seek to maximise customer choice whilst ensuring that those in the greatest housing need remain a priority for re-housing.

The Allocation Scheme:

- allows a broad range of applicants to be considered for accommodation
- gives applicants an unlimited choice of areas within the District
- allows applicants to consider a broad range of properties

In summary an applicant accepted onto the Housing Register can apply for any property they are eligible to apply for, in any area where properties are advertised.

Overview

- empty properties are advertised every 2 weeks
- applicants apply for properties they are eligible for

- applicants apply for up to three properties in any advertising cycle
- when the advertising cycle is complete shortlists are created from those who have applied and sorted into priority order as defined in the Allocation Scheme
- the applicant (normally the one at the top of the list) is selected and nominated to the landlord for a provisional offer to be made
- the landlord accepts or rejects the nomination
- the landlord offers the property to the successful applicant
- the applicant accepts or rejects the offer
- the results of short-listing are published on our website and in the property newsletter.

If the landlord rejects the nomination or the applicant rejects the offer the property will either:

- be offered to the next suitable applicant on the shortlist or,
- be advertised in the next lettings cycle.

Partnership arrangements in the sub-region

Empty properties provided by our housing association partners are advertised through CBL. Advertised properties will:

- be available to Cherwell District Council applicants only, or;
- advertised in the sub-region and be available to applicants on our housing register along with applicants from our partner local authorities.

The partnership has agreed that:

- 10% of its empty general needs properties are advertised in the sub-region
- up to 100% of sheltered properties are advertised in the sub-region
- up to 100% of adapted properties or purpose built properties for the disabled (mobility levels 3 & 4) are advertised in the sub-region.

Reciprocal arrangements will ensure that the number of Cherwell properties let to applicants on our partner housing registers are balanced by the number of applicants from Cherwell successfully applying for properties advertised by our partners.

Each local authority is able choose which type of general needs property will go into the sub-region. For example large properties (4 or 5 bedroom) provided by Cherwell's RSL partners will be made available to Cherwell applicants only.

27. Type and size of property applicants can apply for

The table below is a guide to the size of property applicants can apply for.

Household size	Number of bedrooms
# Single person	Studio or 1 bedroom

Household size	Number of bedrooms
# Couple	1 bedroom
2 applicants not couple	2 bedroom
Household with 1 child	2 bedroom
Household with 2 children	2 or 3 bedroom
Household with 3 children	3 or 4 bedrooms
Household with 4 children	3 or 4 bedrooms
Household with 5 children	*3, 4 or 5 bedrooms
Household with 6 children	*3, 4 or 5 bedrooms
Household with 7 or more children	4, 5 or 6 bedrooms

* Refers to a 3 bedroom parlour house. This provides an extra room at ground floor level which can be used as a bedroom.

Sometimes we may allow households without children to apply for 2 bedroom flats, bungalows or maisonettes. Such properties are clearly labelled at advert and will vary between landlords and nominating authorities.

Whilst we will not allow statutory overcrowding, applicants may apply for properties smaller than their needs to try and improve their housing circumstances. For example, an applicant who needs a 4 or 5 bedroom property can decide to apply for a large 3 bedroom to improve their housing circumstances as larger properties are in very short supply.

Sheltered housing

As a general rule, only applicants with a proven support need are considered for sheltered accommodation. They will also need to meet the eligibility criteria specified by the landlord and Supporting People.

Adapted dwellings

Properties advertised as suitable for the disabled are placed in one of 4 categories:

- **Mobility 1** – has level access into and throughout the property
- **Mobility 2** – has wide doorways and electric switches have been placed at a height to suit disabled applicants
- **Mobility 3** – has some disabled adaptations which may include; level access shower, stair lift, walk in bath
- **Mobility 4** – has been purpose built or fully adapted for someone who uses a wheelchair at all times.

Properties designed or adapted to wheelchair standard or with special facilities, will only be offered to applicants where a member of the household needs these facilities. However, where there are no such applicants on the Housing Register, we reserve the right to allocate such

properties to applicants without any special need.

General dwellings

Due to the limited amount of accommodation which becomes available we must ensure that offers are made of the size and type most appropriate to the applicant's needs and which make the most efficient use of the housing stock, whilst at the same time giving priority to those in the most need.

Priority for family housing is given to those households where all the family members will use the accommodation as their main residence. As such those with access to children for given periods such as weekends and/or school holidays may be considered for the size of accommodation to meet their immediate needs plus one additional bedroom only.

If someone in the household is expecting a child and is at least 3 months pregnant, minimum and maximum bedrooms required are calculated as if the child is already born.

Very occasionally the size of an applicant's family means there isn't a property large enough to make the most suitable offer. In such instances the applicant is asked if they will consider a smaller property where occupation will not contravene statutory overcrowding legislation.

28. Advertising properties

Properties will be advertised for a two week period starting on a Wednesday and finishing on a Monday. Tuesday at the end of the advertising cycle is used to sort out shortlists, carry out checks, contact successful applicants and nominate them to our partner housing associations. The length of the advertising cycle may be reviewed from time to time. They will be advertised:

- on our dedicated website
- in property newsletters.

The property newsletters are available:

- at our reception at Bodicote, Bicester, Kidlington and Banbury town centre office
- In a PDF format on the website suitable for download
- in local libraries
- in doctors' surgeries
- by post on request but limited to applicants who do not have access to facilities, friends or family
- any local Citizen Advice Bureau.

Properties will be clearly described in all our adverts and may:

- carry a photograph of the type of property
- carry a floor plan of the property, where available

In addition the following information will be described on the website or in the property newsletter as space allows:

- type of property

- number of bedrooms
- its location
- adaptations
- heating type
- floor level
- availability of a garden
- parking facilities
- rent
- service charge
- landlord
- property reference number.

If there are any restrictions that apply to applicants who want to apply for properties they will be clearly stated.

29. Applying for properties

Applicants can apply for up to 3 rental properties during each advertising period. They can also apply for any number of shared ownership properties in any one advertising cycle.

They can withdraw applications and re-submit them but they cannot apply for more than 3 rental properties. Applications for properties can be made:

- on our dedicated website
- by text
- by phone (this is a free phone number from a landline)
- at our local offices
- by friends or relatives
- automatically at applicant's request
- by asking a member of staff.

Applicants who successfully apply to more than one local authority in the partnership will be able to apply for multiples of 3 properties for each local authority they are registered with.

Automatic applications for properties

We will provide a service to apply automatically for properties at the applicant's request. This is particularly useful for elderly or vulnerable applicants who have no-one to act on their behalf.

Direct match

Very occasionally it may be necessary to nominate a particular applicant to a particular property. For example a purpose built property designed for a disabled applicant. In such circumstances the property will be placed on the website and in property newsletters with an explanation about direct matches.

Nominations

Subject to the rules set out in the Allocation Scheme we would normally nominate the applicant at the top of the short-list. If an applicant is successful for more than one property they will be contacted and asked to express a preference for the property they would like to be offered.

30. Quota arrangements

Sometimes it will be necessary to give preference to particular types of applicant to meet local targets. Examples of quotas include:

- transfer applicants
- homeless applicants
- applicants in particular bands.

As a guide we use the following quotas to ensure we nominate properties fairly between different types of applicants.

Transfers	30%
General needs	35%
Homeless	35%

Property adverts will clearly identify when priority is being given in this way.

31. Results of short-listing

Priority order

Once the advertising period has closed we will sort applicants for each property into priority order. The successful applicant for each property will normally be the one who is eligible for the size and type of property being offered and who is in the highest band. Where there is more than one applicant in that band, priority will be by date.

However, we reserve the right not to offer the property to the person highest on the short-list, if the property offers a better match with the needs of another high priority applicant.

Short-lists will be created with the following priority order:

- **Applicant type** - but only if an applicant type preference is specified in the advert
- **Parish connection** – but only if a parish connection preference is specified in the advert
- **Mobility level** – but only if a mobility level preference is specified in the advert
- **Band** – will always be used. The band order is: 1, 2, 3, 4, 5
- **District Connection** – will always be used for properties which are **not** advertised in the

sub-region. It may also be used for sub-regional properties at the discretion of the local authority.

- **Size of household** - but only if a preference to larger families is specified in the advert
- **Regional connection** – will always be used for properties advertised in the sub-region
- **Effective Date** - when Band 1 applicants are compared
- **Registration Date** - when Bands 2 to 5 are compared.

Date order

Applicants within each band will be put in date order as follows:

- Applicants placed in Band 1 will be ordered according to the date they were put into that band, called the 'effective date'. This will ensure that those with the most urgent need will have it met in the order in which it arose.
- Applicants placed in Bands 2 to 5, will be ordered according to the date they originally applied to go on the Housing Register, called the 'registration date'. This will ensure that those who have had a need for housing over a longer period will have their waiting time taken into account.
- Applicants moved into a different priority group due to a change in circumstances, will retain their registration date unless they are placed into Band 1, in which case the date used will be the date of their circumstances which caused them to be placed in that band.
- Where two applicants with the same effective date in Band 1 apply for the same property the applicant with the earliest registration date will be given priority for an offer of accommodation.

Publication of results

The results of short-listing are published on the website and in the latest edition of the property newsletter. The information provided can be used to help applicants decide which properties to apply for, by giving them a better idea how popular a particular property or area is and how long they would normally have to wait.

Applicants who have expressed an interest in the particular vacancy but are unsuccessful may request more personalised feedback on why they were unsuccessful.

The results show information about the short-listing but no personal details. It cannot be assumed the person at the top of any list was the successful applicant.

32. Rural lettings schemes

We are keen to take account of factors which would contribute to sustaining rural communities whilst ensuring that we continue to give due weight to the reasonable preference categories required by legislation.

To enable this, we will set a target for the proportion of lettings in villages to be let to applicants with a local connection with the village where the letting occurs.

On the initial letting of properties on new social housing developments which are not rural exception sites, a target of 50% of all lettings will be to applicants who have a local connection with the village and have been assessed as having at least Band 4 of housing need. If there is no-

one in Band 4 or higher applicants who qualify from Band 5 will be considered.

On the re-letting of existing social housing properties in the villages at least one in three will be to applicants who have a local connection and have been assessed as having at least Band 4 of housing need. If there is no-one in Band 4 or higher applicants who qualify from Band 5 will be considered.

Where applicants have a strong connection with a particular village, we will ask them to detail this on their application. This will enable them to be actively considered for any housing development, which takes place in areas where they hold such a connection.

33. Rural exception sites

When affordable housing is built on rural exception sites, or planning obligations are attached to other affordable housing developments, there may be restrictions on the occupancy of these homes. These restrictions are intended to ensure that applicants with a strong local connection have first priority for nomination to the properties.

This means that they must meet the normal eligibility criteria for joining the Housing Register as well as having a strong connection with the village where the homes with restrictions apply.

The same criteria will be used to define local connection as for Rural Lettings Schemes.

If there are insufficient applicants meeting these criteria, applicants meeting the local connection criteria for the immediately neighbouring villages will be considered. In this case, applicants whose local connection is closer to the new properties may be given precedence over those who are more distant.

If there are insufficient applicants meeting these criteria, applicants may be considered whose local connection is with any village in the District.

34. Local lettings plan

Housing Associations may, in exceptional circumstances, agree a local lettings plan with the Council. Such policies should be for a defined period and for a defined and valid reason. All applicants who wish to be nominated for homes in the estate or area concerned must be advised of the local lettings plan.

Local letting plans may be used to address hard to let homes, to address social problems or to promote balanced and sustainable communities. Local lettings plans should only be applied after consultation with relevant stakeholders (for example, parish or town councils, the police, Social Services and other relevant statutory and voluntary agencies and local residents in the area of the proposed local lettings plan).

There must be evidence that a local lettings plan is needed, that its use is supported by the local community and that it is likely to address the problems identified. Local lettings plans should be reviewed regularly and should be relinquished as soon as the reason for them no longer applies.

Local lettings plans are designed to be time limited, and will be monitored to ensure that the plans do not discriminate directly or indirectly on racial or other equality grounds and that reasonable preference is given overall to applicants in the reasonable preference categories.

35. The right to information

All applicants who apply for accommodation with the Council have the right to:

- the availability of free advice and information

- request a summary of the Allocations Scheme
- free assistance in making applications
- examine the full Allocations Scheme
- request information that will enable them to assess how their application has been treated
- request information, which will enable them to assess whether appropriate accommodation is likely to be made available, and if so, when
- have information about their application kept confidential from any other member of the public.

36. Information about decisions

Applicants have the right to:

- be notified in writing if it is decided that an applicant is ineligible because of the applicant's immigration status
- be notified in writing if it is decided that an applicant is ineligible because of the applicant's unacceptable behaviour
- notification which must give clear grounds for the decision, which must be based firmly on the relevant facts of the application
- request us to inform them of any decision about the facts of their case which has been taken into account in considering whether to allocate accommodation and to request a review of such a decision
- appeal against any adverse decision including suspension of their application.

37. Review procedure

A request for review must be made in writing within 21 days of the applicant being notified of our decision. A longer period may be allowed if appropriate.

- The review must be considered on the basis of policy, law and known fact at the date of review.
- When conducting the review, we will consider any representations, written or otherwise, made by the applicant or on the applicant's behalf and carry out the review on the basis of the known facts at the date of the review.
- If further information is required, the review period within which the decision should be made may be extended by agreement with the applicant.
- The original officer will first consider the review, and in light of any new information, may wish to reverse the original decision. If not, the case is passed to a senior officer to review.
- If the applicant is still dissatisfied, a report is prepared for consideration by the Head of Housing Services or Strategic Director Planning, Housing and Economy.
- In the event of an applicant still remaining aggrieved, the next step to be considered is a

complaint to the Chief Executive or to the Local Government Ombudsman.

- At each stage of the review procedure, the applicant must be advised in writing of the decision within 21 days and of any further avenues of appeal.
- Where it is decided to confirm the original decision on any issue against the interests of the applicant, we must also give our reasons.
- If the applicant believes we have not acted reasonably or in accordance with our set procedure, they may have the right to appeal on a point of law to the high court or county court.

38. Monitoring and evaluation

To ensure that the Allocation Scheme fully meets its aims and objectives it will be monitored and evaluated on a quarterly basis by the sub-regional steering group consisting of senior officers from the participating local authorities and partner housing associations.

A full review of the Allocation Scheme will take place 12 months after its implementation.

39. Equalities policy

Cherwell District Council operates an equality policy in housing and will abide by the requirements of the Race Relations Act 1976, as amended, the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995.

This aims to ensure that no one is treated unfairly on the grounds of gender, race, colour, ethnic or national origin, religion, disability, marital status, sexual orientation or age. We will treat everyone equally when considering them for housing.

If an applicant feels they have not been treated fairly or feels they have been discriminated against, they should contact Head of Housing Services, stating the grounds for their complaint in writing.

40. Offences

It is an offence for anyone making an application to the Council to:

- knowingly or recklessly give false information to us; or
- knowingly withhold information which we have reasonably required them to give in connection with the exercise of its function under the Housing Act 1996 (Part VI) as amended by the Homelessness Act 2002 and Housing Act 2004.

If the Council discovers an applicant has given false information or deliberately withheld required information we will consider legal action. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5000).

Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by Section 146 of the 1996 Act) enables a landlord to seek possession of a tenancy which it has granted as a result of a false statement by the tenant or a person acting at the tenant's instigation.

41. Housing Options

We give all applicants information on other housing options that may be available to them, to assist the applicant in making a reasonable choice as to their best prospect of securing suitable

accommodation. This includes information on:

- low cost home ownership
- private sector rented property
- our rent deposit scheme
- mutual exchanges
- key worker accommodation.

This list is not exhaustive.

Mutual exchanges

Homeswapper

We have agreed in principle to encourage our partner RSLs to participate in Homeswapper, a national mutual exchange website. Most do so already and where an RSL does participate there is no cost to their tenants. It has the advantage of having substantial coverage across our region and elsewhere.

Oxfordshire Homechoice

Oxfordshire Homechoice provides an opportunity for qualifying secure or assured tenants to exchange their home with other qualifying tenants. The service is intended to help those living in or wishing to move to, the area covered by the four district council areas covered by the partnership.

Once all our partner RSLs have signed up to Homeswapper this facility will be phased out.

Low cost home ownership

Partner housing associations offering subsidised forms of home ownership will be able to advertise their properties via our website and property newsletter. Accepted applicants may apply for these properties in the same way as for rented properties.

Applicants registered with any of the four district schemes may apply for any of the properties for sale advertised on our website. The short-list will be prioritised in the same way as for rented vacancies. However, the housing association is supplied with the contact details of all qualifying applicants and those selected to proceed to purchase may not necessarily be those highest on the list.



Equality

Impact Assessment Form

Impact Assessment Form

Part I: Initial Screening

1. Persons responsible for this Assessment:

Name:	Kate Winstanley Marianne North Teresa Chapman
Service:	Housing Services (Housing Needs Team)
Directorate:	Planning, Housing and Economy
Telephone:	Ext 1648
Email:	Kate.Winstanley@Cherwell-dc.gov.uk
Date of Assessment:	July 2008

2. Name of the policy, service, strategy, procedure or function:

Name:	Allocation Policy
New or Existing:	Existing

3. Briefly describe its aims and objectives:

<p>Aim</p> <ul style="list-style-type: none">- To comply with the Housing Act 1996 and as amended by further acts and codes. This Act requires the Council to give preference to applicants for housing who are in the greatest need- To help prevent homelessness and support the council's homelessness strategy- To be transparent and easily understood by applicants, staff, members and other organisations- To make the most effective use of the housing stock in an area of high demand- To help build sustainable communities by offering choice of location of accommodation- To respond to the needs of vulnerable individuals- to increase choice for applicants- To ensure equality of opportunity in accessing the Housing Register and in the allocation of properties- To provide nominations of applicants to Housing Associations
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4. Who is intended to benefit from this and in what way:

1 – Internal –

- CDC will gain efficiencies and improved value for money through a more transparent system which is clear to understand and results increased customer satisfaction and in fewer queries.
- CDC can have confidence that its statutory duties to provide and administer an allocation scheme are being met. A framework is provided to assess housing need and determine priority for housing, taking into account the reasonable preference groups and local circumstances
- The number of people accepted as statutory homeless should reduce as better housing advice and improved homelessness prevention work allows applicants to access other options.
- The clarity and transparency of the allocations scheme may lead to fewer enquiries and better use of other options being made, as public understanding of the scarcity of available housing grows.
- There should be a positive effect on the number of homeless people the council has a statutory responsibility for, as vulnerable groups should be dealt with effectively.

2 – External -
applicants

- The clarity and transparency of the system should make the system easier for applicants, and improve customer satisfaction
- The needs of those seeking housing will be better met

other stakeholders

- Registered Social Landlords should see an increased level of satisfaction with properties as applicants will have selected properties through Choice Based Lettings rather than having them assigned, in most circumstances. Void turnaround times will be improved
- low demand properties will be allocated to those who have applied for them rather than historically suffering from high turnover.
- Choice based lettings should assist the development of sustainable communities as tenants will have chosen to live there. This is of benefit to all Cherwell District Council residents
- The increase in clarity about stock which is available in the district will make it easier for Partner agencies to support their clients and to understand the rehousing situation

5. What outcomes are expected:

- Vacant properties will be let through Choice Based Lettings to applicants in the greatest need
- Allocations will be made fairly and without discrimination or disadvantage to the target groups
- The system will be easy to understand and to use for all concerned, both staff and applicants.
- Partners experience lower turnover in their properties as people are generally more satisfied with properties they have selected rather than

properties that have been allocated to them. In turn this leads to greater customer satisfaction and more sustainable communities

6. Have you consulted on this policy, service, strategy, procedure or function:

Yes / No YES

Details:

Internal and external

- There has been full consultation with all the Housing Team and relevant members. RSLs and other partner agencies are also consulted formally and informally through the RSL management group
- All applicants on the housing register were consulted on the introduction of choice based lettings
- A consultation event was held for Council members, RSLs and the voluntary sector
- The Equality and Access advisory panel have reviewed the assessment

7. What evidence has been used for this assessment:

Evidence –

- Current and historical reporting on the housing register (waiting list)
- Relevant legislation (Housing Act 1996, Homelessness Act 2002)
- Government code of Guidance on Allocations 2002
- Choice Based Lettings Code of Guidance 2008
- Cherwell District Council's equality and diversity policy
- Reports on homelessness acceptances
- Waiting list, bidding, offer and lettings reports from the CBL system
- Information on observations from the housing needs team
- Census data
- Population data (ONS, Oxfordshire data observatory)

8. Could a particular group be affected in either a negative or positive way?

	Negative	Positive	Issue	Evidence
Age	✓		There is concern that older people may not access affordable housing via the CBL system	Bidding reports
	✓		Young people (16 - 18) may not find appropriate accommodation	High levels of homelessness amongst young people was highlighted as a concern by CLG
		✓	Young people may be encouraged with appropriate support, to find	Homelessness acceptance reports Reports from partner agencies

			more suitable alternatives such as remaining with family	such as RSLs, BYHP (assertive outreach and family mediation) The Foyer, feedback from young people's schemes, the accommodation panel for young people
Disability	✓		Shortage of properties built to mobility standards, sudden disabilities	Time on waiting list Feedback from OTs Feedback from social services, and occupational therapists group Complaints consultation
Gender (including transgender)	✓		Domestic violence, vulnerability of young women	Consultation Feedback from partners National indicators
Race (including Gipsy and Traveller)	✓		Hate crimes. Intolerance, lack of suitable sites, 'Nimbyism'	Consultation Complaints Lettings reports showing the proportion of lettings to particular racial groups is equivalent to the proportion on the waiting list Census information
Religion or Belief	✓		Hate Crimes, intolerance, unsuitable property design	Consultation Feedback from landlords Waiting list Offer reports Police reports Feedback from community safety team complaints
Sexual Orientation	✓		Family rejection, hate crimes, intolerance	Data is not collected

Other Groups (see Guidance Notes) Rurality	✓		Lack of local options; scarcity	Waiting list reports Bidding reports Consultation Feedback from partners Housing needs estimates Housing needs surveys
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9.

Are there any other policies, services, strategies, procedures or functions that need to be assessed alongside this screening? If Yes, please identify which groups are affected	Yes – homelessness and temporary accommodation strategies children and young people, victims of domestic violence, disabled people and vulnerable adults
Should the policy, service, strategy, procedure or function proceed to a full Equality Impact Assessment?	Yes
If the answer is no please give reasons for this decision	N/A
Date by which full Equality Impact Assessment is to be completed	Date:

Declaration

We are satisfied that an initial screening has been carried out on this policy, service, strategy, procedure or function (delete those which do not apply) and a full Equality Impact Assessment is/is not required.

We understand that the Equality Impact Assessment is required by the Council and that we take responsibility for the completion and quality of this assessment

Responsible Officer: Marianne North Date: 31st October 2008

Role: Housing Needs Manager

Countersigned by Head of Service Date: 31st October 2008
Date for Review: November 2009

Please forward an electronic copy to the Access & Inclusion Officer by emailing it to: equalities@cherwell-dc.gov.uk

Print and sign a hard copy and store both the electronic copy and signed hard copy in a safe place. these should be available from your team for audit purposes when requested.

Part 2: Full Assessment

10. Summarise the negative impacts for each group(s) identified in section 8:

Group	Negative Impact
Age	<ul style="list-style-type: none"> • There is concern that older people may not access affordable housing via the CBL system. The Equality and Access advisory panel were particularly concerned that older applicants may not have access to or the ability to use information and communication technology • Young people (16 -18) may leave home and be unable to find appropriate accommodation • Young people may need support to develop the skills needed to sustain a tenancy • sufficient information about supported housing may not be available or may not reach the intended audience
Disability	<ul style="list-style-type: none"> • We are aware of some issues in respect of matching of suitable properties and applicants • We are aware that publicity may not reach the client group when properties do become available • Applicants may experience difficulty accessing the housing service due to a disability • Applicants may not be able to access affordable housing via the CBL system
Gender	<ul style="list-style-type: none"> • Vulnerable spouses may require supported accommodation • People in refuges may have difficulties accessing information from refuges
Race (including Gypsy and Travellers)	<ul style="list-style-type: none"> • Access to information in community languages • Housing requirements affected by cultural issues e.g. intergenerational housing • Availability of housing in areas

	<p>preferred by ethnic minorities</p> <ul style="list-style-type: none"> • We are concerned that there may be disproportionate numbers of BME applicants applying through the homeless route • Lack of provision of sites or permanent accommodation could disadvantage Gypsies & Travellers
Religion or Belief	<ul style="list-style-type: none"> • No information is collected on the housing register form • Hate crimes and harassment can lead to vulnerability • Differential impacts may relate to race issues • Housing requirements may be affected by religious/ cultural issues e.g. need for showers or particular types of cooking facilities
Sexual Orientation	No information is collected on sexual orientation
Other Groups – Rurality	<ul style="list-style-type: none"> • Lack of local options; affordability and scarcity of housing and land availability • Properties built to mobility standards may be particularly scarce • Services may not be accessible due to lack of public transport

11. What previous consultation has taken place or will take place with each equality group either externally or internally?

Numerous partner agencies including the PCT have been consulted and many of the groups above have been considered
See action plan

12. Who was consulted and/or what research material was used?

- Partner RSLs
- partner local authorities in the Oxfordshire subregional CBL partnership
- applicants on the housing register
- statutory and voluntary groups
- The Equality and Access advisory panel have reviewed the assessment

13. What does the consultation indicate about the negative impact?

- There was an acknowledgment that further guidance was to be given for issues around Domestic Violence.
- Vulnerable clients can use proxy bidding, or automatic bidding can be chosen

14. If there is still a negative impact see Guidance Notes

15. If there is a negative impact what will you do to promote equality and improve relations within equality groups?

The strategy is closely monitored and should any negative aspects be noticed this would feed into the reviews which are outlined below. See table below for initiatives which are being undertaken to promote equality; and see also the action plan

Group	Negative impact	Equality promotion
all		All staff receive compulsory diversity training
		The housing services team operates with a responsive, problem solving ethos
Age	May not be able to access affordable housing through CBL	Printed newsletters are available in a variety of locations. Vulnerable applicants can register to have the newsletter posted to them. a free phone telephone line is provided
		A dedicated team is available for advice and assistance. Bids can be placed on the applicant's behalf
		Applicants can be referred to appropriate support agencies
		Bidding reports are analysed every two months and applicants in the high bands are contacted or visited if

		they are not bidding, so that assistance can be offered
		The above measures address the concerns of the equality and access advisory panel
	Young people (16 -18) may not find appropriate accommodation, leading to high levels of homeless applications or failed tenancies	A youth foyer is provided in Banbury
		Homelessness prevention is one of the six priorities in the housing strategy
		CDC hosts in the youth homelessness forum in conjunction with the homelessness strategy
		CDC promotes and supports initiatives a clear to prevent youth homelessness and enable young people to stay at home
		Applicants can be referred to support agencies if they so wish
		CDC is trialling text bidding for the Choice Based Lettings scheme
disability	People with disabilities may not be able to access the housing service	Advice and proxy bidding are available to applicants engaged in the CBL process
		A british sign language interpreter can be arranged if needed
		The one –stop shop has a hearing loop
		The one-stop shop is DDA compliant, the new one-stops shops in Bicester and Kidlington will also be DDA compliant
		Computer terminals are provided for free public

		<p>access to the internet in CDC offices</p> <p>The Council and CBL websites have accessibility features such as text only view and text enlargement facility and can be viewed with a variety of browsers</p> <p>The Choice Based Lettings website is enabled for browsealoud. This means either a whole page or selected text can be read aloud, increasing access for applicants who have literacy difficulties and also for many ethnic minority applicants who may be able to understand spoken English better than written English. We have specifically ensured that the browsealoud service can be used in public libraries</p>
		<p>Printed newsletters are available in a variety of locations. Vulnerable applicants can register to have the newsletter posted to them a free phone telephone line is provided</p>
		<p>Adapted properties are advertised as such and clearly labeled in the Choice Based Lettings system. Preference is given to applicants whose needs match the facilities</p>
Religion or belief (including culture)		<p>CDC subscribes to language line. Housing leaflets are available in alternative</p>

		formats including Braille, large type, audio tape, and other languages
		Choice based Lettings gives applicants the choice of applying for properties which fit specific requirements (eg separate bathroom and toilet)
		A translation panel has been added to the application for housing form
Gender	Women (although not exclusively) can face domestic violence that would require them to seek a refuge	information is made available for victims of domestic violence
		Adequate provision of refuge places is made, meeting BVPI 225 and the strategic priority in the homelessness strategy
Sexual orientation		The allocation scheme considers all applicants from the position in which they present themselves to the council

16. What monitoring, evaluation or review has been set up to carry out checks on the policy, service, strategy, procedure or function?

The policy will be monitored by managers and the extended management team. The equality and diversity working group will monitor the delivery of the action plan and subsequent reviews of equality and diversity and will include the equality and diversity working group action plan

17. When will it be reviewed?

- In January 2009 as part of the subregional choice based lettings partnership work
- Quarterly progress reviews – June, September and December 2008, and March 2009
- Comprehensive review – after two years

What changes do you propose to make to the policy, service, strategy, procedure or function as a result of research and/or consultation

Negative Impact	Changes Proposed	Lead Officer	Timescale	Resource Implications	comments	evidence
Age						
Young people (16 -18) may not find appropriate accommodation	Initiatives to prevent youth homelessness	Helen Town / Marianne North	On-going	Cost of publicity and events Staff time to support applicants Staff time working with colleagues in education service the youth forum joint assessments between BYHP and Social Services achieved through joint commissioning Outcomes from Homelessness Strategy		Homelessness acceptance reports National indicators Training for housing options team Feedback from partners Feedback from applicants
	Advice from Housing Options team	Teresa Chapman	On-going	Staff training required	Part of continuous improvement of customer service	Homelessness acceptance reports National indicators Training for housing options team

						Feedback from partners Feedback from applicants Customer satisfaction surveys
	Action plan monitoring	Marianne North	On-going	Staff time		Measuring actions individually
Disability						
Shortage of disabled adapted properties/sudden events which cause unexpected life changes	Target setting for lifetime homes and work with housing providers to provide more purpose built property for disabled households	Fiona Brown	As part of SDP process	Staff time		nominations reports Offer reports Waiting list reports Affordable housing completion reports Minuted meetings Feedback from partners Feedback from OTs

	Improving matching between applicants and properties including partnership working with Occupation therapy team and categorising applicants and properties per subregional CBL scheme	Teresa Chapman / Marianne North	January 09 To fit in with subregional partnership working	Staff time		nominations reports Feedback from OTs
Disability which prevents applicants from fully participating in CBL	Investigate auto bidding for the CBL system for vulnerable applicants	Bob Garbutt/ Teresa Chapman	January 09	Staff time		Bidding reports
Further development work as a result of The findings of the equality and diversity working group Consultation with applicants on the effectiveness of our inclusion for all needs Corporate work on equality and diversity	Consult with disabled groups	Helen Town	March 2010	Strategic housing team	Will link into corporate consultation framework	More people able to maintain their own homes without needing residential care

Gender						
Women (although not exclusively) can face domestic violence that would require them to seek a refuge	Support is offered to the DV champion	Marianne North	On-going	Staff time		Minuted meetings Feedback from service users Feedback from partners Homelessness acceptance reports
	A named officer from CDC attends the DV group			Staff time		
	The housing needs manager works with the crime reduction partnership	Marianne North		Staff time		Minuted meetings Actions arising from meetings Increased customer satisfaction
	Making sure that information on CBL is available in refuges	Teresa Chapman	On-going	Staff time	Refuge is automatically included in email list for CBL publicity	Feedback from service users Feedback from partners

	All Housing Needs staff receive training on DV and child protection	Marianne North	On-going	Staff time Payment for training		Training records
	The housing needs team attend MARAC (multi agency risk assessment conference)	Marianne North	On-going	Staff time		
Hate crimes and harassment	Housing needs manager to consider collecting data on sexual orientation		April 09	Cost of redesigning and reprinting form plus staff time to collect and analyse data	Subregional CBL partnership intends to produce a common form for all partners – better use of resources to include this data at this stage	
	Housing needs manager attends joint meetings with crime reduction team and RSLs	Marianne North	Staff time			Housing register reports Minuted meetings
	Housing needs manager attends young people's antisocial behaviour action group	Marianne North	Staff time			Housing register reports Minuted meetings
Rurality						
Lack of access to	Explore effective ways to	Marianne	November 08	Staff time		Homelessness

services	reach rural residents and other isolated people eg health bus	North		Other costs may be identified		acceptance reports Feedback from service users Bidding and letting reports
	Monitor homeless apps to assess origin of applicants	Richard McIntyre	November 08	Strategic housing team; partnership working; housing needs team	Assessment of issues could lead to further work in 2009 - 2010	Homelessness reports
Potential to affect all groups						
	Consultation with recently housed applicants and other service users	Craig Knight	March 09	Staff time, cost of printed or telephone satisfaction survey		Record of responses and actions to be taken as a result
	Consultation on proposed Subregional allocation scheme changes	Bob Garbutt	January 09	Staff time, expenses Printing and distribution costs for a newsletter		Record of responses and actions to be taken as a result
Accessibility to services						
Age, disability, race	The CBL website is capable of having a "talking heads" video language service in 14 languages plus British Sign Language and English	Bob Garbutt/ Teresa Chapman	November 08	Staff time Subscription to video streaming service	Already commissioned through subregional CBL partnership, needs to be	Records of website hits Bidding and offer reports Feedback from service users Feedback from

					enabled on CBL website	partners
Age, disability	Review level of text bidding		November 08	Staff time	Part of subregional pilot of text bidding	Bidding reports

Page 110

Completed by:	Kate Winstanley	Date Started:	may 08	Date completed:	October 2008
Role:	Housing Strategy Officer				

I am satisfied that a full Equality Impact Assessment has been undertaken in respect of the Temporary Accommodation Strategy 2008-2011

I understand that this Equality Impact Assessment is required by the Council and we take responsibility for its completion and quality

Gillian Greaves, Head of Housing Services

Date: 31st October 2008

Date for Review: November 2009



Guidance Notes

**Carrying out
Equality Impact Assessments**

Contents

What is an Equality Impact Assessment?

Where does an EqlA come from?

What is meant by “Impact”?

When should an EqlA be carried out?

Initial Screening

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Equality Impact Assessment process flow chart

What is an Equality Impact Assessment?

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Cherwell District Council by making sure it does not discriminate and that, where possible, it promotes equality. It is a way to make sure individuals and teams think carefully about the likely impact of their work on equality target groups and take action to improve policies, services, strategies, procedures and functions. It involves anticipating the consequences of policies and projects on the target groups and making sure that, as far as possible, any negative consequences are eliminated or minimised and opportunities for promoting equality are maximised.

Where does an EqIA come from?

Equality Impact Assessments originate from the Race Relations (amendment) Act 2000, the Disability Discrimination Act 2005, as well as the Equality Standard for Local Government (ESLG), all of which place obligations on local authorities and public sector organisations to carry out impact assessments.

The Equality Standard is a Best Value Performance Indicator and as such is audited in the same way as any other BVPI. The Equality Standard has been developed as a tool to enable organisations to mainstream gender, race, disability, age, sexual orientation and religion or belief into policy and practice at all levels.

The Council process is therefore aimed at assessing the impact of policies, strategies, functions or projects across the six equality groups.

Equality Impact Assessments originate from the Race Relations (amendment) Act 2000, the Disability Discrimination Act 2005, as well as the Equality Standard for Local Government (ESLG), all of which place obligations on local authorities and public sector organisations to carry out impact assessments.

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The Council process is therefore aimed at assessing the impact of policies, strategies, functions or projects across the six equality groups.

What is meant by “Impact”?

The Council will look at two possible impacts in its assessment:

(a) A negative or adverse impact:

This is an impact that could disadvantage one or more equality groups. This disadvantage may be differential, where the negative impact on one particular group of individuals or one equality group is likely to be greater than on

another. The Equality Impact Assessment provides an opportunity to assess this.

For example: an event that was held in a building with no induction loop would have a negative or adverse impact on some attendees with a hearing impairment.

(b) A positive impact.

An impact that could have a positive impact on one or more equality target groups, or improve equal opportunities and/or relationships between groups. This positive impact may be differential, where the positive impact on one particular group of individuals or one equality group is likely to be greater than on another.

For example: A targeted training programme for black and minority ethnic women, would have a positive differential impact on black and minority ethnic women compared with its impact on white women and all men. It would not, however, necessarily have an adverse impact on white women or men.

When should an Equality Impact Assessment be carried out?

An equality impact assessment should be carried out when:

- (a) Developing a new policy, service, strategy, procedure or function.
- (b) Reviewing existing policies, services, strategies, procedures or functions.
- (c) A policy, procedure, function or strategy has been identified as requiring an EqIA by partnership working, directorates, Executive or elected members.

All managers are responsible for incorporating equalities into their policies, procedures, functions or strategies, and for assessing the equalities impacts. This should be a continuous cycle, starting at the very beginning of the process. If there is any doubt as to whether a policy, service, strategy, procedure or function requires initial screening, managers should contact their representative on the Equality Group.

The Equality Impact Assessment consists of two parts:

- (a) The initial screening process.
- (b) The more thorough full assessment if the initial screening has identified an adverse/negative impact.

Initial Screening

This part of the Equality Impact Assessment form should be completed during the development or review stage before approval for the policy, service, strategy, procedure or function. Once initial screening has been completed, a full assessment is only required if:

- (a) Any equality group was identified as being disadvantaged or negatively impacted by the policy, strategy, project or function.
- (b) The impact was assessed as being of high significance.
- (c) The impact was not intentional and/or illegal, i.e. discriminatory under anti discrimination legislation.

Completing an EqIA is similar to a risk assessment as it involves predicting and assessing the implications of a policy, service, strategy, procedure or function on a wide range of people with different needs. Furthermore, this should not be carried out in isolation, but with the support and advice of others. Effective consultation with stakeholders is a key ingredient in conducting EqIAs.

At the screening stage, you should be assessing obvious negative/positive impact or gaps in knowledge about likely impacts. It should be a relatively short process which makes use of previous consultation results, personal knowledge and experience, research and reports, internet searches, internal and external specialist advice, staff with previous experience of similar strategies or projects etc. In Part 7 it should be noted if there is a lack of data or information concerning a particular area, that this should not be a reason to stop the process. If the likely impact on a particular group is unknown, then action needs to be taken to acquire this information.

Full Impact

This part provides an opportunity to assess the evidence for a possible negative impact. It ensures that research and consultation with the equality target groups has been carried out and leads to an improvement plan aiming to minimise the negative impact and, where possible, maximise the positive impact. The EqIA improvement plan template (see Part 15) lists any recommendations that have been identified to improve the policy, procedure, function or strategy as a result of the EqIA along with the resources and timescales needed to achieve them.

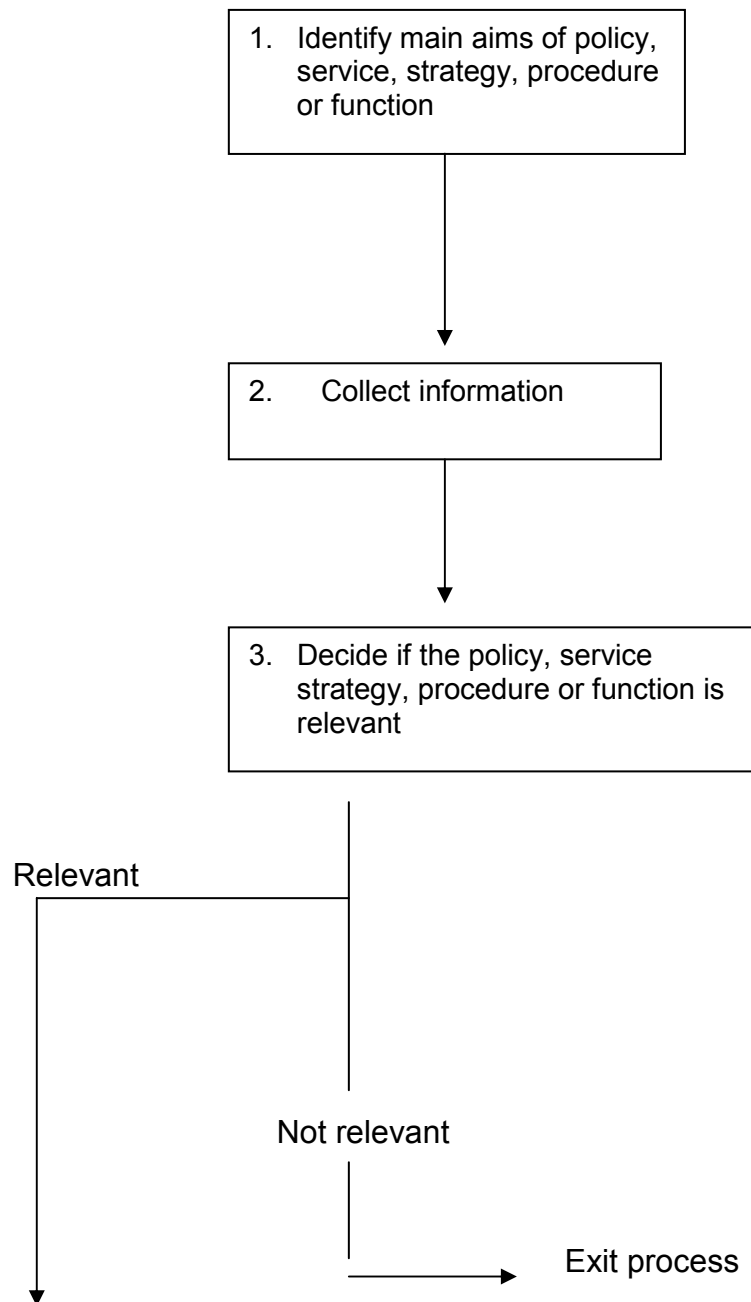
Consultation involves engaging with representatives from equality groups who are likely to be affected by the policy, strategy or project. This could include engaging with staff and members, staff networks or trade unions, other public bodies or voluntary and community groups. It is important to ensure sufficient time and resources are dedicated to the consultation process to encourage full participation, particularly by those groups we have traditionally failed to reach. For further guidance on consultation please refer to the consultation strategy. This outlines the core principles and practice for consultation and engagement with staff, partners, stakeholders and members of the public.

The public will be able to examine completed EqlAs if they request to see them and summary information about EqlAs should be made available on the council's website and staff Intranet. Publishing the results of EqlAs is key to establishing accountability and maintaining public confidence. It will demonstrate that the District Council is committed to promoting equality, monitoring, assessing and consulting on the effects of its policies, services, strategies, procedures or functions.

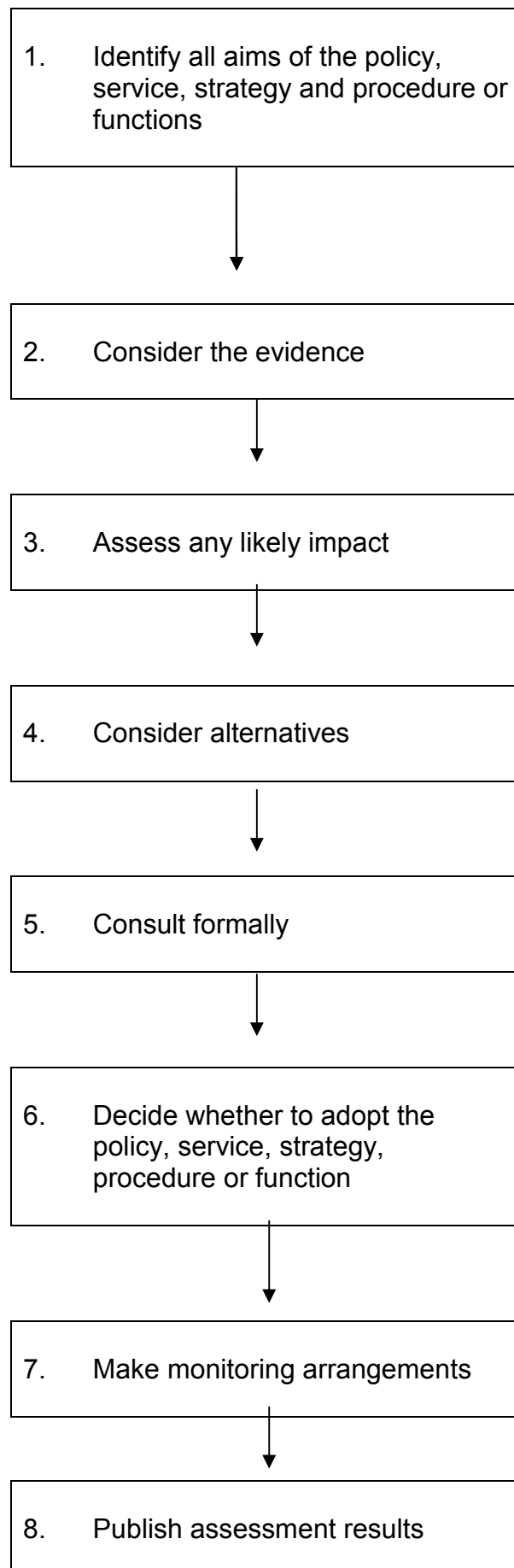
Flowchart: the Impact Assessment Process

Look at policy, service, strategy, procedure or function

INITIAL SCREENING



Full Assessment



Executive

Juniper Hill Conservation Area Appraisal: Consideration of Responses to Consultation Draft and Approval of Final Appraisal

2 March 2009

Report of Head of Planning and Affordable Housing Policy

PURPOSE OF REPORT

To report on the consultation responses to the draft review of the Conservation Area appraisal.

This report is public

Recommendations

The Executive is recommended:

- (1) To resolve, under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to approve the Juniper Hill Conservation Area appraisal and to extend the boundary with immediate effect

Executive Summary

Introduction

- 1.1 This report sets out the comments received on the draft appraisal and the proposed extension to the Conservation Area (as indicated in the attached plan) and indicates the amendments that are considered appropriate in response.

Proposals

- 1.2 To approve the Juniper Hill Conservation Area Appraisal.
- 1.3 To extend the boundary of the Conservation Area to include the playing field to the south east of the hamlet.

Conclusion

- 1.4 To approve the Juniper Hill Conservation Area appraisal and to extend the boundary with immediate effect.

Background Information

- 2.1 This report is in accordance with Paragraph 9.48 of the Adopted Cherwell Local Plan 2001 and paragraph 9.89 of the Non-Statutory Cherwell Local Plan 2011, which state that the Council will from time to time propose new or review existing Conservation Areas.
- 2.2 The Planning (Listed Buildings and Conservation Areas) Act 1990, does not require local planning authorities to undertake public consultation prior to designation but this Council considers it to be good practice. It does require Conservation Areas to be reviewed from time to time and for proposals for preservation and enhancement to be submitted to a public meeting.
- 2.3 Public consultation took place on the draft Conservation Area Appraisal following consultation with, and the approval of, the ward member and Parish Chairman.
- 2.4 The appraisal was posted to every house in Juniper Hill, was available to download from the Council's website and in hard copy from Bodicote House.
- 2.5 A public exhibition was held in St Mary's Church, Cottisford. Posters were put up in Juniper Hill and Cottisford. The event was attended by approx. 25 people and questionnaires were available asking for comments on the appraisal and the conservation area boundary. The comments received are recorded in the sections following 3.2.
- 2.6 The appraisal comprises an outline of the development of the village, including its history and literary connections, followed by an analysis of the established character of the village including its land use, settlement pattern, building types and style, construction materials, features of special interest and means of enclosure.
- 2.7 The document proposes the inclusion of the playing field, which lies to the south-east of the hamlet, in the Conservation Area boundary. Under the 1854 Inclosure Act this area of approximately two acres was set aside for the recreation of the residents as compensation for the loss of the common lands around the hamlet. The playing field is still actively used by local residents. It is felt to represent an important element of Juniper Hill's history and to be an area of historical and visual importance to the settlement.
- 2.8 The appraisal also contains a Management Plan comprising proposals for preservation and enhancement of the Conservation Area, justification for the Conservation Area boundary and the effects of Conservation Area designation.

Key Issues for Consideration/Reasons for Decision and Options

- 3.2 Feedback from the Public Meeting and Questionnaires
- 3.3 Statements within the appraisal on the threats of urbanisation to the hamlet were discussed. In particular the state of the un-surfaced un-adopted road locally known as 'The Rise' was the cause of some concern and the reference within the appraisal of its importance to the character of the hamlet was felt to be unnecessary. Pot holes make the lane difficult to drive along after wet weather and some resident's were unhappy with its un-surfaced state. Councillor Wood stated that he would explore the possibilities for sympathetic resurfacing work and report back to the Parish Chairman.
- 3.4 The appraisal's comments regarding the urbanising effect of security lighting were also discussed, some resident's feeling that extra lighting was necessary for the safety of homeowners and should not be discouraged. The appraisal text was altered as a result to reflect the delicate balance between the need to preserve the character while respecting the desires of the residents.
- 3.5 There was some concern over the erosion of grass verges by refuse vehicles on the corner of the lane that leads to Candleford. Possible use of granite kerbing was discussed, although it was acknowledged that the retention of un-edged grass verge elsewhere in the hamlet was preferable. This was agreed to be a matter for discussion between the Parish and the Highways Authority.
- 3.6 Residents felt that moving the signs further out of the village would encourage traffic to slow down. This was a matter for the Parish Chairman to take up with the Highway.
- 3.7 The surplus materials around the edges of the allotments were felt to be detrimental to the appearance of the Conservation Area and there was some expectation amongst those present at the meeting that their removal could be enforced by the Council. There is a careful balance to be struck between over gentrification of a rural hamlet and preserving and enhancing the character of Juniper Hill. Villagers were encouraged to approach the allotment committee and Parish meeting for action on this matter.
- 3.8 There was concern about the implications of Conservation Area control in regard to trees, in particular the potential future need to remove the Horse Chestnut outside the The Old Fox. Residents requested that details of controls within the Conservation Area were added as an appendix to the appraisal; this was an oversight in the draft appraisal and the document has been amended as a result.
- 3.9 The availability of information on the implications of living within a Conservation Area for new house buyers was raised. The fact that a dwelling is within a Conservation Area should be revealed by a property purchasers search. To encourage estate agents to make purchasers aware of implications we are sending an information pack to all agents in the vicinity.

- 3.10 The implications of the category 3 status of Juniper Hill were discussed. There was some concern in questionnaire feedback that the appraisal implied the possibility for infill development in the hamlet despite the category of the settlement. The appraisal text has been reworded to make it clear that there is very little likelihood of significant new residential development in the area.
- 3.11 Several residents sent very helpful detailed responses to the appraisal following the public meeting amending a number of minor grammatical errors, historical detail and changes to house names which have all been corrected in the final document.
- 3.12 There were no objections to the proposed extension and many of those present at the public exhibition and meeting were actively in favour of the boundary alteration.

The following options have been identified. The approach in the recommendations is believed to be the best way forward as this will enable the Council to publish the finalised version of the Appraisal which will then become a material consideration to be weighed against other considerations in the determining of planning applications within the Conservation Area and its setting.

Option One	To approve and to publish the Conservation Area Appraisal including the proposed extension to the boundary
Option Two	To not extend the Conservation Area
Option Three	To make further changes to the Juniper Hill Conservation Area Appraisal as members see fit

Consultations

Cllr Gibbard	Made no formal representations
The Parish Council	Thanked the Council for organising the meeting and exhibition and returned a copy of the appraisal with suggestions for minor amendments to names and descriptions.
Cllr Wood	Made no formal representations
Local Residents	Comments are discussed in detail under headings 3.3 to 3.12
Richard Oram, County Council Archaeologist	Made no formal representations

Implications

Financial:	Financial effects - There are no financial implications arising from this report. The costs of preparing the
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Appraisal and the public consultation are met from the approved revenue budget and the Council does not operate any grant aid scheme that would be triggered by the Appraisal.

Comments checked by Eric Meadows, Accountant 01295 221552

Legal: No comments

Comments checked by Nigel Bell, Assistant Solicitor 01295 221687

Risk Management: The Conservation Area Appraisal analyses the special character and appearance of the designated area and sets out proposals for the management of the area. Having been publicly consulted upon, the Appraisal will become a material consideration in the determining of planning applications within the designated area and will be used by Inspectors in considering appeals.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 221566

Wards Affected

Fringford

Corporate Plan Themes

Theme 6: Protect and enhance the local environment

Theme 8: Rural Focus

Theme 10: Focus on Cherwell's People

Executive Portfolio

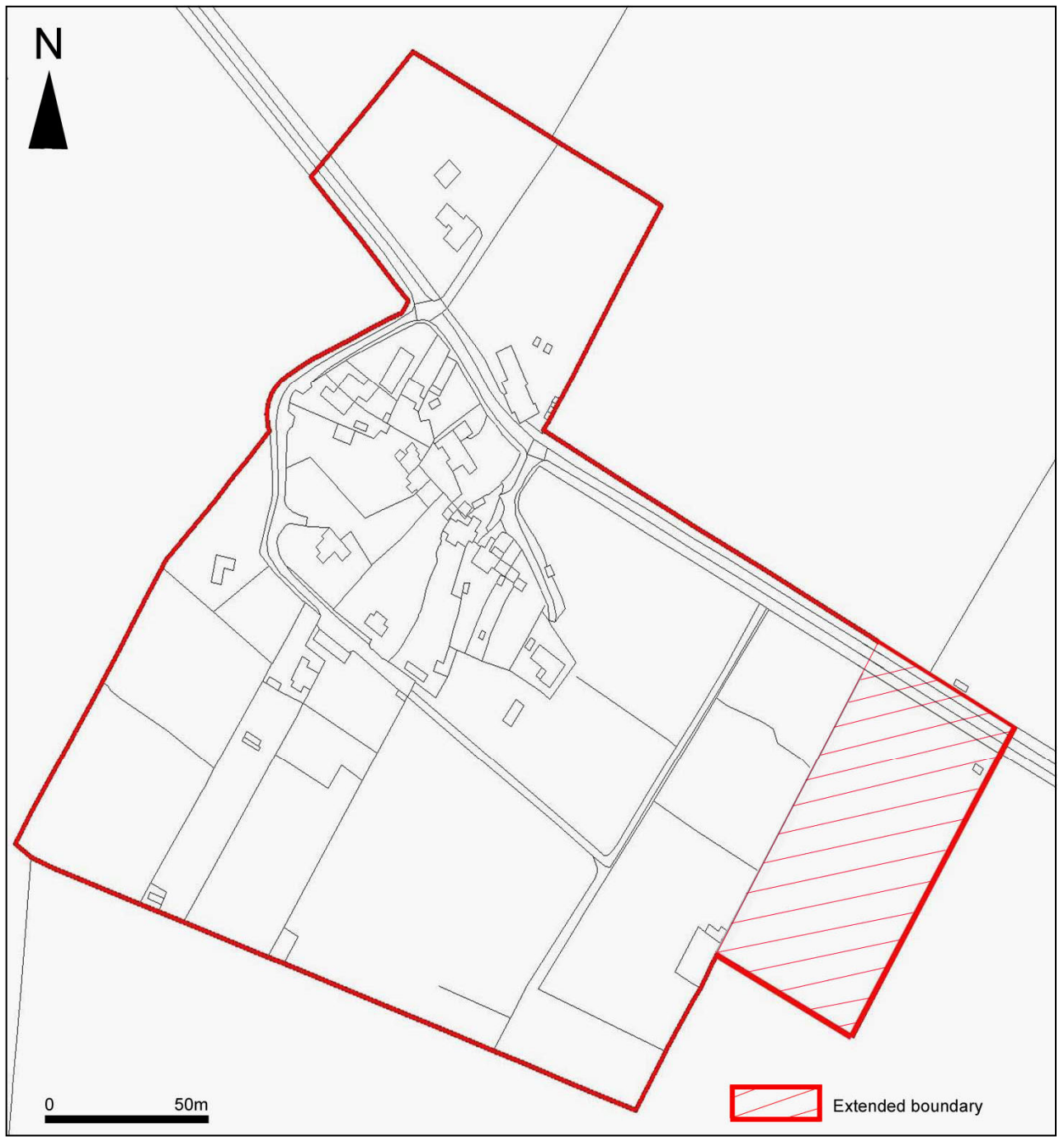
Councillor Michael Gibbard

Portfolio Holder for Planning, Housing and Economy

Document Information

Appendix No	Title
Appendix [X]	
Background Papers	
Report Author	Ruth Watkinson, Assistant Design & Conservation Officer
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Conservation Area map showing proposed extension





Juniper Hill Conservation Area Appraisal

March 2009

Planning, Housing and Economy

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1. Introduction

Juniper Hill is a rural hamlet of scattered dwellings situated 7 miles (11.2Km) north of Bicester close to the busy A43.

The settlement was first established in the late 18th century originating with just two cottages in 1754 as an offshoot of nearby Cottisford.

The majority of the inhabitants being employed in local agriculture the population peaked in the 19th century and fell with the mechanisation of the early 20th century.

Juniper Hill was made famous as 'Lark Rise' in the novels by Flora Thompson which recall her childhood in 1880s rural Oxfordshire.

It is this well documented social history, as well as the evocative nature of the hamlet, which makes Juniper Hill of particular note and led to its designation as a Conservation Area in 1980.

This document is the first appraisal of Juniper Hill since its designation and aims to highlight the special character of the hamlet which it is desirable to preserve and enhance.

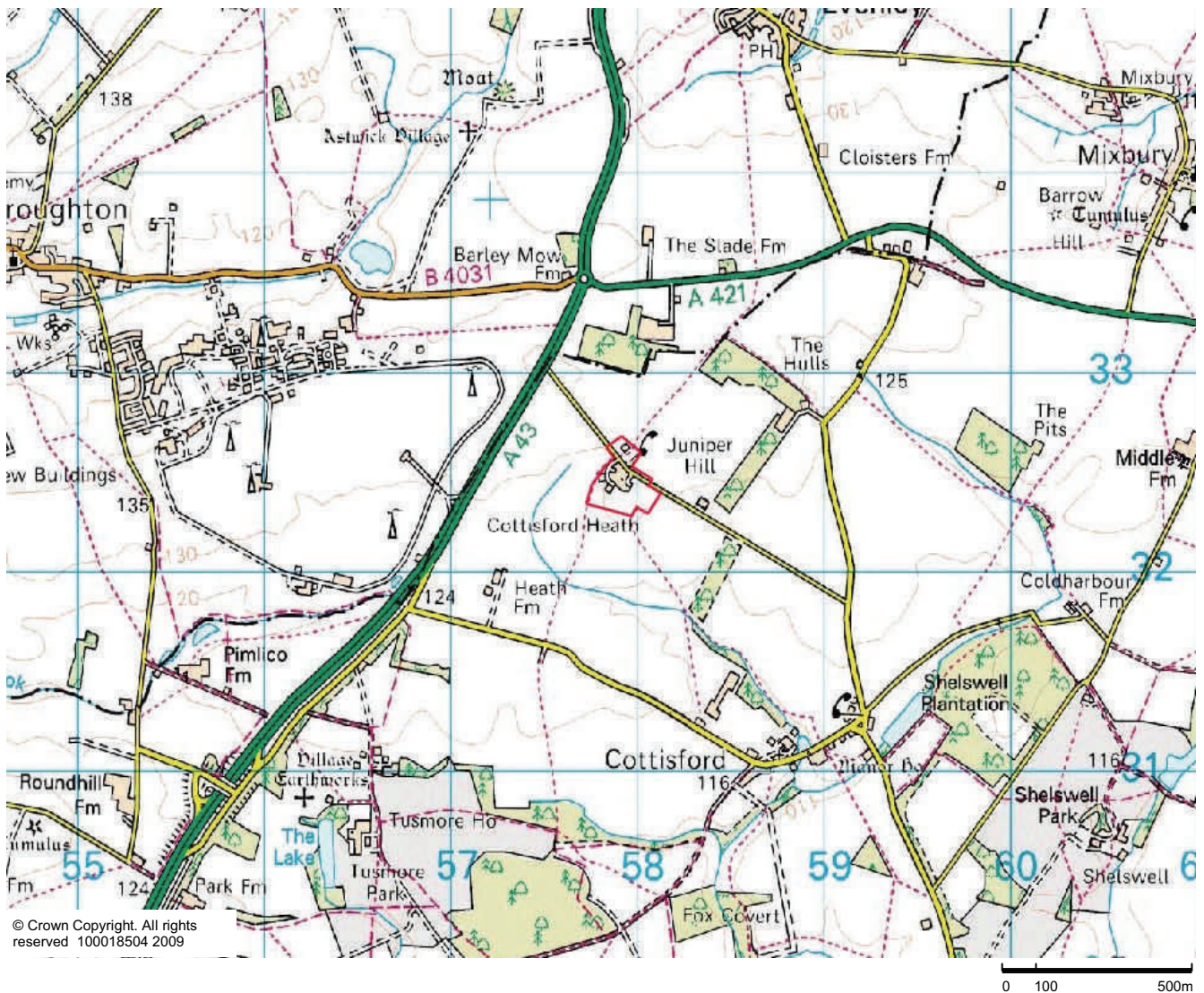


Figure 1: Location

2. Planning Policy Context

2.1 Conservation Area Designation

The planning (Listed Buildings and Conservation Areas) Act 1990 provides legislation for the protection of the nation's heritage of buildings and places of architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance.

Conservation Areas were introduced by the Civic Amenities Act of 1967. Some 8,000 Conservation Areas have been designated in England, including 56 in Cherwell District.

Juniper Hill Conservation Area was designated in 1980. This designation reflects the importance placed on the value of Juniper Hill's historical, aesthetic and architectural character.

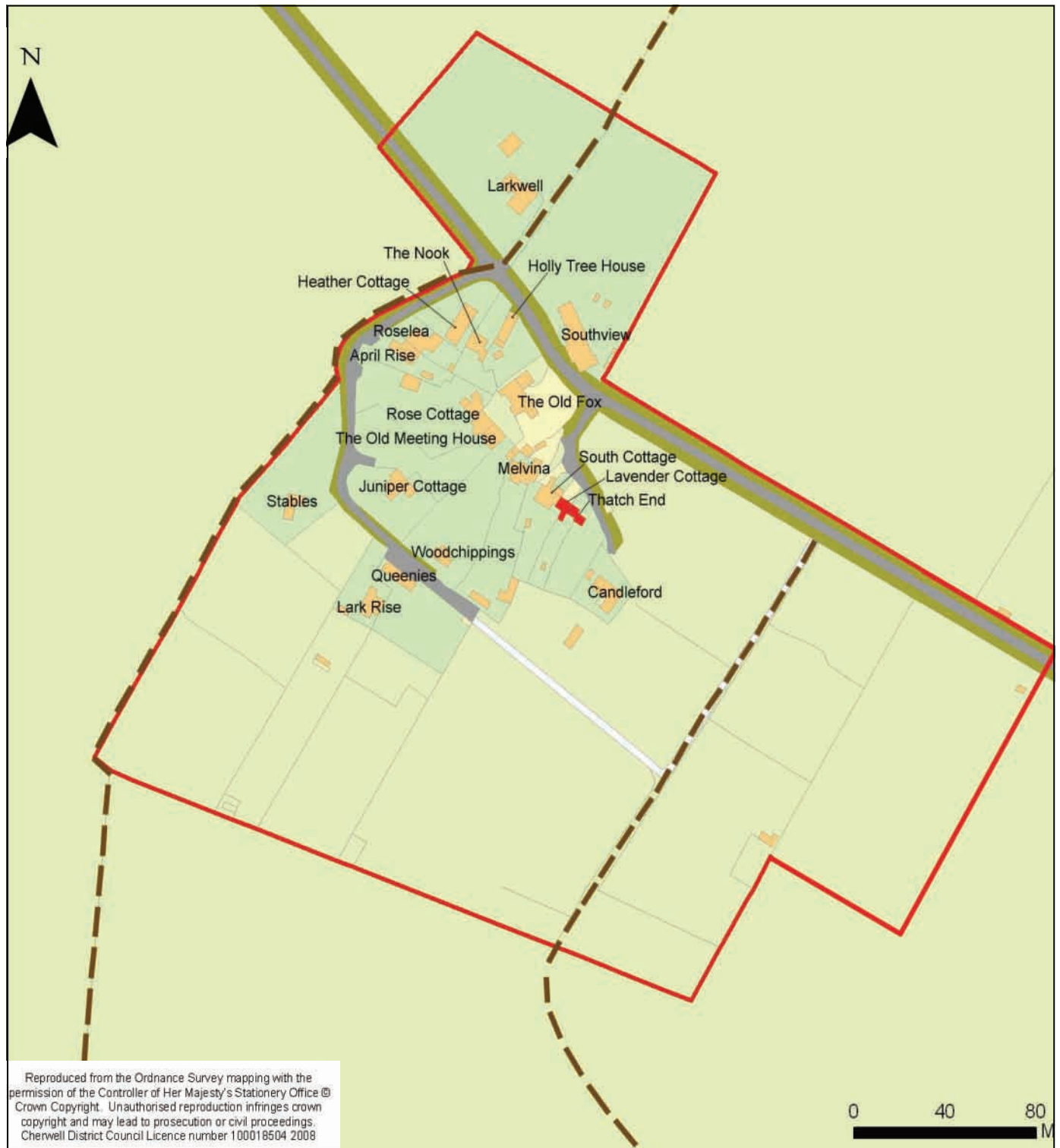
Local planning authorities have a duty under the Act to consider boundary revisions to their Conservation Areas 'from time to time'. The boundary of Juniper Hill Conservation Area has not been reviewed since its designation in 1980. This document extends the Conservation Area to include the playing field at the south east edge of the hamlet.

This document is based on a standard recording format derived from advice contained in documents published by English Heritage (2005a). By writing a full Conservation Area appraisal for Juniper Hill, the special character and appearance can be identified and protected by ensuring that any future alteration preserves or enhances that identified special character.

This document has been the subject of public consultation and has been amended as a result of comments received. Once approved this document will be used as a material consideration in the determination of applications in the Conservation Area and its setting.



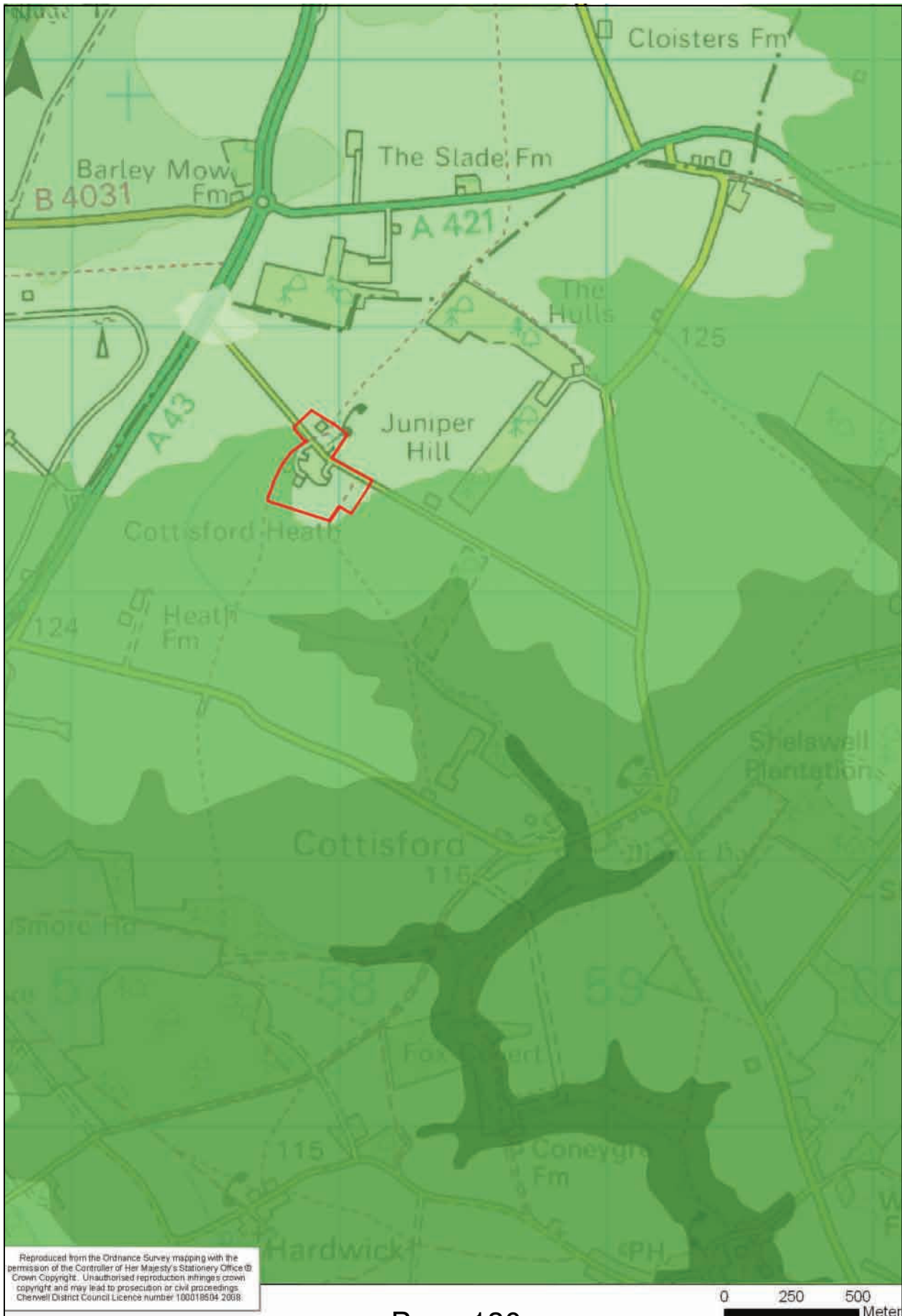
Figure 2: Area Designations



- Conservation Area
- Public Right of Way
- Listed Building

There are no TPOs (Tree Preservation Orders), scheduled ancient monuments, SSSIs (Sites of Special Scientific Interest) or other designations within or immediately adjacent to the Conservation Area.

Figure 3: Topographical map



3. Location and Topography

Juniper Hill sits within the parish of Cottisford. Much of the parish was once heath land and Juniper Hill falls within the area known before the Inclosures as northern Cottisford Heath.

The hamlet is situated on the White limestone and Cornbrash of the Great Oolite belt. The predominant building material of the area is a rough bluish-grey limestone which contains shell debris and has a high clay content.

The topographical map shows that Juniper Hill does lie on slightly higher land than its surroundings but this is difficult to discern on site, despite giving the settlement its name.

Juniper Hill lies within the Oxfordshire Estate Farmlands landscape area defined by the Cherwell District landscape assessment (Cobham Resource Consultants, 1995).

The landscape around the village is arable with extensive fields punctuated by small copses and coverts. The field boundaries are mainly mature mixed species hedgerows. Road verges are generous widths and often have a hedge on either side. In places the structure of the landscape is disappearing as intensive arable use has resulted in the removal of field boundaries so that only lines of hedgerow trees remain.

Fig 4: 2004 Aerial view of the village including the Conservation Area boundary



4. History of Juniper Hill

4.1 Origins

4.1.1 The hamlet originated in 1754 when two cottages were built for the poor at a cost of £28 7s. 6d. (the money was raised by a rate charged on the surrounding landowners). However it was not until the Inclosures of the common fields in 1854 that the hamlet grew to its present size. The name simply derives from the abundance of juniper growing in the surrounding heathland.

4.2 Archaeology

There is little recorded archaeology in or around Juniper Hill but the proximity of the settlement to the Oxford-Brackley road and the Medieval buildings of Cottisford suggest that this may well be the result of lack of exploration rather than lack of material.

4.3 History

The parish of Cottisford contained a settlement thought to have been of a similar size to Juniper Hill in the 12th century or earlier. It is believed that this hamlet disappeared in the 1340s having been recorded as declining in 1343 and it is probable that this was due to the Black Death. It is suggested that the site of this hamlet, known as Cote, was on the eastern side of the Crowell Brook and its name stemmed from the local landowning family of De Cotes.

The area had no one resident lord of the manor, lands between Cottisford and Juniper Hill being owned by Bec Abbey in the 1100s and later Eton College. There are references in 1700 of 8 acres of land being ploughed for Eton College on Juniper Hill which was at that time part of the Cottisford Heath.

Apart from Eton College, the only proprietors in the parish in the 18th century were the rector and the non-resident Fermor family of Cottisford. The Fermor trustee owned most of the cottages within Juniper Hill in the 1850s.

By the end of the 19th century there were about 30 cottages, mostly built on lands ceded as 'squatters' rights'. It was during this century that the population within the parish peaked, 269 people being recorded in 1861. The agricultural depression saw numbers drop to 240 by 1881 and 154 in 1951.

Flora Thompson was born Flora Jane Timms in the hamlet on 5th December 1876 and was educated at Cottisford school. She was the daughter of a local stonemason and her popular trilogy (Lark Rise to Candleford) is an important social document recording life in Juniper Hill and the surrounding settlements.

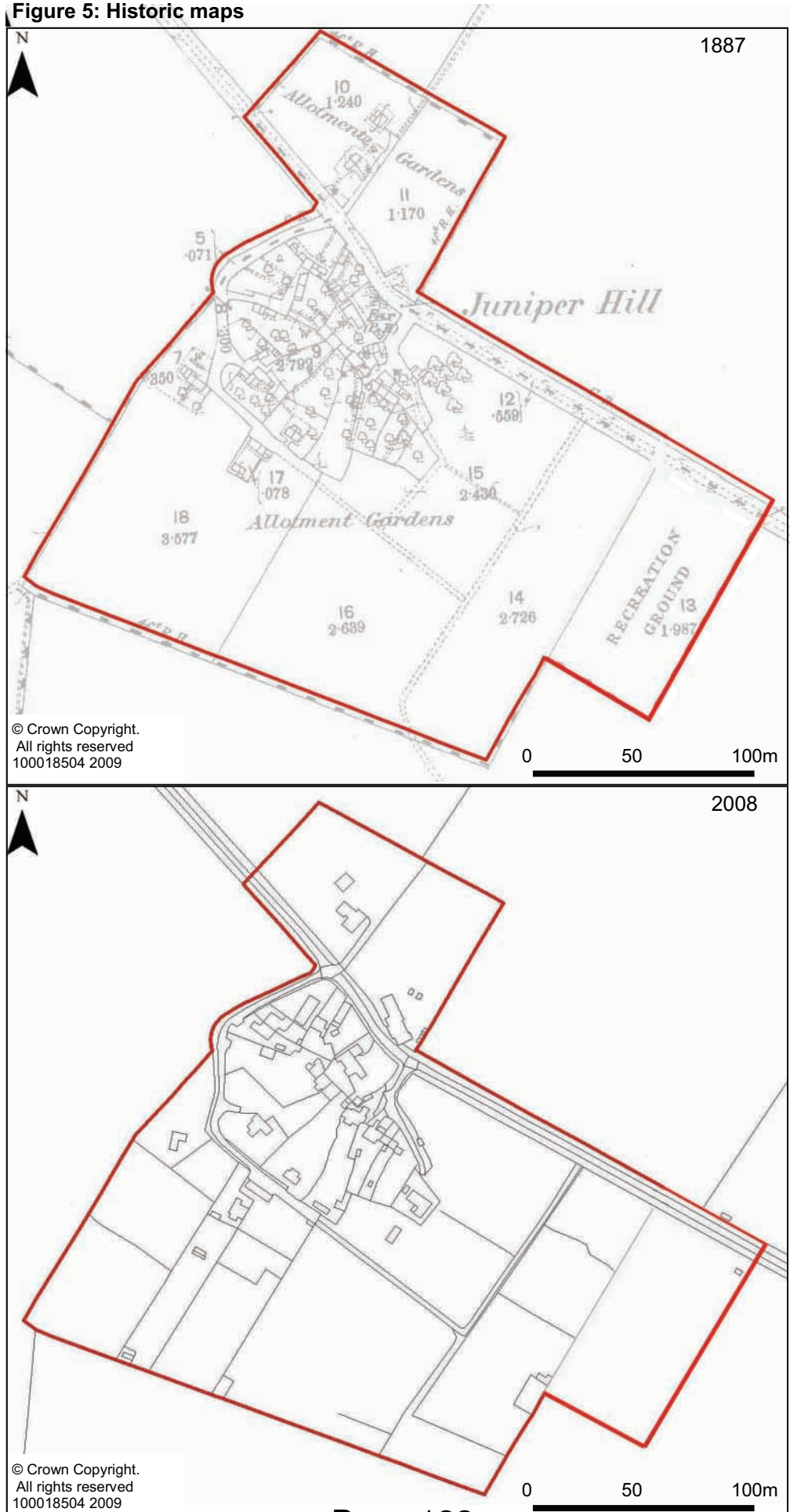


Flora Thompson

Juniper Hill had no church, most of the inhabitants walked the mile to the Medieval St. Mary's in Cottisford, although the rector did occasionally visit the hamlet. There is little evidence of non-conformist activity within Juniper Hill but Flora Thompson describes a small group of Methodists who met in a cottage in the hamlet in the 1880s.

Juniper Hill's inn, the 'Fox', came into existence between 1852 and 1864 and figures in Flora Thompson's Lark Rise to Candleford as 'The Wagon and Horses'. The inn closed in the 1990s and is now a private house.

Figure 5: Historic maps



THE hamlet stood on a gentle rise in the flat, wheat-growing north-east corner of Oxfordshire. We will call it Lark Rise because of the great number of skylarks which made the surrounding fields their springboard and nested on the bare earth between the rows of green corn. All around, from every quarter, the stiff, clayey soil of the arable fields crept up; bare, brown and windswept for eight months out of the twelve. Spring brought a flush of green wheat and there were violets under the hedges and pussy-willows out beside the brook at the bottom of the 'Hundred Acres'; but only for a few weeks in later summer had the landscape real beauty. Then the ripened cornfields rippled up to the doorsteps of the cottages and the hamlet became an island in a sea of dark gold.

To a child it seemed that it must always have been so; but the ploughing and sowing and reaping were recent innovations. Old men could remember when the Rise, covered with juniper bushes, stood in the midst of a furzy heath--common land, which had come under the plough after the passing of the Inclosure Acts. Some of the ancients still occupied cottages on land which had been ceded to their fathers as 'squatters' rights', and probably all the small plots upon which the houses stood had originally been so ceded. In the eighteen-eighties the hamlet consisted of about thirty cottages and an inn, not built in rows, but dotted down anywhere within a more or less circular group. A deeply rutted cart track surrounded the whole, and separate houses or groups of houses were connected by a network of pathways. Going from one part of the hamlet to another was called 'going round the Rise', and the plural of 'house' was not 'houses', but 'housen'. The only shop was a small general one kept in the back kitchen of the inn. The church and school were in the mother village, a mile and a half away.



Going round the Rise

A road flattened the circle at one point. It had been cut when the heath was enclosed, for convenience in fieldwork and to connect the main Oxford road with the mother village and a series of other villages beyond. From the hamlet it led on the one hand to church and school, and on the other to the main road, or the turnpike, as it was still called, and so to the market town where the Saturday shopping was done. It brought little traffic past the hamlet. An occasional farm wagon, piled with sacks or square-cut bundles of hay; a farmer on horseback or in his gig; the baker's little old white-tilted van; a string of blanketed hunters with grooms, exercising in the early morning; and a carriage with gentry out paying calls in the afternoon were about the sum of it. No motors, no buses, and only one of the old penny-farthing high bicycles at rare intervals. People still rushed to their cottage doors to see one of the latter come past.

A few houses had thatched roofs, whitewashed outer walls and diamond-paned windows, but the majority were just stone or brick boxes with blue-slatted roofs. The older houses were relics of pre-enclosure and were still occupied by descendents of the original squatters, themselves at that time elderly people. One old couple owned a donkey and cart, which they used to carry their vegetables, eggs, and honey to the market town and sometimes hired out at sixpence a day to their neighbours. One house was occupied by a retired farm bailiff, who was reported to have 'well feathered his own nest' during his years of stewardship. Another aged man owned and worked upon about an acre of land. These, the innkeeper, and one other man, a stonemason who walked the three miles to and from his work in the town every day, were the only ones not employed as agricultural labourers.

Some of the cottages had two bedrooms, others only one, in which case it had to be divided by a screen or curtain to accommodate parents and children.

But Lark Rise must not be thought of as a slum set down in the country. The inhabitants lived an open-air life; the cottages were kept clean by much scrubbing with soap and water, and doors and windows stood wide open when the weather permitted. When the wind cut across the flat land to the east, or came roaring down from the north, doors and windows had to be closed; but then, as the hamlet people said, they got more than enough fresh air through the keyhole.

5. Architectural History



Thatch End

5.1 The only listed buildings within the village are Japonica Cottage (now called Thatch End) and the cottage abutting it to the right. The listing describes Thatch End as 18th century with 20th century alterations and constructed of colourwashed coursed limestone rubble with a steeply pitched thatched roof. Originally a one unit labourers dwelling the cottage was extended to a two unit plan. The building is two storeys with a four window range of timber casements. The interior holds an inglenook fireplace with bread oven and chamfered wood bressumer and beam. The cottage also has a number of internal plank doors with strap hinges, common rafters visible on the first floor, partitions and a wooden winder staircase.

5.2 The adjoining cottage (now called Lavender Cottage) is of a similar age, having been built in the 18th century and is also constructed in colourwashed limestone rubble but has a tile roof. This cottage retains its one unit plan with two storeys, the second storey possibly added when the thatch was removed. The interior is listed as containing a chamfered beam, 19th century fireplace, wood winder stairs and strap hinged plank doors.



The Old Fox

5.3 Elsewhere in the hamlet there are several other buildings of architectural interest which although unlisted are important to the historic character of the settlement. The Fox Inn (now called The Old Fox) is a prominent two storey building with an attached stable, with hayloft above. Typical of a rural vernacular building with the exception of the lean-to canopy that runs the length of the property the old inn has been sensitively converted to a private dwelling.

5.4 The limestone rubble construction of The Fox Inn represents the dominant building material within the hamlet, although in some cases as with Thatch End and Lark Rise Cottage, the limestone is lime or colourwashed. Lark Rise Cottage and the adjacent Queenie's Cottage are important both in the architectural and social history of the hamlet. Both are referred to in some detail in Flora Thompsons 'Lark Rise to Candleford'; Lark Rise Cottage, the house in which Flora grew up, features in the book as 'The End House'. From these descriptions we know that both Cottages were once thatched and have been much extended in the last 50 years.



The End House

5.5 The older buildings within the hamlet have never been of a particularly high quality due to the origins of Juniper Hill as a squatter settlement. There are a number of buildings in and around the hamlet that have disappeared as a result of their poor materials, build or simply because they were unable to accommodate the modern comforts of the 20th century. There has been some infill development, notably the bungalows on The Rise, and all the properties have been upgraded with modern services but, overall, the hamlet retains a strong rural vernacular character.

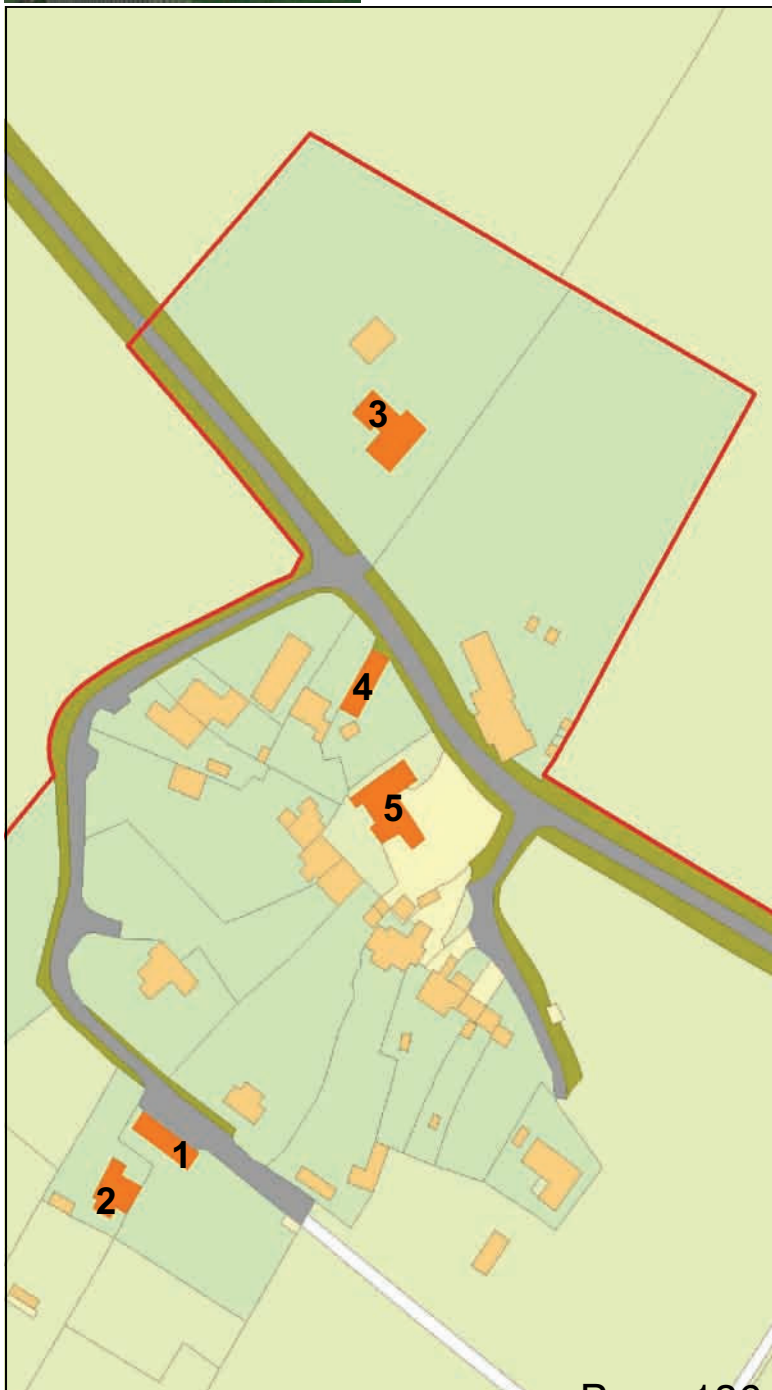
Figure 6: Unlisted buildings that make a positive contribution



1-Queenie's Cottage and 2-Lark Rise (right) are of particular interest as the home of Queenie and Twister and The End House respectively in Flora Thompson's Lark Rise to Candleford. Although both have been much extended in the 20th century they both make a positive contribution to the hamlet and to understanding its literary connotations.



3-Larkwell appears to be of 19th century origin with 20th century additions. The building is limestone rubble with red brick decoration which was possibly added when several cottages were converted into a single property. The front garden contains a well mentioned in Flora Thompson's work. The property and its front boundary wall play an important role in views through and into the hamlet.



4-Hollytree House although 20th century, possibly with earlier origins, is a positive landmark on the road through the hamlet



5-The Fox Inn is a 18th century limestone building with later extensions which has a small attached stable. It has particular social history interest as the Wagon and Horses in Lark Rise to Candleford.



6. Character of Juniper Hill

6.1 Land use

The buildings within the hamlet are entirely residential with outbuildings, barns and stables associated with now almost entirely used for domestic purposes. The settlement has no church, shop or public house.

The hamlet contains a large number of allotments for the size of the settlement (although these are shared with neighbouring Cottisford) and these are positioned to the east with paddocks to the south and north west. The land within the Conservation Area boundary is a complex patchwork of small scale cultivation which is clearly delineated from the surrounding large arable fields.

6.2 Street pattern, footpaths, means of enclosure

Juniper Hill has only one road - a single track unclassified road from the A43 to the network of minor roads in the area. The road passes through the centre of the hamlet with a back lane known locally as the Rise connecting the rear properties, paddocks and allotments to the main route. The main road is surfaced in tarmac while the Rise is an unadopted and unsurfaced lane. There are no footways in the hamlet but some concrete kerbing is present outside Southview and bollards have been introduced on this corner. There are no streetlights but overhead wires are dominant on the through road.

Public Rights of Way run along the north west and south east sides of the settlement, the southern path cutting through the allotments before continuing towards Cottisford. The importance of these routes historically are seen on older maps and is also made apparent in descriptions of trips from the hamlet made by Flora Thompson in her first book.

The main form of enclosure within the hamlet is limestone rubble walling although mixed hedgerows are also widely used. The hedgerows round the Rise are taller than those found at the edges of the allotments with some mature trees incorporated. The allotments display simple post fencing typical of the rural location and use of the land. There are a wide variety of gateways within Juniper Hill, which, together with other smaller individual details, gives the hamlet a very distinctive quirky character.



Hedges on the Rise are important to its enclosed character



The allotments separate the hamlet from surrounding countryside to the east

6.3 Trees, hedges and open spaces

There are a large number of trees within the Hamlet with evergreens in particular playing an important role in marking the boundary of the settlement. Several mature deciduous trees act as landmarks within Juniper Hill, the horse chestnut in front of The Old Fox and the black walnut tree at the northern edge of the allotments are impressive specimens. The hamlet also contains a number of other walnut trees and a juniper which contribute to the character of the settlement. On the outer edges of the Conservation Area the hedges are lower and resemble field hedges in their species make-up. The grass verges together with the lack of road markings throughout Juniper Hill help to maintain the rural character of the settlement. The position of the open space within Juniper Hill is key to the character of the conservation area. There are allotments to the south and east around the central settlement which clearly distinguish the small scale cultivation from the arable fields. In turn the allotments are very distinct from the gardens of properties in the hamlet which, often hedged in, are well tended. Some of the gardens contain large numbers of bird feeders, which, together with the general tranquillity of the hamlet, create an untouched and remote atmosphere unusual in a settlement so close to a busy dual carriageway.

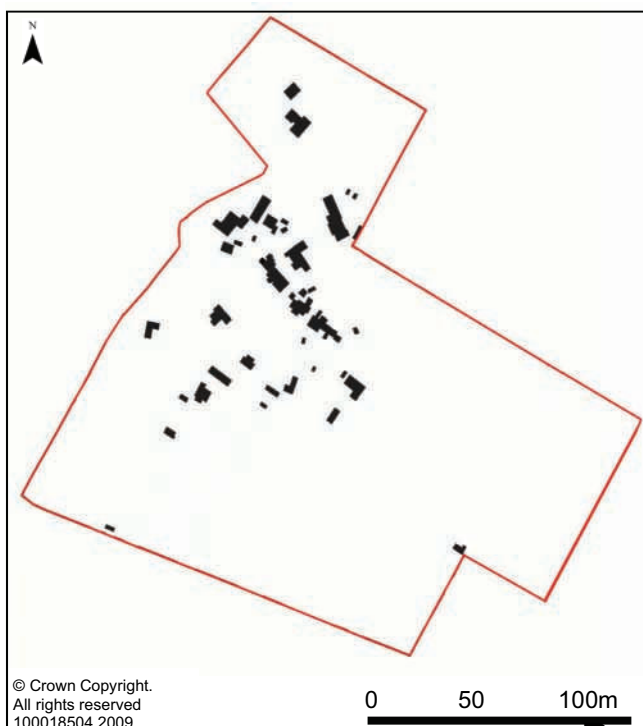
6.4 Building age, type, style and materials

There are a number of buildings surviving from the original settlement which date from the mid 18th and early 19th century. The older constructions are mostly simple rural vernacular cottages closely associated with an area of land. The historical lack of wealth of the hamlet and its relatively recent origins mean that Juniper Hill is unusual in having no grand houses. The hamlet contains a significant number of 20th century infill buildings. Many of the older dwellings have recent alterations and extensions. With the exception of The Fox Inn there are no obvious conversions within the hamlet.

Windows and doors mostly adhere to the simple vernacular style with basic timber balanced casements on most of the older properties with some use of Upvc, while doors are mostly timber plank with some fanlights or glass panels.

The local limestone is widely used in rubble construction, some buildings such as Larkwell have brickwork surrounds to windows and a number of buildings are colour or limewashed. Welsh slate is used as the roofing material on older properties with Thatch End being the only remaining thatched dwelling. The more modern structures are predominantly constructed of reconstituted stone with concrete tile roofs.

Figure. 7: Figure ground plan



6.5 Scale and massing

The buildings within the hamlet have no clear pattern but appear scattered with some, in particular Southview, Hollytree Cottage and The Old Fox, facing the road through the settlement. Others sit alongside the Rise but the lane appears to have built up as a result of the houses rather than the dwellings being positioned on the route. Figure 7, Figure ground plan, illustrates a quite dispersed settlement pattern with buildings scattered apparently randomly, relating to their individual plots rather than a linear street.

All buildings are of a relatively small scale with most being 1 or 2 storey, well spaced and set back from the road edge within their own gardens. Many properties retain a small outbuilding within their gardens although most appear to be fairly temporary structures or conversions of earlier pig sties or small sheds. Access to properties such as Lark Rise Cottage are traditionally from the southern elevation to maximise the daylight. With no row of street front elevations, properties, particularly those on the Rise, have only small gateways or car access visible from the public domain. A variety of gateways allowing glimpses into the gardens from the Rise adds to the individual and unique character of the hamlet.



Larkwell, brick detailing in the limestone construction

6.6 Features of special interest

Juniper Hill is not an ancient settlement in comparison to many of the other conservation areas within the district but in many ways it could be seen as the settlement that engages people most with north Oxfordshire's rural history through its social history recorded in Flora Thompson's Lark rise to Candleford trilogy. The hamlet is still evocative of the period in the 1880s of which she was writing and many of the buildings and routes she described remain today.

6.7 Views

Due to the flat topography of the area and the small scale of the buildings within Juniper Hill, most areas within the hamlet enjoy views into the surrounding countryside. This is important in retaining the visual connection with the origins of the settlement. The exception to this are the views along the lane known as the Rise where sight lines are short and high hedges enclose the route. This produces a series of deflected views with glimpses of open land through gaps in the hedgerow.

The proximity to the road of the houses in the centre of the village creates an impression of a narrowing of the carriageway creating linear views out of and into the village along straight stretches of road.

The level topography also means that the nearby Croughton USAF/RAF base and A43 are visible from the north of the village and can be intrusive in views from the north west of the hamlet. The traffic on the A43 is audible from the hamlet and can also be intrusive at busy times of day.

The visual connection between the settlement and its agricultural context is worthy of retention. This connection is particularly obvious to the southern side of the hamlet and any development which interrupted views from the allotments towards Cottisford would be detrimental to the character of the Conservation Area.

The views into the area from the Public Rights of Way to the south are historically important, particularly from the path to the south east where there is a stile into the allotments which is referenced several times in Lark Rise to Candleford.



View through the centre of the hamlet looking north



View across the allotments looking north east

6.8 Threats

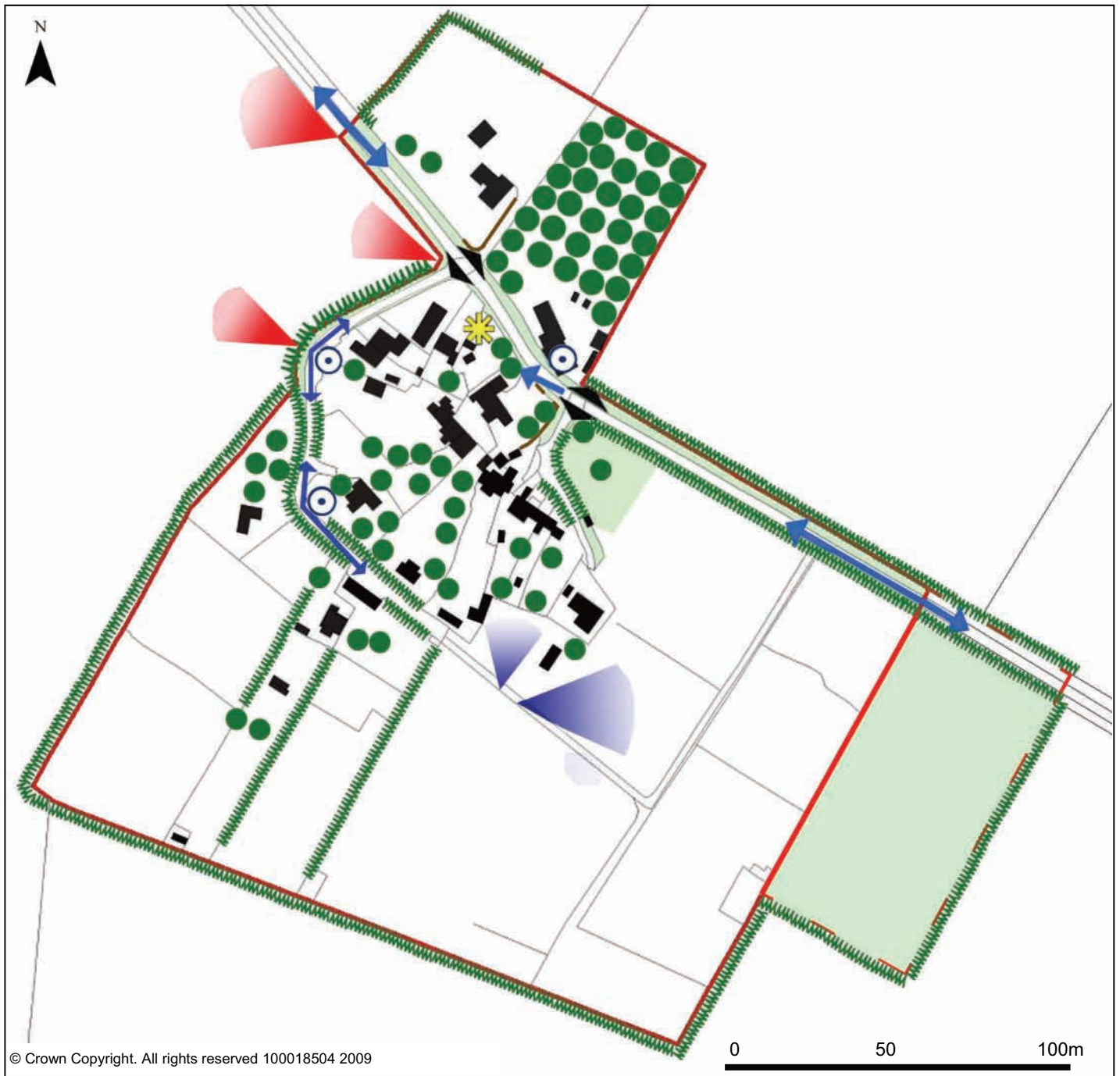
Juniper Hill is well known as Lark Rise in Flora Thompson's books and this brings with it benefits in understanding and appreciation of its history but also the threat of increased numbers of visitors to what is a very small settlement. Dramatisations by the BBC have recently created more awareness of the book and resulted in an increase in visitors. It is important that signage, measures to ensure residents' privacy, erosion of grass verges and other changes that could occur as a result do not detract from the informal rural character of the area.

Although Juniper Hill has little through traffic some cars do travel at speed through the village. The bollards positioned outside Southview are a preventative measure taken after a car collided with the corner of the property. Whilst bollards may be necessary for the safety of residents it is important that urbanising influences are kept to a minimum. The grass verges and the rough surface of the Rise in particular are areas where an excessive number of urban features could threaten Juniper Hill's rural character. Occasional resurfacing of the Rise is necessary to allow residents' access but where possible hardcore infill rather than tarmac should be used.



Some measures have been taken to welcome visitors

Figure 8: Visual Analysis



- | | | | |
|---|----------------------------|---|------------------------------|
|  | Conservation Area Boundary |  | Key Vegetation or Trees |
|  | Positive Vista |  | Valuable Hedgerows |
|  | Positive View |  | Pivot Point |
|  | Negative View |  | Pinch Point |
|  | Deflected View |  | Positive Landmark |
|  | Important Green Space |  | Characteristic Boundary Wall |

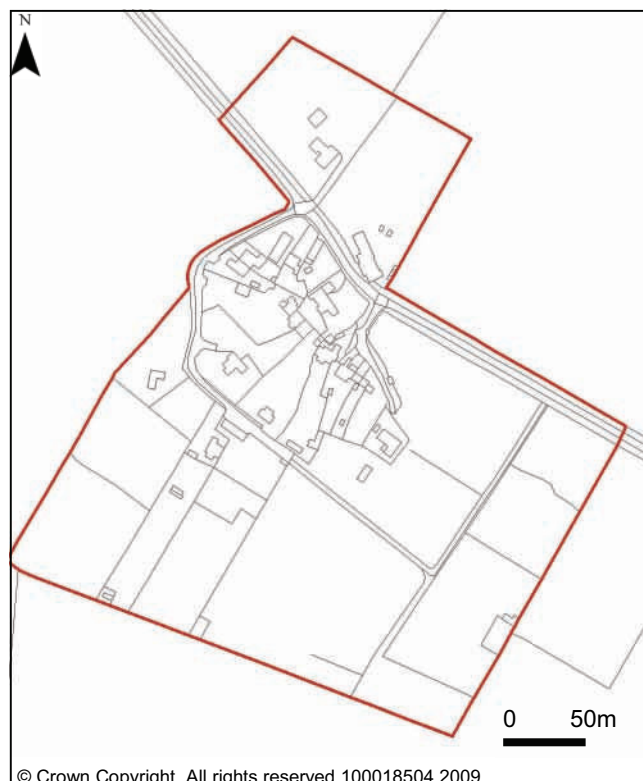
7. Boundary justification

The Conservation Area boundary includes all the buildings within the hamlet and the associated cultivated plots.

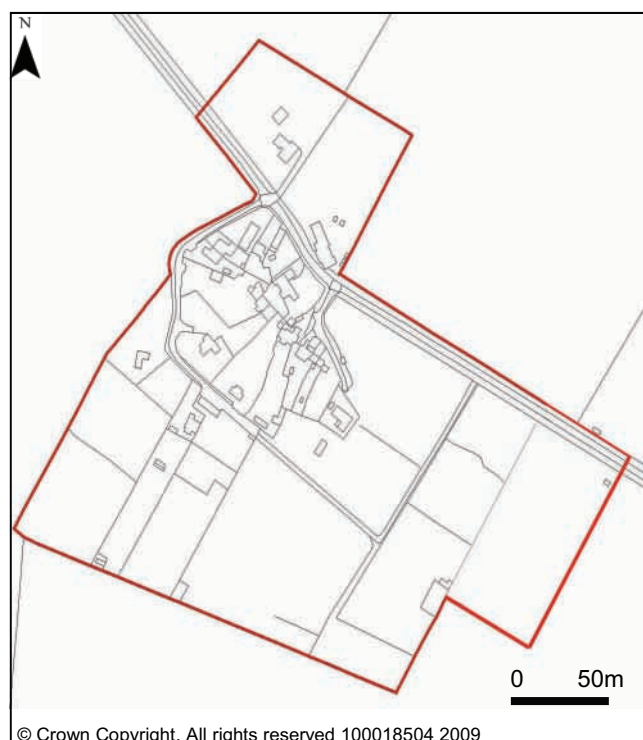
The boundary runs from the centre of the hamlet along the north eastern edge of the road towards the south east before crossing the road level with the end of the playing field and running along its length before rejoining the allotments. The southern boundary follows the allotment edges and runs along the rear plots turning north east and joining the western side of the unadopted lane before rejoining the road. The boundary then runs along the road towards the north west before following the old allotment outline, now the garden of Larkwell and rear garden of Southview, and rejoining the road to the south east.

Under the Inclosure Act of 1854 an area of two acres, immediately east of the allotments, was provided for recreation. The Inclosure of the common land had a serious impact on the lives and income of the residents of Juniper Hill and the recreation ground represented some small recompense. Known locally as 'The Playing Field' this area is still actively used by parishioners in particular for the annual fete on the first Sunday of July but also recently for a performance of Keith Dewhurst's 1970s adaptation of Flora Thompson's first book in May 2007. The playing field is also used by local football clubs. During the Second World War the playing field was cultivated as part of the war effort and then fell into disuse in the following years. It was not until the late 1960s /early 1970s that the playing field was restored back to community use. The playing field was not included in the 1980 Conservation Area but is felt to represent an important element of Juniper Hill's history and to be an area of historical and visual importance to the settlement. The Playing Field is now included within the revised Conservation Area boundary.

1980 boundary



Current boundary



8. Materials and Details



9. Historic Photographs



The path 'round the Rise' 1974



2008



Entrance to the hamlet 1974



2008



Lark Rise Cottage or 'The End House',
Flora Thompson's home 1974



2008

Juniper Hill is unusual in the relative lack of change within the last 30 years. The photographs above show views within the hamlet from the 1970s and the same views today. There have been a number of extensions, Southview in particular has been significantly enlarged while buildings such as Lark Rise Cottage have had smaller additions. The road through the centre of Juniper Hill has been narrowed, bollards added and the K6 style phonebox lost but otherwise the change is limited. The higher hedges seen in the 2008 image of the Rise are possibly indicative of the greater desire for privacy of the property owners as interest in Flora Thompson brings visitors to Juniper Hill.

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(c) Oxfordshire County Council Photographic Archive

10. Management Plan

Policy context

The 1990 Planning (Listed Buildings and Conservation Areas) Act places a duty on local planning authorities to formulate and publish proposals for the preservation and enhancement of its conservation areas. In line with English Heritage guidance (2005b) Conservation Area Management Proposals are to be published as part of the process of area designation or review. Their aim is to provide guidance through policy statements to assist in the preservation and enhancement of the Conservation Area.

The main threat to the character and appearance of Juniper Hill Conservation Area is the incremental urbanisation and extension of properties that could lead to the erosion of the hamlet's strong and unique character. Juniper Hill still retains a very strong connection with its agricultural context both visually and physically. Not only the allotments but the general level of community cultivation within the hamlet sets it apart from the surroundings. Since the hamlet lies within the Parish of Cottisford, which is a Category 3 village, there is very little likelihood of significant new residential development.

Another threat that is relevant in any Conservation Area is the cumulative impact of numerous alterations, some quite small in themselves, to the traditional but unlisted buildings within the area. These changes include such works as the replacement of traditional window casements, usually with Upvc double-glazing, replacement of original doors and additions such as non-traditional porches.

Such alterations to unlisted residential properties are for the most part permitted development and therefore do not require planning permission. However unsympathetic permitted development can cumulatively result in the erosion of the historic character and appearance of the conservation area.

The aim of management proposals is not to prevent changes but to ensure that any such changes are sympathetic to the individual property, sympathetic to the streetscape and enhance the character and appearance of the conservation area.

The principal policies covering alterations and development of the historic built environment are given in Appendix 1.



The allotments looking north east

Generic Guidance

The Council Will:

- 1 Promote a policy of repair rather than replacement of traditional architectural details. Where repairs are not economically viable then the promotion of bespoke sympathetic replacement is encouraged. This is particularly the case for windows when sympathetic re-fenestration is important in preserving the appearance of the building in the design and materials.
- 2 Discourage the use of Upvc windows in historic properties . The use of Upvc in listed buildings will not be permitted and where unauthorised work is carried out enforcement action will be taken.
- 3 Actively promote the use of traditional building and roofing materials in new extensions and repair. The use of local limestone is encouraged.
- 4 Encourage owners of historic properties, not just those that are listed, to replace inappropriate modern with the appropriate traditional materials, for example wood or metal casements. Materials such as uPVC and concrete tiles look out of place in a Conservation Area and their use is discouraged.
- 5 Promote the distinctiveness of the local thatching tradition. Historically thatch was a ubiquitous roofing material across the district. This prevalence has been reduced to small pockets of buildings. Local style and traditions in thatch are to be promoted to enhance the importance of the few thatched properties that remain. There is only one thatched property remaining in Juniper Hill which is the listed Thatch End (formerly Japonica Cottage) this should be retained and maintained. When possible the buildings block-cut ridge should be returned to the traditional plain flush ridge which is more appropriate to the area.
- 6 Exercise a presumption against artificial cladding material, including render on the front elevations of buildings.
- 7 Encourage the sympathetic location of solar panels on inconspicuous roof slopes or on outbuildings.
- 8 Require the location of satellite dishes in inconspicuous sites to prevent harm to the historic character and visual appearance of the area.
- 9 Encourage the removal of excess or unused materials from the allotment edges. Although a certain amount of machinery and equipment is in keeping with the rural agricultural character of the hamlet it is important that this is kept to a minimum. A build up of excessive clutter is detrimental to the appearance of the conservation area.



Vernacular thatched roofs have been largely replaced by slate and tile



Build up of materials at allotment edges

- 10 Discourage disfiguring alterations such as unsympathetic extensions, altering the dimensions of window openings and the removal of chimneys.
- 11 Investigate whether appropriate planning permission or listed building consent has been obtained for an alteration. Unauthorised alterations, internal or external, to a listed building is a criminal offence and if necessary the council will enforce against this.
- 12 Promote traditional styles of pointing. The type of pointing in stone or brickwork is integral to the appearance of the wall or structure. It is therefore of great importance that only appropriate pointing is used in the repointing of stone or brickwork. Repointing work should be discrete to the point of being inseparable from the original. 'Ribbon' pointing (where mortar is left standing proud of the stonework) and similar is considered a totally inappropriate style of pointing for this district.
- 13 Promote the use of lime mortar in the construction and repointing of stone and brickwork. This traditional building material is strongly advocated and its use is beneficial to traditional buildings. This is in contrast to hard cementaceous mortars often used in modern construction, which can accelerate the weathering of the local limestone.
- 14 Promote the use of limewash in properties which are historically colourwashed. The removal of limewash can lead to accelerated erosion of the limestone rubble while effecting the visual character of the hamlet and where possible should be avoided.
- 15 Promote the use of sympathetic materials for garage doors. Vertical timber boarded side hung doors are preferable to metal or fibreglass versions which can have a negative impact on the rural setting.
- 16 Generally encourage the good maintenance of properties including boundary walls.
- 17 Support alterations to buildings where this would enhance the character and appearance of the conservation area.
- 18 Create a dialogue with service providers to encourage undergrounding of power cables to reduce the visual pollution caused by the overhead lines and their supporting poles within the hamlet.
- 19 Encourage the sympathetic location of both amenity and private security lighting to limit light 'pollution'. Excessive lighting within the hamlet can have an adverse effect on the very rural character of the area. The material and design of the fittings and their position on the building should be carefully considered.
- 20 Promote the repair or replacement of lost or inappropriate boundary treatments with traditional walling, fencing or hedging in a style or species appropriate to the location. There are two stretches of significant cast iron railings remaining on the main road through Juniper Hill which should be retained.
- 21 Promote the use of a suitable style of boundary for the position within the village, for example the use of simple post fencing for properties backing onto open ground and stone walls in the hamlet centre.
- 22 Promote the retention of historic footpaths within and around the conservation area and work with the Parish Meeting and Oxford County Council to prevent these being lost. The informality of these paths should be preserved and attempts to add hard surfaces or extensive signage should be resisted. The Parish Meeting has recently ensured the survival of the stile on the allotments which is mentioned in Flora Thompson's work. It is features such as this and the footpath between Juniper Hill and Cottisford which ensure that the setting of the hamlet remains evocative of its fascinating past.

Management and protection of important green spaces

The Council will:

1. Promote positive management of vegetation. Trees and hedges make an important contribution to the character and appearance of a Conservation Area. Planting of exotic imports or inappropriate varieties, such as Leylandii, are to be strongly discouraged, as these trees grow fast and can alter or block important views as well being uncharacteristic of the area. The trees and hedges within and around Juniper Hill play a key role in the character of the Conservation Area, particularly on the Rise. Advance notice needs to be given to the Council of the intention to top, lop or fell trees over a certain girth within the conservation area, although this does not apply to fruit trees, dead or dangerous trees. This is intended to prevent the loss of trees which play a particularly important role in the character of the Conservation area (further details in page 27 or on application to the Council).
2. Promote the sympathetic management of open areas within the Conservation Area. In Juniper Hill the allotments are historically and visually important to the conservation area. Although less than 20 % are currently cultivated it is essential that this area of land remains open. The retention and careful management of the playing field is also important to the social history and current life of the hamlet.
3. Seek to preserve the rural character of verges by working with the Highway Authority to avoid the insertion of inappropriate kerbing which would have an urbanising effect whilst seeking solutions that prevent harm to verges by parked cars. The erosion of grass verges by visitors to Juniper Hill is sometimes a problem and where possible the effects should be mitigated by opening the playing field when visitor numbers are high.
4. Encourage the retention and good maintenance of garden walls and boundary hedges.
5. Resist development that would adversely affect the setting of the village. Further development within the hamlet or in the surrounding area is unlikely because of the Parish's status as Category 3 and because of the detrimental impact that development is likely to have on the rural setting of Juniper Hill.



Trees add to the character of the area



The hedges on the southern boundary



Enclosed character of the rise

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12. Appendix

There are a number of policy documents which contain policies pertaining to the historic built environment. The main policies are summarised in this section. Other policies of a more general nature are also of some relevance, these are not listed here but can be found elsewhere in the specific documents mentioned below.

Oxfordshire Structure Plan 2016

EN4 The fabric and setting of listed buildings including Blenheim Palace and Park, a World Heritage Site, will be preserved and the character or appearance of conservation areas and their settings will be preserved or enhanced. Other elements of the historic environment, including historic parks and gardens, battlefields and historic landscapes will also be protected from harmful development.

EN6 There will be a presumption in favour of preserving in situ nationally and internationally important archaeological remains, whether scheduled or not, and their settings. Development affecting other archaeological remains should include measures to secure their preservation in situ or where this is not feasible, their recording or removal to another site.

Cherwell Local Plan 1996

H5 Where there is a demonstrable lack of affordable housing to meet local needs, the district council will negotiate with developers to secure an element of affordable housing in substantial new residential development schemes. The district council will need to be satisfied that such affordable housing:

- (i) is economically viable in terms of its ability to meet the need identified
- (ii) will be available to meet local needs long term through secure arrangements being made to restrict the occupancy of the development
- (iii) is compatible with the other policies in this plan.

H12 New housing in the rural areas of the district will be permitted within existing settlements in accordance with policies H13, H14 and H15. Schemes which meet a specific and identified local housing need will be permitted in accordance with policies H5 and H6.

H19 Proposals for the conversion of a rural building, whose form, bulk and general design is in keeping with its surroundings to a dwelling in a location beyond the built-up limits of a settlement will be favourably considered provided:

- (i) the building can be converted without major rebuilding or extension and without inappropriate alteration to its form and character;

- (ii) the proposal would not cause significant harm to the character of the countryside or the immediate setting of the building;

- (iii) the proposal would not harm the special character and interest of a building of architectural or historic significance;

- (iv) the proposal meets the requirements of the other policies in the plan.

H21 Within settlements the conversion of suitable buildings to dwellings will be favourably considered unless conversion to a residential use would be detrimental to the special character and interest of a building of architectural and historic significance. In all instances proposals will be subject to the other policies in this plan.

C18 In determining an application for listed building consent the council will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The council will normally only approve internal and external alterations or extensions to a listed building which are minor and sympathetic to the architectural and historic character of the building.

C23 There will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a conservation area.

C27 Development proposals in villages will be expected to respect their historic settlement pattern.

C30 Design control will be exercised to ensure:

- (i) that new housing development is compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity;
- (ii) that any proposal to extend an existing dwelling (in cases where planning permission is required) is compatible with the scale of the existing dwelling, its curtilage and the character of the street scene;
- (iii) that new housing development or any proposal for the extension (in cases where planning permission is required) or conversion of an existing dwelling provides standards of amenity and privacy acceptable to the local planning authority.

Non-statutory Cherwell local plan 2011

EN34 the council will seek to conserve and enhance the character and appearance of the landscape through the control of development. Proposals will not be permitted if they would:

- (i) cause undue visual intrusion into the open countryside;
- (ii) cause undue harm to important natural landscape features and topography;
- (iii) be inconsistent with local character;
- (iv) harm the setting of settlements, buildings, structures or other landmark features;
- (v) harm the historic value of the landscape.

EN35 The Council will seek to retain woodlands, trees, hedges, ponds, walls and any other features which are important to the character or appearance of the local landscape as a result of their ecological, historic or amenity value. Proposals which would result in the loss of such features will not be permitted unless their loss can be justified by appropriate mitigation and/or compensatory measures to the satisfaction of the council.

EN39 Development should preserve listed buildings, their features and settings, and preserve or enhance the character or appearance of designated conservation areas, as defined on the proposals map. Development that conflicts with these objectives will not be permitted.

EN40 In a conservation area or an area that makes an important contribution to its setting planning control will be exercised to ensure, *inter alia*, that the character or appearance of the area so designated is preserved or enhanced. There will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a conservation area. A new development should understand and respect the sense of place and architectural language of the existing but should seek to avoid pastiche development except where this is shown to be clearly the most appropriate.

EN43 proposals that would result in the total or substantial demolition of a listed building, or any significant part of it, will not be permitted in the absence of clear and convincing evidence that the market testing set out in PPG15 paragraphs 3.16 to 3.19 has been thoroughly followed with no success.

EN45 Before determination of an application for planning permission requiring the alteration, extension or partial demolition of a listed building, applicants will be required to provide sufficient information to enable an assessment of the likely impact of the proposals on the special architectural or historic interest of the structure, its setting or special features.

EN47 The Council will promote sustainability of the historic environment through conservation, protection and enhancement of the archaeological heritage and its interpretation and presentation to the public. In particular it will:

- (i) seek to ensure that scheduled ancient monuments and other unscheduled sites of national and regional importance and their settings are permanently preserved;
- (ii) ensure that development which could adversely affect sites, structures, landscapes or buildings of archaeological interest and their settings will require an assessment of the archaeological resource through a desk-top study, and where appropriate a field evaluation;
- (iii) not permit development that would adversely affect archaeological remains and their settings unless the applicant can demonstrate that the archaeological resource will be physically preserved in-situ, or a suitable strategy has been put forward to mitigate the impact of development proposals.

EN48 Development that would damage the character, appearance, setting or features of designated historic landscapes (parks and gardens) and battlefields will be refused.

EN51 In considering applications for advertisements in conservation areas the council will pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Cherwell District Council designated Juniper Hill a Conservation Area in 1980 in recognition of the hamlet's special architectural and historic interest, which should be preserved and enhanced. The area was designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The effects of designation are explained briefly below.

1. Cherwell District Council, as the local planning authority, will exercise a particular care to ensure that change, when it occurs, will preserve or enhance the character or appearance of the area.
2. All planning applications for development which would affect the character or appearance of the area must be advertised in the local press and site notices must be posted so that the maximum opportunity for comment is given to the public before a decision is reached.
3. Cherwell District Council, as the local planning authority, will require planning applications in the Conservation Area to be accompanied by sufficient detail to enable the impact of the proposed development on the character or appearance of the Conservation Area to be assessed. This may include details of scale, massing, design and materials of buildings and their relationship to existing buildings.
4. It is an offence to cut down, top, lop, uproot or wilfully damage or destroy any tree (not already the subject of a tree preservation order) in the conservation area without giving six weeks' notice to the District Council. This provision does not relate to trees covered by a felling licence, to dead trees, to trees which do not exceed 75mm (3 inches approx.) in diameter, or to certain other trees, details of which can be obtained from the Council.
5. Conservation Area consent is required from the local planning authority for the demolition or substantial demolition of buildings in excess of 115 cubic meters and enclosures over a certain height within the Conservation Area. Exceptions to this rule are those laid down in section 75 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Exceptions mainly relate to small buildings within the curtilage of a dwelling; gates, walls, fences and other enclosures below the specified height; temporary buildings; certain agricultural and industrial buildings; and buildings required to be demolished under the provisions of the Town and Country Planning Act 1990, The Housing Act 1985 or the Pastoral Measure 1983. Roof extensions, including all dormer windows, and external cladding require Conservation Area consent.
6. Procedures pertaining to listed buildings remain essentially unaltered as listed building consent takes precedence over Conservation Area consent. Therefore all works of alteration, demolition or extension to a listed building require listed building consent.
7. Scheduled ancient monuments are exempt from Conservation Area control and scheduled monument consent for proposed works must be sought from the Department of Culture, Media and Sport.

Acknowledgments

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The help of Ted and Joan Flaxman and of Parish Chairman Ian Torrance was much appreciated in the preparation of this document. Many thanks to those residents who commented on the draft appraisal and attended the public consultation.

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Executive

Treasury Management Strategy

2 March 2009

Report of Strategic Director for Customer Service and Resources and the Chief Accountant

PURPOSE OF REPORT

This report sets out the strategy and policy framework for treasury operations for 2009/10 and outlines the Council's prudential indicators for 2009/10 – 2012/13 as approved by Council on 23 February 2009. It fulfils two key requirements of the Local Government Act 2003:-

- approval of the Treasury Management Policy in accordance with the CIPFA Code of Practice on Treasury Management; and
- approval of the Investment Strategy in accordance with the DCLG investment guidance.

This report is public

Recommendations

The Executive is recommended:

- 1) to recommend to Council approval of the Treasury Management Policy and Investment Strategy 2009/10

Executive Summary

- 1.1 The Council is required to approve its Treasury Management Policy and Investment Strategy at the start of each financial year by the CIPFA Code of Practice which it has adopted. The updated investment strategy also ensures that the levels of risk and return continue to take account of prevailing market and economic conditions.
- 1.2 The current economic climate has seen interest rates fall from 5% in September 2008 to a base rate at February 2009 of 1%. Butlers, the Council's Treasury Management Advisors, are currently of the view that the Bank Rate may decrease by a further to 0.5% to 0.5% during 2009/10.
- 1.3 The planned reduction in interest rates continues to result in reductions to our investment income for 2009/10 and beyond. The magnitude of this reduction is seen by comparing 2007/08 investment income of £6.9m with budgeted 09/10 investment income of £2.8m. A result of reducing balances and falling returns.
- 1.4 In consultation with PWC and with full reference to the CIPFA Code of Practice, the Council has reviewed its risk appetite and associated priorities in relation to security, liquidity and yield in respect of returns from various financial instruments. The exercise undertaken has involved an independent fundamental review of the Council's investment strategy in the light of the exceptional nature of recent and

forecast market conditions. The instability in the banking financial sector results in an increased appetite for security on investments. The security of public funds remains of paramount importance. The unprecedented suppression of interest rates presents significant revenue challenges as such the money we have needs to be invested both prudently and wisely. The proposed strategy with supporting documentation is contained in Appendix 1.

Background Information

2.1 2008/09 Performance

The Executive approved its 2008/09 Treasury Management Strategy and Policy Statement at its meeting on 12 May 2008. The 2008/09 Annual Report on Treasury Management will be presented to the Executive in June 2009 along with the Revenue and Capital Outturn reports. This report will give full information on the performance of the Council's fund managers and in-house operation. This report will present a further opportunity to review our Treasury Management policies and practices and make further changes if needed.

- 2.2 The 2008/09 interest projections as at January 31st 2009 show an expected investment income of £5.2m which is on track to budget despite a write off of £0.5m in relation to investments at risk in Iceland.

2.3 Icelandic Investments

Cherwell District Council is one of at least 123 local authorities that have been affected by the collapse of Icelandic banking institutions. The Council currently has a total of £6.5 million in short term investments (i.e. those with maturity periods of up to one year) with one of the affected banks Glitner.

The position relating to the recovery of Council investments in Icelandic banks and the associated interest is uncertain with no reliable forecast available of what might be re-paid, or at what time. At this stage the extent of financial loss, if any, is unknown and in accordance with guidance from CIPFA we have not made any provision for loss of principal but have written off accrued interest of £0.5m. The Council is co-operating with and supporting the work of the Local Government Association (LGA) in its discussions with Treasury on these matters and any Government support to be made available to the affected authorities.

The resulting period of uncertainty poses a real issue for effective financial planning. The position will be closely monitored and members updated regularly as further information becomes know.

2.4 Economic Climate

Since mid-September when base rates were 5%, the global banking system has experienced its most serious disruption for almost a century. Since the beginning of the year, the Bank of England's Monetary Policy Committee (MPC) has set Base Rates to balance two perceived risks to the inflation outlook.

The downside risk was that a sharp slowdown in the economy, associated with weak real income growth and the tightening in the supply of credit, would pull inflation materially below the target level. The upside risk was that above-target inflation persisted for a sustained period because of elevated inflation expectations.

The outcome is that the economy is in the midst of a recession. The recent crisis in the financial markets has delivered a sharp and involuntary tightening of monetary policy. This, along with the continued effects of high inflation and decelerating house price inflation is expected to undermine consumer confidence and deliver lower or nil growth. The Bank of England's ability to cut rates (current base rate 1%) will be tempered by continued concerns over future inflation performance, with CPI now running at 3.0%.

2.5 Investments

The Council has £29m and £26m respectively invested with fund managers Tradition UK and Investec. In addition it has around £38m managed in-house which fluctuates during the year. The report in Appendix A recommends a review of each of these operations in light of the current economic climate and overall reduction in investments planned to fund the Capital Programme, the need to maximise investment returns to contribute to efficiency savings and taking account of the three operations' investment performance.

2.6 Advisors

The Council's three year contract with Butlers for Treasury Management advisory services was extended for a further 12 months during 2008/09 and is due to expire on 31 March 2009. To ensure that the Council is receiving the best possible advice and value for money this contract is in the process of being re-tendered in line with the Council's contract procedure rules.

2.7 2009/10 Treasury Management Strategy

In accordance with the code of practice an annual treasury management strategy is approved each year which covers aspects such as borrowing and lending strategy, interest rate forecasts, working capital policies and the controls and limits in place for investment.

The strategy is attached in Appendix 1 together with our approved counterparty lending list and prudential indicators for 2009/10 – 2012/13 as approved by Council on 23 February 2009. The strategy seeks to achieve 1) security, 2) yield and 3) liquidity from the Council's investment portfolio.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The Treasury Management Policy and Investment Strategy determines the Council's policy on the management of its loans and investments with reference to both risk and risk revenue implications.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One To approve or reject the recommendations above or request that Officers provide additional information.

Consultations

Corporate Management Team 11/02/09

Implications

Financial:

Financial Effects – Closer management of the Council's cash-flows and working capital will increase the level of short-term investment income. This will be monitored during the year and budgets amended accordingly.

It is possible that with falling interest rates and the tightening of the counterparty strategy this could impact significantly on the level of interest income.

Each 0.25% fall in interest rates has a potential impact of £138,000 on revenue budget. In order to mitigate this risk an interest rate reserve has been generated.

Efficiency Savings – None is arising direct from this report. Increased returns on investments do not meet the strict definitions of the Annual Efficiency Statements but in practice would contribute to the Council's savings and efficiency targets.

Comments checked by Julie Evans, Strategic Director for Customer Service and Resources , 01295 221595.

Legal:

There is a requirement for the Council to fulfil two key requirements of the Local Government Act 2003:-

- approval of the Treasury Management Policy in accordance with the CIPFA Code of Practice on Treasury Management; and
- approval of the Investment Strategy in accordance with the DCLG investment guidance.

Comments checked by Liz Howlett, Head of Legal and Democratic Services, 01295 221686.

Risk Management:

- a) Risk of capital loss – the prime objective of treasury management activities is to ensure the security of the amounts invested. This is managed by using a counterparty list which only includes organisations having a suitable credit rating and which has a maximum amount that can be invested with each organisation at any one time.
- b) Liquidity – investments are linked to known future cash flows to ensure sufficient funds are available as and when they are required.
- c) Interest Receivable – this is regularly monitored against budget and reported through the Performance management Framework.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer, 01295 221566.

Wards Affected

All

Corporate Plan Themes

An Accessible and Value for Money Council

Executive Portfolio

Councillor James Macnamara
Portfolio Holder for Resources

Document Information – Appendix 1 to follow

Appendix No	Title
Appendix 1	Draft Revenue 2009/10 Budget and Analysis 3
Background Papers	
CIPFA Treasury Management Code of Practice 2008/09 Treasury Management Strategy 2009/10 Budget Medium Term Financial Strategy	
Report Author	Karen Curtin, Chief Accountant
Contact Information	01295 221551 karen.curtin@cherwell-dc.gov.uk

Agenda Item 11

EXECUTIVE

Risk Management Strategy

2 February 2009

Report of Strategic Director Customer Service and Resources

PURPOSE OF REPORT

To present an updated Risk Management Strategy for the Executive to approve and adopt.

Recommendations

The Executive is recommended:

- (1) to approve and adopt the updated Risk Management Strategy as outlined in Appendix A.

Executive Summary

Introduction

- 1.1 The existing Risk Management Strategy was approved by the Executive on 2 June 2008.
- 1.2 It is good practice to review such strategies annually and to update them where necessary. A suggested Risk Management Strategy is attached at Appendix A, which reflects current practice and the advances the Council has made in seeking to further embed risk and opportunity management.
- 1.3 The Risk Management Strategy has been updated in line with current best practice.
- 1.4 The updated Risk Management Strategy was presented to the Accounts, Audit & Risk Committee on 17 December 2008 and approved by them.

Proposals

- 2.1 It is proposed that the Executive approve and adopt the revised the updated Risk Management Strategy.

Background Information

- 3.1 Originally adopted by the Executive in 2003, the purpose of the Risk Management Strategy is to outline an overall approach to risk management that addresses the risks facing the Council in achieving its objectives, and which will facilitate the effective recognition and management of such risks.
- 3.2 Members have a key role to play in ensuring that risk management is fully embedded within the Council, and this is highlighted in section 2 of the policy on Objectives, which states that commitment from Members, as well as staff, is crucial to the principles of risk management and control, and in section 9 on Accountability, which highlights the respective roles of the Accounts, Audit and Risk Committee, the Executive, and of individual portfolio holders.

Consultations

Implications

- Financial:** There are no direct financial effects arising from this report. Any implications arising from the need to further embed risk management are being met from within existing budgets.
Comments checked by Karen Curtin, Chief Accountant, 01295 221551
- Legal:** There are no legal issues directly arising from this report.
Comments checked by Liz Howlett, Head of Legal & Democratic Services, 01295 221686
- Risk Management:** Risk Management is a fundamental part in the successful management of any organisation and forms a key element in the Audit Commission's Use of Resources Assessment of the Council. A failure to regularly review and update the Council's Risk Management Strategy could receive adverse comment from the Audit Commission and impact negatively on their assessment of the Council and on its CAA ratings.
Comments checked by Rosemary Watts, Risk Management & Insurance Officer 01295 221566
- [Other Implications]** None

Wards Affected

ALL

Corporate Plan Themes

The Risk Management Strategy is designed to support the achievement of the Council's objectives as outlined in all its other policies. It is therefore important that it is reviewed regularly and kept up to date.

Executive Portfolio

Councillor James Macnamara
Portfolio Holder for Resources

Document Information

Appendix No	Title
Appendix A	<i>Risk Management Strategy 2009- 2010.</i>
Background Papers	
Report Author	Rosemary Watts
Contact Information	01295 221566 rosemary.watts@Cherwell-dc.gov.uk

1. Introduction

The purpose of this document is to outline an overall approach to risk management that addresses the risks facing the Council in achieving its objectives, and which will facilitate the effective recognition and management of such risks.

Risk management will be embedded within the daily operations of the Council, from strategy and policy formulation through to business planning and general management processes. It will also be applied where the Council works in partnership with other organisations, to ensure that partnership risks are identified and managed appropriately.

Through understanding risks, decision-makers will be better able to evaluate the impact of a particular decision or action on the achievement of the Council's objectives.

Risk management will not focus upon risk avoidance, but on the identification and management of an acceptable level of risk. It is the Council's aim to proactively identify, understand and manage the risks inherent in our services and associated with our plans, policies and strategies, so as to support responsible, informed risk taking and as a consequence, aim to improve value for money. The Council will not support reckless risk taking.

Risk management is increasingly recognised as being concerned with both the positive and negative aspects of risk; that is to say opportunities as well as threats.

This strategy therefore applies to risk from both perspectives.

2. Objectives of the Strategy

- To maintain a risk register that identifies and ranks all significant risks facing the Council, which will assist the Council achieve its objectives through pro-active risk management,
- To rank all risks in terms of likelihood of occurrence and potential impact upon the Council,
- To allocate clear roles, responsibilities and accountability for risk management,
- To facilitate compliance with best practice in corporate governance, which will support the Annual Governance Statement which will be issued with the annual statement of accounts,
- To raise awareness of the principles and benefits involved in the risk management process, and to obtain staff and Member commitment to the principles of risk management and control.

3. Assessment and Review

This will involve consideration of all potential risks facing the Council, with risks broken down into strategic risks which could impact on the achievement of the Council's objectives, corporate risks which could impact across more than one service, and service risks which could impact upon the ability of service units to deliver their services or to achieve their service objectives.

All risks will be clearly defined together with the controls that currently exist to manage them. Consideration of the adequacy of the present control system will avoid duplication of resources as several of the identified risks may already prove to be effectively controlled.

It is important that the internal systems and procedures in place are adequate to manage the identified risk. Where control weaknesses are identified, these should be noted so that action can be taken to remedy such weaknesses.

The risk register will be reviewed and updated at least on a quarterly basis.

The Internal Audit section will focus audit work on significant risks, as identified by management, and will audit the risk management process across the whole Council to provide assurance on its effectiveness.

The Council will seek to learn from other organisations where appropriate, and to keep up to date with best practice in risk management.

4. Risk Ranking

All risks will be rated for the likelihood that they may occur and their potential impact. This will allow for risks to be ranked and prioritised, as not all risks represent equal significance to the Council.

5. Action Plan

Once risks have been identified and ranked, the next step is to control and manage them. This will involve the consideration of cost-effective action, which will be judged against risk rankings. The proposed action to be taken will then be mapped against the specified risk together with an implementation date, and a named person will be designated as responsible for 'owning' the risk.

6. Risk Appetite

The Council will use risk management to add value. It will aim to achieve a balance between under-managing risks (i.e. being unaware of risks and therefore having little or no control over them), and over-managing them (i.e. an obsessive level of management and control which could stifle innovation and creativity).

Appropriately managed and controlled risk-taking and innovation will be encouraged where it is in furtherance of the Council's objectives.

7. Managing Risk & Opportunity Handbook

The Council has established and will regularly update the Managing Risk & Opportunity handbook which sets out its detailed approach to risk management, and the processes and procedures to be followed.

8. Benefits of Risk Management

- Awareness of significant risks with priority ranking assisting in the efficient control of the risks,
- Recognition of responsibility and accountability for risks and associated existing controls and any actions required to improve controls,

- An aid to strategic and business planning,
- Identification of new opportunities,
- Action plan for the effective management of significant risks,
- An aid in effective partnership working.

9. Accountability

There will be clear accountability for risks. This will be achieved through an annual public statement on risk management, an Annual Governance Statement signed by the Chief Executive and the Leader of the Council, and by making the Council's risks and risk management process open to regular Internal Audit and external inspection (e.g. by the Audit Commission as the Council's external auditors).

The Accounts, Audit and Risk Committee will be responsible for monitoring the Council's risk management arrangements, for undertaking an annual review of this Strategy to ensure it remains current and up to date and reflects current best practice in risk management, and for making recommendations to the Executive if it is considered that any improvements or amendments are required.

Members of the Executive will be briefed regularly to ensure they are aware of significant risks affecting their portfolios and any improvements in controls which are proposed.

A Risk Management Improvement Group and Risk Management Working Group will meet regularly to ensure that risk management processes are being applied consistently, to promote risk management throughout all departments and to ensure continuous improvement in risk and opportunity management.

Councillor James Macnamara
Resources Portfolio Holder and
Member Risk Champion

Julie Evans
Strategic Director Customer
Services & Resources and
Officer Risk Champion

[To be Approved by the Executive February 2009]

Executive

Service Delivery in Kidlington

2 March 2009

Report of Head of Customer Service and Information Systems

PURPOSE OF REPORT

To report on research conducted into service access in Kidlington and to ask the Executive to support the preferred option for the development of multi-agency service delivery in Kidlington

This report is public

Recommendations

The Executive is recommended to:

- (1) Support the proposal to fully investigate the provision of a multi-agency service point at Exeter Hall in Kidlington in partnership with Kidlington Parish Council, and the development of a programme of co-hosted service delivery activities with the Oxfordshire Library Service.
- (2) Request that a report on the outcome of that investigation be brought forward to the Executive at its meeting in July 2009.

Executive Summary

Introduction

1.1 The development of centralised customer service at Cherwell District Council in 2006/07 presented new opportunities to develop the services available through local offices:

- Local offices are no longer staffed exclusively by a team of cashiers, but by members of the single customer service team able to deliver all services that are currently in the customer service remit
- That single team has access to the same computer systems both in the contact centre and at all local offices
- The team move regularly between the contact centre and all local offices
- The contact centre phone system is available at all local offices making it perfectly viable to staff those offices five days a week
- The layout of the local offices has been changed to make possible a much wider range of service delivery than the single function of cash handling, and to ensure equal access and DDA compliance

1.2 In Kidlington, these changes have enabled new services to be delivered by third parties. The Citizens' Advice bureau, for example, now offers two afternoon surgeries from our office, one for appointments and one for drop-in.

1.3 However, the small size of the space available, and lack of customer-facing frontage, limits what we can do for Kidlington residents. The changes we made to the space at Exeter Hall were largely cosmetic in anticipation of identifying a longer term service delivery proposal for the village through discussion with potential partners and stakeholders.

1.4 Demographic information about the population of Kidlington shows an older population than elsewhere in the district, and a larger proportion of people from black and minority ethnic communities. This is supported by the findings of the Kidlington Village health-check conducted for the Parish Council.

1.5 Our own research with customers at all our local offices, including Kidlington, show that both these groups have a preference for face to face contact. Both these groups access services from a range of providers including the Parish Council, the Kidlington Information Centre, also located within Exeter Hall, CAB and Oxfordshire County Council.

Proposals

1.6 To work with Kidlington Parish Council to develop a full proposal for a multi-agency service point within Exeter Hall, using a "food court" style of approach. CDC customer service staff to work alongside Kidlington PC staff and the physical design and layout would be such that representatives of other service delivery partners such as CAB and Charter Housing would be able to use the service point for their customer contact. This would provide a single access point to a wide range of services for Kidlington residents, and builds on the "co-location of teams" model successfully implemented at the Banbury one stop shop.

1.7 To ensure the proposal maximises the investment already made to the existing Exeter Close project by working closely with the Council's Urban and Rural, and Recreation and Health services, which are already working in partnership with the Parish Council in support of the Project.

1.8 To include in the development of the proposal, consultation with Kidlington residents, building on the consultation already undertaken in support of the development of the one stop shop delivery model.

1.9 To develop in tandem with the Exeter Hall proposal a programme of shared customer contact events with the Oxfordshire Libraries Service and Customer First programme so that specific groups of customers such as older and younger, are targeted with appropriate service information in a consistent way across all service providers. For example when young people are registering for higher and further education ensuring that benefits and housing advice is available.

Conclusion

1.10 Developing a multi-agency customer access point within Exeter Hall will support other investments made by this Council into the Exeter Close project which seeks to improve links between Exeter Hall and the main village centre. Other

options could work against these investments, removing a key reason for people to cross the road into Exeter Close.

Background Information

2.1 Cherwell District Council has had a physical presence in Kidlington since 1975. Its current location is within the Kidlington Parish Council (KPC) building Exeter Hall: it occupies 29 m² on a 99 year lease from KPC. Because of the capital contribution CDC made towards the cost of building Exeter Hall we pay a nominal rent of £75 plus rates and a service charge in respect of heat and lights, do our own internal repairs and sub-let the room used by the Information Centre (for which they pay rent).

2.2 Exeter Hall is situated to the west of the Oxford Road. The site also accommodates an Oxfordshire County Council (OCC) children's centre and the health centre, and has good car parking. Kidlington has one of the best local bus services in Oxfordshire and there are bus stops on the Oxford Road - north bound immediately outside Exeter Hall and southbound on the immediate opposite side of the road. There are also south and north bound stops close to the Oxford Road junction in Yarnton Road which deliver a bus service every few minutes. The location of this junction is approximately 50 yds only from the Exeter Hall entrance.

2.3 The Council's office within the building is somewhat hidden away, and the Parish Council operate their own reception facilities in a more prominent location.

2.4 Until 2008 the CDC office served more or less exclusively as a cash-taking counter, with an ever-dwindling customer base that in recent years became too small to make it economically viable to open the office more than three days a week, closed at lunchtimes.

2.5 The development of centralised customer service at Cherwell District Council in 2006/07 presented new opportunities to develop the services available through local offices. However, the small size of the space available, and lack of customer-facing frontage, limits what we can do. The changes we made to the space at Exeter Hall were largely cosmetic in anticipation of identifying a longer term service delivery proposal for the village through discussion with potential partners and stakeholders.

Key Issues for Consideration/Reasons for Decision and Options

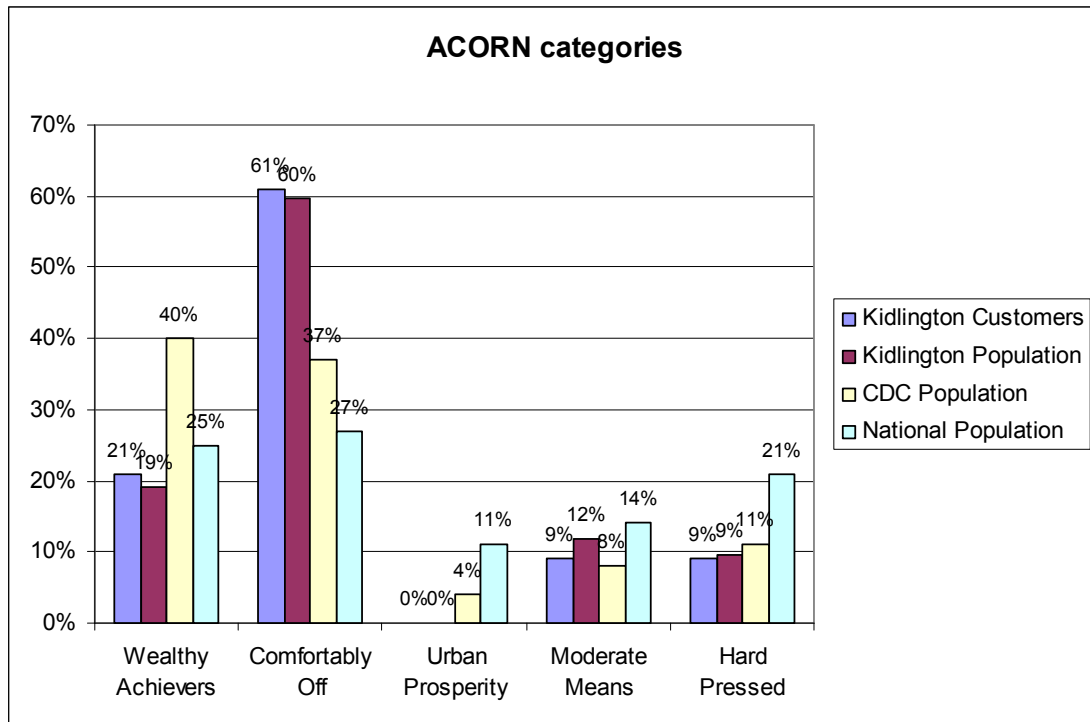
3.1 In the summer of 2007 Kidlington Parish Council carried out a village healthcheck as part of its work to develop a village action plan, in line with SEEDA and countryside Agency best practice guidelines. The full report is available as a background paper but the highlights, relevant to service provision in the village, are given here.

“local population characteristics reflect national and regional trends, including in particular the fall in numbers of children which is having a knock-on effect of falling school rolls and a review of school places. There has been an increase in number of 50+ and the active elderly, one of the effects of which, as the population ages, is more pressure on health and other facilities.”

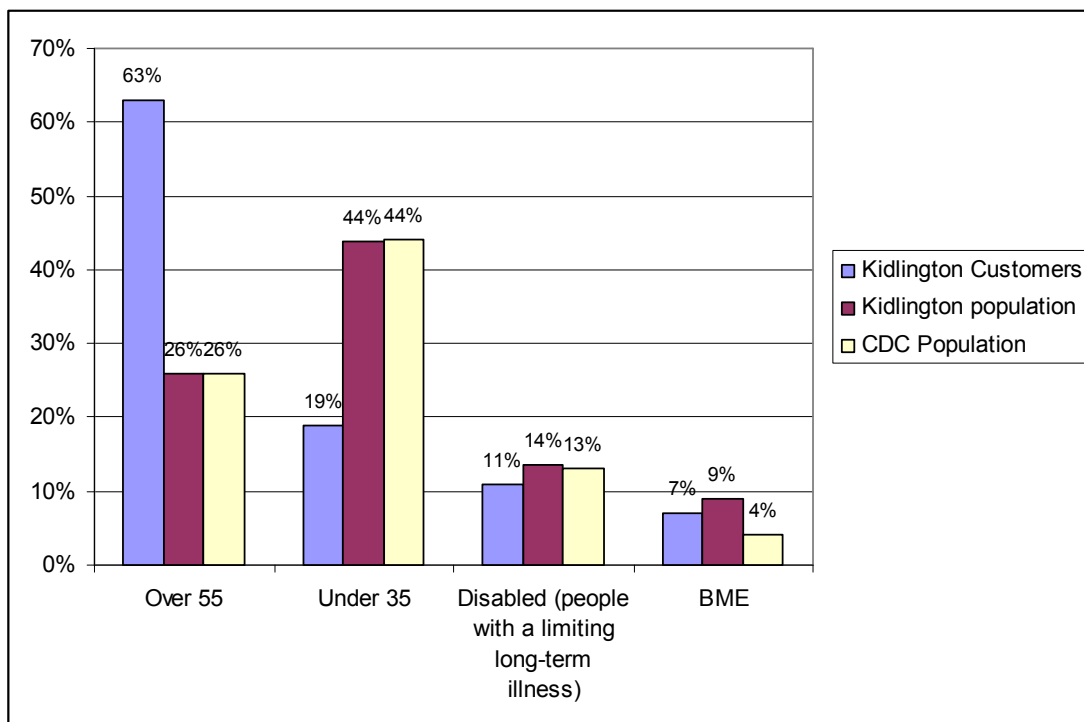
3.2 The population of Kidlington is predicted to fall (from 2001 levels) by between 5 and 12% by 2016, leaving the proportion of older people greatly increased.

Kidlington Customers and the wider population

3.3 An exit survey of customers at Exeter Hall was conducted in September 2008. Almost two thirds of the customers of our Kidlington office are in the “comfortably off” ACORN category (A Classification Of Residential Neighbourhoods). Comfortably off is really the middle of the road category. Not wealthy but with few real money worries, all kinds of lifestyles, and with younger singles and couples predominating nationally, but in Kidlington this group largely comprises “empty-nesters” and comfortably-off pensioners. Most own their own home. In Cherwell as a whole this group makes up 37% compared with just 27% nationally.



3.4 In terms of CDC’s own priority groups, Kidlington is broadly representative, although there are twice as many people in black and minority ethnic groups as elsewhere in the District. When it comes to customers using our office, however, the over-55 group favour this route much more than do other groups.



3.5 44 per cent of our Kidlington customers live less than a mile away and a further 41% within 2 miles. Even so, 48% came to the office by car, with just a third walking. Kidlington had the highest proportion of cyclists recorded by the survey with 9% of customers arriving by that means.

3.6 Of the three local centres, Kidlington has the highest proportion of customers making a special visit to the office (42%), but 100% of visitors said it was very or fairly easy to get to the office.

Current service provision and unmet demand

3.7 Well over 90% of the customers are seen within 5 minutes and the Kidlington office has the highest satisfaction levels – 90% saying they were very satisfied and a further 5% saying fairly satisfied.

3.8 Far and away the most used service at Kidlington is the ability to pay Council Tax bills; 39% of our customers do that, despite having many other options for payment (Direct Debit, cash at the post office, cash at either of the Co-ops or Threshers, or at the Garage in Yarnton). Unsurprisingly, given the age profile of our customers (although not of the village population as a whole) applying for a bus pass is the second most popular service.

3.9 The exit survey of customers revealed debt counselling and benefits advice surgeries at the top of the list of other services customers would like to access at the office. This has already been addressed by establishing surgeries from the Citizens' Advice Bureau. However, Education and Schools, and the Pensions Service were also mentioned, and current facilities, though improved, limit the number and frequency of these surgeries.

Options

4.1 The following options have been identified. The approach in the recommendations is believed to be the best way forward:

- Option One** Partner with Kidlington Parish Council to develop a multi-agency service point within Exeter Hall.
This would support the existing Exeter Close project for which the Parish Council has an approved grant from SEEDA of £100,000, capital investment from CDC of £45,000 in respect of the Pavilion and a further investment (pending Council meeting 23 Feb) during 2009/1.
- Parish Council's aspirations include the eventual refurbishment or redevelopment of the health centre, the refurbishment and improvement of the children's centre, and possible improvements to Exeter Hall itself to include a better one-stop-shop. The option being proposed here supports this last and proposes improvements that result in a "food court" model where service delivery partners co-locate – either full time or on a published session-basis – in one service delivery area.
- Taking CDC customers to another location would go against the key objective of the Exeter Close project and reduce the value of CDC's capital investment made to date.
- If the council vacated the offices at Exeter Hall, it might also be difficult to find a purchaser for our lease, and realise the asset.
- Option Two** Partner with Oxfordshire County Council to develop a shared service delivery point within the Library at Ron Groves House. A site visit and discussion with Katharine Spackman, Principal Librarian Information Services, and Karen Batchelor, Customer Services Manager for the City Library Group show that there is insufficient space within the library area at Ron Groves House to introduce an extended counter and private meeting space necessary for the delivery of a full range of both councils' services. However, there are many opportunities for shared customer contact on a programmed basis, around key times for customers such as when enrolling in further education or turning 65.
- Option Three** Do nothing for the present. The works done within our existing space in Exeter Hall do not have a long life however, and a long-term decision will be required.

Consultations

- Exeter Hall Customers** Findings of the exit survey of customers at all offices has informed this report
- Trish Redpath, Clerk, Kidlington Parish Council** The recommendations outlined in the report conform closely with the aspiration of the Parish Council i.e. for a single point of contact within Exeter Hall – not just for Council services but to include other relevant information

points such as Citizen's Advice etc.

The Parish Council will wish to be in close consultation with the District Council regarding the planning of the new facility. It is reasonably flexible in consideration of the exact location of the office within Exeter Hall, although an entrance opening to the planned civic square and pedestrian path/cycleway would be preferable.

It will also be important for the Parish and District Councils to work together and in cooperation with the County Council to resolve parking issues relating to the site.

Jim Flux, CVS

There is little in the way of coordinated volunteer services in Kidlington; no volunteer bureau or car service for example. Any shared facility could have benefits in terms of providing a focal point for coordinating or delivering such services.

Chris Rothwell, Head of Urban and rural Services

A key objective of the Exeter Close project is to more closely link Exeter Hall and the public buildings around it with the village centre, it makes sense to keep customers coming to Exeter Hall by further developing the services available there. This approach would compliment the investment this Council has made in Watts Way, and the work taking place on the street furniture replacement. It would also link to a high priority project for the Parish council in pedestrianisation of the High Street.

Kidlington Information Centre

Certain changes to the services we offer have recently led us to diversify into other areas; these include opportunities to work with other local voluntary organisations. In light of this we would like to expand our services within the community, perhaps by establishing a volunteer bureau service or by increasing our current Tourist Information Point status.

KADIC currently run on a part time basis, with a self employed Manager who works alongside a rota of volunteers. We would like to increase our opening hours by having another part time self employed person to job share with the existing Manager to cover the office with volunteers.

To ensure our level of confidentiality we offer KADIC would still need a separate office for the use of clients who have private issues to discuss. There are numerous leaflets in the corridor which would need to be relocated in a central position to be easily accessed; we would still be willing to maintain these.

Oxfordshire County Council: Katharine Spackman, Principal Librarian Information Services, and Karen Batchelor, Customer Services Manager for the City Library Group

While Ron Groves House is too small to provide a permanent shared service point the proximity of Exeter Hall would make it convenient for sessions of pro-active signposting and collaborative information provision and support sessions targeted at particular groups either by age or by the "life event". The provision of CDC rural access points in libraries is part of this. We've already agreed to work in partnership and provide a Rural Access LinkPoint in Deddington Library.

Vickie Zeilinski, CDC

This would provide a focus for community groups in

Community Development Manager Kidlington and the opportunity to develop partnership working with Kidlington and District Information Centre (KADIC).

Implications

(Financial, Legal and Risk and other implications e.g. Equalities, Human Resources, Data Quality and Environmental where relevant)

Financial: There are no immediate direct financial implications associated with this report, subject to the next stage of the evaluation being met from within existing resource, however should the Executive invite a full proposal to be brought forward, there are likely to be financial implications in relation to capital investment, A full analyses of the associated cost implications will be included in any proposal.

Comments checked by Denise Westlake, Service Accountant 01295 221559

Legal: The Council has the legal power to enter arrangements of this sort. If there are to be shared facilities it would be helpful to have an agreement setting out clearly who is responsible for what.

Comments checked by Liz Howlett, Head of Legal and Democratic Services/Monitoring Officer 01295 221686

Risk Management: This proposal in this report carried no risk in itself, being simply to invite a detailed proposal to be prepared which should carry a full risk assessment.

However, given that the Executive approved in June 2002 “an interim upgrade to the existing customer facilities at Kidlington, pending the completion of the consultation and options appraisal” there is a risk of being seen not to deliver on commitments, and a risk of not equipping ourselves to meet current and changing customer need in Kidlington.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 225566

Equalities Implications Reference the Equalities Impact Assessment of our one stop shops http://www.cherwell.gov.uk/media/pdf/t/8/EIA_CSIS_One_Stop_Shop.pdf

The one stop shop Equality Impact Assessment identifies that a one stop shop approach can bring these equalities improvements:

- Improved Customer satisfaction and service by one person taking ownership
- Make the whole process clearer to customers and staff
- To reduce double handling and checking
- There will be an increased choice for Cherwell residents on how they choose to access the services
- Equal access to all services to all residents regardless of where they live or ability
- Having a team of multi-skilled staff that are able to deal with the customers needs.

It also identifies the availability of parking at Exeter Hall. Our customer research shows the location is already favoured by our most significant customer group – older people - who find it very easy to get to Bringing customer service staff into a shared service environment means

their knowledge and skills in relation to, for example, use of Language Line interpretation services will be available to partners sharing the customer service point.

Comments checked by Grahame Helm, Head of Safer Communities and Community Development 01295 221615

Wards Affected

All Kidlington wards

Corporate Plan Themes

An accessible, value for money council

Executive Portfolio

Councillor Nicholas Turner
Portfolio Holder for Customer Service and IT

Document Information

Appendix No	Title
	None
Background Papers	
Kidlington Village Healthcheck Exeter Close proposal summary (Kidlington PC) Access to services exit survey of customers at Cherwell District Council's local offices 2008	
Report Author	Pat Simpson, Head of Customer Service and Information Systems
Contact Information	01295 227069 Pat.Simpson@Cherwell-dc.gov.uk

Executive

Parsons Street Pedestrianisation Scheme Traffic Regulation Order

2 March 2009

Report of Head of Economic Development and Estates

PURPOSE OF REPORT

To consider amendments to the draft Parsons Street/Market Place traffic regulation order.

This report is public

Recommendations

The Executive is recommended:

- (1) That the draft Parsons Street, Bridge Street and Market Place Order be amended to delete the evening core period between 8.00pm and 1.00am each day, in accordance with the Inspector's recommendation.
- (2) To amend the draft order to make it clear that the exemption for vehicles delivering mail extends to all Licensed Postal Operators, as defined by the Postal Services Commission, following de-regulation of postal services.
- (3) To vary the arrangements relating to the issue of residential exemption certificates issued to residents having private off-street parking spaces within the area, to enable them to have two certificates per space which can be used by residents or visitors.
- (4) To vary the arrangements relating to commercial exemption certificates similarly, so that two certificates can be issued in respect of each private business parking space.
- (5) To vary the arrangements relating to commercial exemption certificates issued to the owners of private business parking spaces, street and market traders, to entitle them to enter the pedestrianised areas during the core period, for the purposes of accessing their premises or stall.
- (6) To seek the County Council's authority to make an amendment order to amend the existing High Street and Sheep street Orders, to make similar provisions for commercial exemption certificates.

- (7) To make other minor adjustments to the wording of the draft order recommended by the Inspector to clarify the Council's intentions.
- (8) To advertise the Council's intention to make these amendments, and consider any objections received at a future meeting.

Executive Summary

Introduction

- 1.1 The Inspector appointed to consider the objections received to the Council's draft traffic regulation order has issued his report, and has made a number of recommendations.
- 1.2 This report sets out in some detail the recommendations received, and other issues which have arisen through the Inquiry process, and suggests amendments to the draft order.

Proposals

- 1.3 That the draft order be amended to omit the proposed evening core period.
- 1.4 That other amendments be made to assist the holders of exemption certificates, and ensure that market and street traders are able to continue to operate.

Conclusion

- 1.5 Whilst the Council resolved to include an evening core period when Parsons Street would be closed to traffic, in order to reflect the high percentage of evening economy businesses in the area, the inspector has recommended that this be omitted from the order. It is suggested that the no waiting at any time provisions in the order, together with the environmental improvements, will be sufficient to produce a safe and attractive environment, without unduly affecting residents and businesses who want to have vehicular access to the area during the evening. It is proposed that this change be implemented, and in the event that the Council's objectives are not achieved, it will be possible to seek an amending order to introduce the secondary evening core period at a later date.

Background Information

- 2.1 Before deciding to make a draft traffic regulation order as part of the Parsons St environmental improvement scheme, the Council consulted the public and stakeholders on the provisions to be contained within the order. In particular, two alternatives were put forward for the pedestrianised period(s), firstly a daytime period between 10.00am and 4.30pm, and secondly, both a daytime core period as above and an evening core period between 8.00pm and 1.00am. The second option gained more support from those responding, and the Council's draft Order was made on this basis.
- 2.2 A public Inquiry was held in December to consider objections to the draft Order before an Inspector appointed by the Planning Inspectorate. The

Inspector's report has now been received, and he has recommended that the Council should amend the draft Order to omit the evening core period. His principal reasons are that he considers the evening core period would have an overly detrimental effect on residents living in the area, and bearing in mind the no waiting at any time provisions also contained within the order, that it is likely to be unnecessary. His advice is that the Council proceed on the same basis as in High Street, with a daytime core period only, and review the situation in the future. A copy of the Inspector's report is attached at annexe 1 to this report. It is proposed that the Council proceed as recommended by the Inspector.

- 2.3 A number of other minor amendments to the draft order were agreed at the Inquiry, in order to address objections presented, and these are summarised as follows:-
1. an amendment to the draft order to make it clear that the exemption for vehicles delivering mail extends to all Licensed Postal Operators, as defined by the Postal Services Commission, following de-regulation of postal services;
 2. to vary the arrangements relating to the issue of residential exemption certificates issued to residents having private off-street parking spaces within the area, to enable them to have two certificates per space which can be used by residents or visitors. Currently only one certificate is permitted, which makes it difficult for a visitor to use the space when a resident's vehicle is out;
 3. other minor adjustments to the wording of the draft order recommended by the Inspector to clarify the Council's intentions.

It also became clear during the Inquiry that there is a potential conflict between the times of the daytime core period, which extends until 4.30pm, and the terms of the market management contract, which does not require traders to remain on the market after 3.45pm. If the order were made as drafted, this inconsistency could prove problematical. The market operator, Hughmark, is now in administration, so an opportunity to renegotiate this contract exists, but it is unlikely that a 4.30pm time before which vehicles are allowed back into Market place will be acceptable to traders. Indeed, currently traders frequently pack up before 3.45pm, particularly in bad weather.

- 2.4 The situation so far as the monthly farmer's market is concerned is similar, as that market usually finishes very early in the afternoon. It is unlikely that traders would attend if they were unable to leave before 4.30pm.
- 2.5 In both cases it is felt that, in order to encourage these markets to continue, it will be necessary to amend the Order, to enable access by traders before the end of the core period.
- 2.6 A similar problem exists already with street traders operating in the currently pedestrianised areas in High Street and Butcher's Row, Banbury, and Sheep Street, Bicester. These traders are issued with Exemption Certificates, which allow them to leave the pedestrianised areas after 10.00am, but not to return before 4.30pm. In practice traders are not observing this restriction, and frequently return before 4.30pm to re-stock or pack up. In particular, the weekly market in Sheep Street is, in law, a street trading operation, and the traders are issued with these Exemption Certificates. It is not considered

practical to require these market traders to remain until 4.00pm, notwithstanding the terms of the existing order.

- 2.7 The proposed solution is to amend the draft Parsons St, Bridge St and Market Place order, so that exemption certificates issued to market and street traders legally entitle them to enter the pedestrianised area during the core period in order to access their stalls. As similar certificates are issued to businesses who have a private parking space, for consistency, this relaxation will also apply to them. However, the number of such spaces is very small, and it is not considered that this relaxation will undermine the aims of the order to produce a safe, attractive environment for pedestrians. Indeed, this change will address some of the objections received to the draft order. For consistency, it will be necessary to amend the existing High Street and Sheep Street orders. It will be necessary to secure the permission of the County Council to make such amending orders.
- 2.8 The scope of the amendments now proposed to the draft Parsons Street/Market Place order are such that it is necessary to undertake public consultation on the amendments, and to consider any objections received. However, as these changes make the effect of the order less onerous, further objections would not trigger the need to hold a further public inquiry. Also, the omission of the evening core period reduces the length of time during which the highway is to be closed to vehicular traffic sufficiently to remove the need to refer the order to the Secretary Of State for consent. If the evening core period continued to apply, this consent would be necessary.
- 2.9 Although it will not be possible to consider any further objections to the amended order, and confirm the order, until mid May, it is considered that there is sufficient certainty to proceed with the associated resurfacing and environmental improvement works, as planned. It is proposed that tenders for the works be sought this month, so that a start can be made on site in May. The detailed programme for the works will not be finalised until a contractor is in place, following consultation with occupiers for premises in the affected streets, which is ongoing.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 If the Council were not minded to accept the Inspector's recommendations, and wished to proceed with the order including the evening core period, it would be necessary to seek the consent of the Secretary of State. He is likely to be concerned by any refusal to accept the Inspector's advice.
- 3.2 If no amendments to the order are made to permit the markets to operate as they currently do, and the order does not allow traders to access market place until 4.30pm, it is considered likely that this will have a detrimental affect on the market.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** Accept the Inspector's recommendations, and amend the draft order as proposed, including amendments to the provisions relating to exemption certificates.

Option Two Reject the Inspector's recommendations, and ask the Secretary of State to confirm the order as drafted.

Option Three Accept the Inspector's recommendations, but make no changes to permit market traders into the area before 4.30pm.

Consultations

Various The responses received to the statutory public consultation undertaken when the draft order was published, were reported to the Executive in August 2008, when the draft order was confirmed.

Implications

Financial: The matters set out in this report do not affect the capital budget of £2m set aside for this project. If no alterations are made to address the issue of access by market traders, it is possible that the Council's income from the market may decline, but this cannot be quantified.

Comments checked by Eric Meadows, Service Accountant 01295 221552

Legal: Should the Council choose not to accept the Inspector's recommendations, it is unlikely that the consent of the Secretary of State would be obtained unless valid grounds could be shown for not doing so. There would also be the risk of an application for judicial review being made by the objectors. Under the terms of the agency agreement, the Council must consult with OCC on any proposed modification of the draft Order.

Comments checked by Malcolm Saunders, Senior Legal Assistant 01295 221692

Risk Management: Should the Council choose not to accept the Inspector's recommendations, there is a significant risk that the requirement to secure the consent of the Secretary of State will lead to delay to the project. If the Inspector's recommendations are adopted, it will be necessary to re-consult on the amendments, and consequently the detailed design and procurement of the physical works will proceed before the order is in place. However the risk of an acceptable traffic regulation order not being made is sufficiently low to justify the continuation of this work.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 221566

Market Contract The Market contract is subject to a report to the Executive on 16 March 2009.

Exemption Certificates The application process for these will be tightened up to ensure clarity on legal entitlement and liability.

Access Control The Parson St environmental improvements will also include need for access control. Members have previously directed that a rising/sinking bollard system be included. Its management is being discussed with the Head of Urban and Rural Services. Members should be aware that there will be additional revenue cost implications that will need to be considered in the financial and service planning process.

Comments checked by Chris Rothwell, Head of Urban and Rural Services 01295 221712

Wards Affected

All wards in Banbury

Corporate Plan Themes

A District of Opportunity

Executive Portfolio

Councillor Norman Bolster
Portfolio Holder for Economic Development and Estates

Document Information

Appendix No	Title
Appendix 1	Inspector's Report
Background Papers	
None	
Report Author	David Marriott, Head of Economic Development and Estates
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Report to Cherwell District Council

**By Christopher Millns BSc (Hons) MSc CEng
FICE FIHT**

**An Inspector appointed by Cherwell District
Council**

The Planning Inspectorate
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2 The Square
Temple Quay
Bristol BS1 6PN
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Date: 14 January 2009

ROAD TRAFFIC REGULATION ACT 1984

**THE CHERWELL DISTRICT COUNCIL
(BANBURY TOWN CENTRE) (BRIDGE STREET, MARKET PLACE,
CORNHILL AND PARSONS STREET) (PEDESTRIAN STREETS
AND TRAFFIC REGULATION) ORDER 200***

Date of Inquiry: 2, 3 and 4 December 2008

Reference: E2308

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CASE DETAILS

- The Order would be made under Sections 1(1), 2(1) and (2), 3(2), 4(2), 32, 35, 45 and 46 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and is known as:

THE CHERWELL DISTRICT COUNCIL (BANBURY TOWN CENTRE) (BRIDGE STREET, MARKET PLACE, CORNHILL AND PARSONS STREET) (PEDESTRIAN STREETS AND TRAFFIC REGULATION) ORDER 200*

- Cherwell District Council (hereafter referred to as "the Council") published the proposal to make the Order on 26 June 2008.
- If made the Order would authorise the Council to regulate traffic in Bridge Street, Market Place, Cornhill and Parsons Street in Banbury.

Summary of Recommendation: I recommend that the Order be made subject to modification.

1.0 PREAMBLE

- 1.1 I was appointed in accordance with Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to hold a public local inquiry for the purpose of hearing objections and representations relating to the above draft Order.
- 1.2 The inquiry sat for three days on 2, 3 and 4 December 2008 at the Cherwell District Offices, Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA. I carried out an unaccompanied site inspection on the day before the inquiry opened. I also visited the site on the evening of 3 December and again on the afternoon of Thursday 4 December whilst the market was in operation.
- 1.3 The general effect of the Order, if made, would be to extend the existing pedestrian priority arrangements in Banbury Town Centre. The affected streets would be Market Place, Parsons Street, Cornhill, and part of Bridge Street.
- 1.4 The main alterations would be as follows¹:
 1. Restriction of all vehicular traffic (10am to 4.30pm and 8pm to 1am daily) and no waiting at any time on the following streets:
 - Market Place - from Nos. 11/12 to its junction with Parsons Street;
 - Parsons Street - for its entire length;
 - Cornhill - for its entire length.
 2. Restriction of all vehicular traffic (10am to 4.30pm - Thursdays and Saturdays only) on the following streets:
 - Bridge Street - from the roundabout east of the Town Hall to its junction with Market Place;
 - Market Place - from Bridge Street to Nos. 11/12.

¹ The definitive proposals are detailed in the draft Order at Inquiry Document 4. A plan showing the proposals is also available at Inquiry Document 12

3. Disabled Drivers' Parking Bays (limited to one hour waiting – no return within one hour) in a lay-by adjacent to the Town Hall.
 4. Loading Bay (limited to one hour – no return within one hour) on south side of Market Place.
 5. Prohibition of waiting and loading at any time on the following streets:
Market Place - east of Nos. 11/12 except for loading bay area;
Bridge Street – except for Disabled Drivers' Parking Bays.
 6. One way westbound in Market Place – from Nos. 11/11A to Parsons Street.
 7. The draft Order provides for certain qualified exemptions to (1) and (2) above. These include access and egress from residential parking spaces and provision for egress from business parking spaces.
 8. Outside the restricted periods access would be limited to vehicles displaying exemption certificates, access to or egress from private off-street parking areas, delivery and collection of goods, essential servicing vehicles, 'Blue Badge' holders and vehicles which have entered Bridge Street/Market Place which cannot exit via the Market Place car park.
- 1.5 There were 18 objections to the Order outstanding at the commencement of the inquiry. Five objectors appeared at the inquiry and gave evidence. One supporter gave evidence. The main grounds of objection were:
- Inadequate publicity and consultation on the scheme
 - Impact on access to businesses
 - Impact on access to residential properties
 - Effect on parking for Blue Badge holders
- 1.6 The Council confirmed at the inquiry that it had complied with all the required statutory formalities. There were no challenges at the inquiry in this respect. The Council also recognised that the draft Order would, if made, restrict vehicular access to premises for more than eight hours in a period of 24 hours. The Secretary of State's consent would therefore be required before the Order could be made².
- 1.7 During the inquiry, the Council proposed a number of modifications to the draft Order to address the concerns of objectors. These are given in Section 8 of the report.
- 1.8 This report contains a brief description of the site, the gist of the cases presented and my conclusions and recommendations. Lists of inquiry appearances and documents are attached as appendices to this report.

2.0 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 Banbury is located to the west of and adjacent to the M40 and is roughly equidistant between Coventry to the north and Oxford to the south. It is a market town with a large shopping area and twice weekly market.
- 2.2 There is an existing pedestrianised area encompassing part of the High Street,

² As required by the Road Traffic Regulation Act 1984 Schedule 9 Part II Article 13 (1) (a)

part of Broad Street and Butchers Row. The Market Place and Parsons Street lie adjacent to and north of the High Street. Entry to the Market Place is via Bridge Street at the point where the High Street pedestrianisation scheme commences at its eastern end. There is a 52 space public car park in the Market Place. The outdoor market takes place here on Thursdays and Saturdays. The new Castle Quay indoor shopping centre is located immediately to the north of the Market Place.

- 2.3 Parsons Street runs from the eastern end of the Market Place and is one-way westbound to its junction with North Bar. It has narrow footways and a carriageway width of approximately six metres. The street contains a mix of shops, restaurants and public houses. Church Lane is a narrow pedestrianised street which links Parsons Street with the High Street. It also provides access to Church Walk and White Lion Walk. London Yard lies to the west of Church Lane and is a short cul-de-sac served from Parsons Street.

3.0 THE CASE FOR CHERWELL DISTRICT COUNCIL

The material points were:

Policy Context

- 3.1 The Non-adopted Cherwell Local Plan 2011 approved in February 2001 (Policy TR4 para. 6.65) states that the District Council will investigate the potential for extending pedestrianisation in the town centre to Parsons Street and Market Place. The Oxfordshire Local Transport Plan 2006-2011 (Chapter 7 page 155) also refers to plans to pedestrianise the Market Place area in Banbury. The Cherwell Community Plan 2006-2011 includes a 'Key Action to 2011' to "Extend pedestrian priority into Market Place and Parsons Street".

Background to the Proposals

- 3.2 High Street, Broad Street and Butchers Row were pedestrianised in 1991 following a public inquiry in 1990 and subsequent confirmation of the relevant Traffic Regulation Order. Parsons Street had been included in the consultation on this scheme. However, it was not included in the final proposals as there was insufficient support from the stakeholders there.
- 3.3 The above Order allowed for 'Blue Badge' holders to park at all times within the pedestrianised area. However, the number of vehicles involved became untenable, negating the purpose and benefits of the scheme. Enforcement had also become a significant problem.
- 3.4 In 2001 the Council resolved to amend the Order by removing the concession to allow vehicles displaying a 'Blue Badge' to enter the pedestrianised area. A dispensation was also introduced to allow a butcher's vehicle to access and leave a private commercial parking space so that the premises could comply with food hygiene regulations. These amendments were considered at a public inquiry in 2001 and came into effect in 2002. The hours of operation of the scheme were also considered at the inquiry and subsequently amended in line with the inspector's recommendation to the present 10am to 4.30pm restriction.
- 3.5 The early success of the above pedestrianisation scheme resulted in certain traders seeking an extension of the scheme to Parsons Street. This was supported by the Banbury and District Chamber of Commerce. In 2001 the Council appointed consultants to draw up conceptual proposals and these were

- considered in 2002. However, they were not pursued at that time due to a lack of financial resources.
- 3.6 In October 2006, the Council resolved to move forward again on the development of the scheme. A budget of £2.137m was included in the capital programme and this is still available.
- 3.7 Consultations took place on the timing of the daytime core period for Parsons Street. It was decided to replicate the existing 10am to 4.30pm on High Street, Broad Street and Butchers Row for the following reasons:
- a) To avoid public confusion;
 - b) To have one town centre operating uniformly;
 - c) To treat all those affected equitably;
 - d) To recognise the outcome of the two previous public inquiries.
- 3.8 Representations were also received that, given the significant proportion of bars and restaurants, there should be an evening core period in Parsons Street. A recent survey found that 54% of the units in Parsons Street were retail whilst 37% of the units had a commercial leisure use. This has created a street which has a significant footfall in the evening as customers visit the public houses and restaurants. This has extended the period where there is potential pedestrian and vehicle conflict.
- 3.9 A detailed public consultation document was produced and published in August 2007. This included two options concerning the proposed pedestrianisation period in Parsons Street. Option A promoted the same daytime core period as the existing scheme (10am to 4.30pm) whilst Option B included, additionally, an evening core period (8pm to 1am). The consultation was targeted at key stakeholders as well as the residents and businesses that would be directly affected by the proposals. In total 243 copies of the consultation document were sent out. A meeting to discuss the scheme was also held with stakeholders.
- 3.10 The responses to the consultation were summarised and reported to the Council's Executive on 3 December 2007. In general, the responses were very positive. There was also a majority view in favour of implementing Option B which included both the daytime and evening core periods.
- 3.11 The proposals put forward by the consultants included full pedestrianisation of the Market Place as well as Parsons Street. However, the Market Place acts as a 52 space public car park on 5 days of the week with a traditional outdoor market on the other two days. The Council decided that the public parking in Market Place was too valuable to be lost and that the draft Order should therefore retain access to this parking area on non-market days. The proposals were also amended to provide a route for traffic to pass through the car park in order that vehicles would be able to exit from the Market Place on non-market days.
- 3.12 As the route through the car park would not be available on market days, it was decided to extend the draft Order to pedestrianise Market Place and part of Bridge Street between 10am and 4.30pm on market days (Thursday and Saturday).

The Draft Order Procedure

- 3.13 The draft Order was initially published on 12 June 2008 but was superseded by an amended draft Order published on 26 June 2008. The detailed proposals and plan of the scheme were hand delivered to all the occupiers on the frontage of the streets affected. The proposals were also advertised in the Banbury Guardian and the documentation relating to the scheme made available for public inspection at Council offices.
- 3.14 The responses to the draft Order were reported to the Council's Executive on 4 August 2008. The Executive resolved to proceed with the Draft Order as advertised and, as required by the Road Traffic Regulation Act 1984, this public inquiry was arranged to consider the objections and representations which had been received.

Agency Agreement

- 3.15 Oxfordshire County Council are the Traffic Authority for the streets which are the subject of the draft Order. Cherwell District Council was given the authority to promote the Order by way of an agency agreement with the County Council dated 12 June 2008.

Scheme Objectives

- 3.16 In recent years there has been an increase in the number of vehicles accessing the area. This increase represents a danger to the safety of pedestrians and detracts from the historic setting of the streets. The scheme is aimed at reducing these conflicts in Parsons Street and the Market Place thereby creating a safer environment.
- 3.17 The environmental improvement of Parsons Street would transform the character of the street. This is expected to generate greater footfall and create a more vital and viable area in this part of the town centre. In the wider context of the Town Centre Strategy, the improvements would be used to attract investment to the area.
- 3.18 A flow of pedestrian traffic along Parsons Street is extremely important for both the occupiers of premises in the street itself but also for traders in Church Lane, Church Walk and White Lion Walk which all depend on pedestrian circulation around the town. The Council has received consistent feedback on these issues from the Chamber of Commerce, the Town Council and the general public. It is considered that pedestrianisation is urgently required.

Existing and Proposed Arrangements

- 3.19 Parsons Street is a key street as it links attractions in the town centre such as the Market Place, Banbury Cross and the St. Mary's Church area. The street is however constrained with narrow pavements which tend to restrict pedestrian movements. This is particularly the case for those with mobility issues, wheelchair users and parents with children in prams and buggies. Despite this, the street remains busy with relatively high vehicle movements and pedestrian activity.
- 3.20 There are 'no waiting at any time' restrictions in Market Place and Parsons Street. These allow vehicles to stop, load and unload where it suits the driver. Similarly, 'Blue Badge' holders stop at locations convenient for them for up to three hours. Surveys carried out on Wednesday 7 May 2008 and Friday 16

May 2008 indicated 312³ and 477 parked vehicles respectively between the hours of 9am and 5pm. In the peak periods, between 36 and 40 vehicles were parked on street each hour.

- 3.21 The surveys revealed that the majority of vehicles parked on street (70-74%) displayed a 'Blue Badge'. It is proposed therefore to increase the number of dedicated parking spaces for 'Blue Badge' holders in the area by 15 spaces with provision in the North Bar car park and Market Place car park together with the new bays on Bridge Street.
- 3.22 The current entrance to and exit from the Market Place car park would be reversed as part of the scheme. A new layout for the car park would also be introduced. This would provide for cars and small delivery vehicles up to 7.5 tonnes which have entered Bridge Street and Market Place to use a route through the car park to leave the area. This would be necessary as these vehicles would be prevented from exiting via Parsons Street due to the proposed restrictions.
- 3.23 Any vehicles within Bridge Street and Market Place at the start of the restrictions which could not exit via the Market Place car park would be able to leave the area via Parsons Street. This provision in the draft Order relates solely to the situation when the Market Place car park is being used for the market. A modification is proposed (see paras. 8.4 and 8.6 below) to allow for other situations when the route through the car park might not be available e.g. for vehicles larger than 7.5 tonnes, and when the market is being set up or taken down.
- 3.24 The loading ban on Market Place and Bridge Street would control the current random parking of vehicles in this area. It would also ensure an adequate turning space into and out of the Market Place car park for small delivery vehicles as referred to above.
- 3.25 The proposed one-way order on Market Place is necessary to enable the free flow of traffic entering the car park. Vehicles exiting from Butchers Row would therefore need to exit via Parsons Street via the one-way section of Market Place.
- 3.26 Residents in the restricted streets with off-street parking spaces would have unlimited access to these spaces⁴. Exemption certificates would be issued to be displayed on the resident's vehicle. The draft Order proposes that this be limited to one certificate per off-street parking space. However, the Council propose a modification in this respect (see para. 8.7 below) which would allow two certificates per space. Business vehicles would only be allowed to egress from any of their off-street parking spaces during the proposed hours of restriction. Again, this would be controlled by the issue of exemption certificates. A modification is also proposed to the draft Order in respect of these certificates to also allow two certificates per space rather than the one

³ Inspector's note: Detailed survey information is given in Inquiry Document 12. The number of vehicles parked on the survey day was 312 in total for the different vehicle types. Across the surveyed streets the total recorded was 350. No explanation could be given by the Council for this difference.

⁴ In response to a query from the inspector the Council indicated that there were 38 residential properties in the affected streets of which 23 were located in Parsons Street. It was not known how many of these had off-street parking spaces.

proposed in the draft Order (see para. 8.9 below).

- 3.27 Emergency vehicles, vehicles requiring access for road works and bullion vehicles would be exempt from the restrictions. Also any vehicle already in the pedestrianised areas (including Butchers Row) would be able to exit during the proposed hours of restriction.

Enforcement

- 3.28 Enforcement of the traffic restrictions would initially be reliant on the Thames Valley Police. However, the County Council expect that in due course, enforcement would be through CCTV and Automatic Number Plate recognition. Within the car parks, enforcement would continue to be the responsibility of the Council. The Police would also be responsible for enforcement of the on-street parking and loading restrictions. When decriminalised parking enforcement is introduced, the Council would take on this responsibility.
- 3.29 Entry to Bridge Street/Market Place would be controlled by a rising bollard on market days. Provision would be made to allow exempt vehicles to enter the area including those destined for Parsons Street.

4.0 THE CASE FOR THE SUPPORTERS

The material points were:

Banbury and District Chamber of Commerce

- 4.1 The Chamber has 130 members from sole traders up to large companies. It fully canvassed its members on the original pedestrianisation scheme and on this revised proposal. The survey results show that the vast majority of the members are fully supportive of the proposed scheme.
- 4.2 The main reasons for members' support are as follows:
- a) Shoppers need to be encouraged to experience Banbury fully in relaxed conditions;
 - b) There are constant danger issues at the moment with cars and lorries driving on pavements;
 - c) Cafés and restaurants would be able to have on-street facilities;
 - d) Evening customers would be encouraged to take in the artistic ambience of the new format;
 - e) Shoppers would be more likely to exercise their option to walk up Parsons Street and down Horse Fair as well as cutting down Church Lane;
 - f) More retailers would consider opening outlets;
 - g) The experience of the High Street pedestrianisation has been positive;
 - h) Drivers would not be able to use the street as a 'rat run'.
- 4.3 The Chamber considers that the scheme would be very positive for Banbury and would encourage people to come to the town.

Written Comments

- 4.4 Banbury Town Council has no objection to the scheme. It suggests a bollard at the entrance to the Market Place to prevent vehicular access on Market days.

- 4.5 The Thames Valley Police has no objection to the proposed Order
- 4.6 There was one letter of support for the scheme from a restaurant business in Parsons Street.

5.0 THE CASE FOR THE OBJECTORS

The material points were:

Mr George Mills

- 5.1 The consultation exercise was not satisfactory. There was a great deal of publicity on the previous pedestrianisation scheme. This time it has been low key almost minimal particularly in relation to the proposed evening restriction.
- 5.2 The proposed Order would severely limit Mr Mills's ability to assist his daughter and her family who live in London Yard which is accessed from Parsons Street. His daughter has run a dancing school there for over 20 years. Mr Mills collects his granddaughter from school each day at 3.30pm, arriving at her home in London Yard between 3.45pm and 4pm. In order to save journeys other bulky items such as washing are taken at the same time. The proposed Order would prevent this as well as other visits to give assistance when, for example, children are ill. The proposed evening restriction would also effectively prevent Mr Mills from visiting his daughter in the evenings since she normally works until 9pm which is after the proposed start of the evening restriction.
- 5.3 Much of the congestion problem is caused by people with disabled persons parking permits parking in inappropriate locations in Parsons Street without consideration for other users. Nevertheless, as a frequent visitor to Parsons Street, there is seldom any delay. The proposals would cause more problems by concentrating deliveries in a shorter period. If the proposed vehicle number plate recognition system was brought in, the existing order (see para. 5.17 below) could be enforced and there would be no need for pedestrianisation.
- 5.4 There is no justification for the pedestrianisation at night. By 6pm most shops are closed and shuttered. There are already adequate opportunities to wander in the existing pedestrianised areas in the town. Further pedestrianisation would be detrimental to the mix of shops in the town centre. There is a need for those selling larger and heavier items and these are being forced out of pedestrianised areas. The Council claims that it needs to be consistent with the existing scheme but this does not have a night time restriction. Butchers Row has a substantially higher proportion of commercial uses in the evening but a similar restriction is not proposed.
- 5.5 It is not a comfortable experience to walk along Parsons Street at night. Even driving one feels threatened and this would be made worse if the scheme went ahead. The public would feel that cars should not be there even if they have permits. This already happens during the Michaelmas Fair.
- 5.6 The proposals would not encourage pedestrians to walk up Parsons Street rather than cut down Church Lane. The reason there is less pedestrian traffic at the Horse Fair end of Parsons Street is that the majority of parking is at the opposite end of town. Bus stops are also not conveniently located for Parsons Street.
- 5.7 Only four of the members of the Chamber of Commerce are located in Parsons

Street and none of these are involved in the leisure industry. It is difficult to see therefore why they are interested.

Mr Stewart MacDonnell

- 5.8 Mr MacDonnell lives in London Yard where his family run the dancing school referred to in Mr Mills's objection above. As well as being a business premise which they own it is also the family home. There are four off-street parking spaces associated with the property. In principle, Mr MacDonnell is in favour of a pedestrianisation scheme for Parsons Street. However, the current proposal would be detrimental to his business.
- 5.9 The objections to the scheme have not been satisfactorily answered. The Council called only one witness, the Chamber of Commerce, from outside the Council to support the scheme. Of the Chamber's 130 members only four would be directly affected and four indirectly affected by the proposals. This represents only 3% of the 243 consultees that the Council communicated with. There has not been a two-way dialogue with those directly affected.
- 5.10 No consideration has been given to people using the dancing school. The business operates between 3.45pm and 9.30pm Monday to Friday, 8am to 8pm on Saturdays and 10am to 4pm on Sundays. A petition has been signed by approximately 100 parents and other adults who are frequent visitors to the dancing school, often with young children⁵. The proposed closure would be extremely inconvenient and potentially dangerous for them and their children. Parsons Street is not safe to walk in particularly on a Friday and Saturday night. Parcel deliveries which are allowed access to Parsons Street at any time would be treated more favourably than children being taken to the dancing school.
- 5.11 There is no mention of the scheme or the inquiry on the Council's website, nor was anything seen in local publications including the Council's latest edition of 'Link'.
- 5.12 In addition to the safety concerns, the dancing school's customers would be faced with a long walk from the available car parks as well as the extra cost for parking. The multi-storey car park to the north of Parsons Street closes at 7pm and the Market Place car park cannot be used on market days or is full. In any event, young mothers with children would not make that journey, nor could they afford the additional cost. A short survey of our customers indicates that 30% would not do it.
- 5.13 The family home would be cut off from the outside world and would only be accessible, realistically, for 3½ hours each day. Under human rights law, everyone has a right to enjoy their private life without government interference. This right would be infringed by the proposals. These laws also protect individuals from discrimination. This would occur if the proposed scheme goes ahead as it would not allow friends and customers access to the family home and business.
- 5.14 Most businesses in the High Street are multi-nationals and carry enough power to ensure deliveries at specific times. The independent small traders in Parsons Street cannot do this. The traders on the south side of Parsons Street

⁵ The petition is available as part of Inquiry Document 29.

would be worst affected as they have no access to the rear of their premises.

- 5.15 Tables and chairs in the street could also make it more difficult to gain access to premises.
- 5.16 The proposed night time restriction would encourage the 'café culture' which has been criticised recently by the Vice Chairman of the Police Federation who said that the police could not cope with the "booze filled violence" in the early hours and that Britain's market towns are turning into the "wild west".

Mr Alan Wolstencroft

- 5.17 Mr Wolstencroft is the owner of Fashion Fabrics which is located in Parsons Street. In principle, he is in favour of the pedestrianisation scheme but feels that the existing traffic order, which restricts vehicles to 'access only'⁶, is being constantly abused. Effective enforcement would eliminate a great number of the current problems including 'rat running', abuse of the 'Blue Badge' scheme and irresponsible parking.
- 5.18 In discussions on the scheme, the Council officers indicated that they would consider a 'drop off' point for deliveries in Parsons Street but nothing has been forthcoming. Whilst discussions have been held with some stakeholders, all residents and other occupiers have not been treated equally. There has been no effective dialogue with independent retailers and business owners in the area. The documentation available prior to the inquiry did not contain all the information the Council has subsequently relied upon in responding to objectors' concerns. If there had been more direct consultation many of the issues could have been resolved prior to the inquiry.
- 5.19 The proposals would effectively double the pedestrianised area of the town whilst applying the same 'core period' restriction. Delivery drivers would not be able to meet the demands of the expanded area outside the restricted period. The reason there is not a problem with deliveries in High Street/Broad Street is that Parsons Street and Church Lane are used to service the area. The proposed Order would therefore have an adverse effect on the whole area. A petition signed by 11 delivery drivers supports this view⁷.
- 5.20 If the traffic order for Parsons Street is approved, it would be beneficial to amend the High Street/Broad Street Order to reflect changes to the definition of registered carriers who are exempt. The new definition could potentially resolve the majority of the delivery problems for his business. The provision of two exemption certificates per business parking space would also help.
- 5.21 On Thursdays and Saturdays market traders currently gain access to the Market Place from approximately 2.30pm to start loading their vehicles. If they are prevented from gaining access until 4.30pm this would cause congestion and blockages in the Market Place as they would all try to load and leave at a similar time. This could block access to Parsons Street at the end of the pedestrian period.

⁶ The Council confirmed that an 'access only' order exists affecting the streets which are the subject of the draft Order. It was introduced in 1980 and is signed on Bridge Street on the exit from the roundabout adjacent to the Town Hall.

⁷ The petition is available as part of Inquiry Document 27.

5.22 The Council has indicated that three parties would have an enforcement role if the Order is approved. This is of concern in terms of ensuring enforcement is managed effectively.

Miss H Brenda Smith

5.23 The proposed restriction in the evening is not appropriate. It would prevent customers visiting the restaurants at night from being able to park outside. There is also considerable potential to convert space above retail outlets for living accommodation. The proposed evening restriction would discourage this as it would prevent access by vehicles between 8pm and 1am. The proposed daytime restriction is too long as few people go to the shops before 10am or after 4.30pm.

Mr Oliver Cole

5.24 Mr Cole is the Operations Director for Lawrence Anthony who operate hairdressing salons in Parsons Street and Church Lane. In principle, Lawrence Anthony is in favour of pedestrianisation, its objection being to the proposed evening restriction. This would have a serious impact on the use of the business premises for both trading and the movement of goods.

5.25 After the closure of the salons in the evening they have to be cleaned ready for the next day. This would not be possible as the evening restriction would prevent the cleaners from accessing the premises with their vehicle. It is also unfair to restrict business traders more than the residents who would have access at all times.

5.26 It is vital that the premises should not suffer loss of services or other disruption during implementation of the scheme.

6.0 OTHER WRITTEN OBJECTIONS AND REPRESENTATIONS

6.1 Many of the issues raised in the written objections and representations were considered at the inquiry and reported above. The relevant matters not fully covered are summarised below.

- The proposals originate from the Non-statutory Local Plan and action plan reports. Such a significant scheme should be embedded in local plan policy following formal consultation;
- The proposals promote an outcome which is contrary to Government advice and the Council's economic duties and policies. No evidence that there would be long term benefits for the town's economy has been presented. It would be folly to promote such a scheme in the current economic climate;
- The scheme is based on a regulatory approach which is outdated and replaced elsewhere in the UK and Europe. The significant capital cost should be invested in a scheme based on more modern concepts;
- Customers who are disabled would not have convenient and direct access to the businesses in the affected streets. Many would find it impossible to walk to the shops from the car parks. The parking facility on the south west side of Market Place should be retained;
- The one hour limit proposed for the disabled drivers' parking bay is not sufficient;
- There would be a reduction in business due to loss of passing trade;

- The key difference between the High Street scheme and that proposed for Parsons Street is the ease of access to properties;
- The businesses in Parsons Street are of a different nature to those in the High Street with more of a social/recreational mix. It is unrealistic to expect a Mediterranean style of café culture to develop by restricting vehicles;
- The Council has not presented any evidence on the regular monitoring of traffic volumes in Parsons Street. It is not a high volume through route;
- Drivers take more care if moving through an area where there are pedestrians;
- Vehicle speeds and hence the risk to pedestrians would increase outside the restricted hours;
- Some businesses rely on bulk deliveries from major suppliers using large vehicles as part of a multiple 'drop off' schedule. These are difficult to re-schedule;
- It would result in longer hours for staff and increased business costs which in these difficult economic times could result in closure;
- Staff are required to visit customers by vehicle during normal opening hours as part of the sales and after sales service;
- The loading area proposed in Market Place is limited. There would be health and safety issues carrying deliveries to and from the van;
- Flowers are fragile items and having to carry them down the street to a loading bay would cause major problems, particularly at busy times;
- Fresh meat products and carcasses cannot be dropped off in Horse Fair and wheeled through pedestrianised areas to Church Lane;
- A large percentage of sales involve perishable goods which are delivered to off-site locations. Carrying them any distance to a vehicle could stop these sales leading to closure of the business;
- Items sold are too heavy or bulky to carry to alternative parking areas;
- Allowing business to egress the area during the restricted periods and not allowing them to return would cause major problems;
- The quality and flexibility of the service offered distinguishes the independent retailer from that of the national multiples. This would be lost. Diversity and choice in the town centre would as a result be reduced;
- The construction phase of 28 to 32 weeks would require Parsons Street to be closed off entirely, deterring customers and affecting businesses leading to long term decline. The scheme does not appear to include resources for site liaison, interim promotion, communications on phasing or innovatory solutions to overcome the long term impacts on existing businesses;
- The proposals should be abandoned or if this is not to be the case, then the restriction should only be applied at night. If a daytime restriction is deemed necessary this should only be for one hour a day to prevent long stay parking;
- The evening restriction should not apply from 1 October to 31 March when pedestrian use would be minimal and vehicular access welcome.

7.0 CHERWELL DISTRICT COUNCIL RESPONSE TO OBJECTIONS

Humans Rights Act 1998

- 7.1 It has been argued that the scheme would treat businesses unfairly in comparison to residents in that the latter would have greater access to their premises. However, the Human Rights Act 1998 does not support this argument. A distinction can be drawn between private residential parking, as part of home and family life, and private non-residential parking. Also, rights to respect home and family life are not absolute rights. Authorities can, in certain circumstances, act in a way which impacts on these rights for the benefit of the general public provided such action is proportionate.

Policy

- 7.2 The Council does not accept that the scheme is contrary to Government advice or the Council's economic duties and powers. On the contrary, it is designed to meet the Government's key objective for town centres i.e. "to promote their vitality and viability"⁸. The scheme also responds positively to the objectives of the Council's Economic Development Strategy 2007-2011 (page 11) in that the project would deliver "---environmental improvements -- [which would] enable [Banbury] town centre to remain competitive and attractive in a dynamic retail/tourism market".
- 7.3 Concern has been expressed by objectors that the current economic climate is the wrong time for such a scheme. However, the Council's objective is to increase the vitality and viability of this area of the town centre. It could be argued therefore that this is the best time to be investing in the environmental quality of the town centre to boost its commercial well-being.

Consultation Procedure

- 7.4 The Council has carried out the required statutory consultation on the proposed Order. Comments and representations received during this consultation, together with Council Officers' responses, were presented to and considered by the Council's Executive on 4 August 2008 when it decided to proceed with the proposals.
- 7.5 Objectors have criticised the Council for not widely publicising this inquiry. The Council has given notice of the inquiry in accordance with the regulations. This was accepted by Objectors at the inquiry. The Council cannot be criticised if the general public and local media are either uninterested in or indifferent to the scheme.
- 7.6 The vast majority of the 130 members of the Banbury Chamber of Commerce believe that this scheme would benefit Banbury as a whole. No other body representing businesses in the town, for example the Federation of Small Businesses, has come forward to oppose the scheme.

Commercial Vehicles

- 7.7 Objectors raised concerns about whether commercial vehicles up to 7.5t would be able to turn in the Market Place car park to enable them to exit the area without using Parsons Street. The inquiry heard expert evidence from the Council that this would be possible. The objectors did not present any expert

⁸ Planning Policy Statement 6: *Planning for Town Centres*

evidence to contradict this point. It is accepted that vehicles greater than 7.5 tonnes would not be able to exit via the car park. An exemption is already included in the draft Order for any vehicle which has lawfully entered Bridge Street and Market Place to leave via Parsons Street if it cannot exit via the car park due to its use as a market. As already noted in paragraph 3.22 above, a modification is proposed to allow any such vehicle to leave via Parsons Street if it cannot exit via the car park for any reason.

- 7.8 In response to a query from the inspector, there is a 1.5 tonne weight restriction on the Market Place car park. Whilst this only applies to the parking areas, the Council would consider amending this restriction in view of the proposed use of the car park as a turning area for small delivery vehicles which could weigh up to 7.5 tonnes.

Scheme Design

- 7.9 Objectors raised concerns about tables and chairs outside bars and restaurants in Parsons Street that could potentially block traffic. Any such seating would require planning permission and a street licence. These would both involve, amongst other matters, consideration of highway issues. Access would have to be maintained at all times for emergency vehicles and those vehicles exempt from the proposed Order.

Enforcement

- 7.10 Objectors felt that there had not been sufficient enforcement of the current traffic orders covering Parsons Street and were concerned that the proposed Order would also not be properly enforced. Moving traffic offences are the responsibility of the Police to enforce. Thames Valley Police has been consulted on the proposed Order and has not raised any objection. When the Order on the adjoining High Street came into force, the Police carried out a "purge" during the first few weeks to get the message across to drivers. Since then the scheme has been relatively self-policing. Options are also being considered by the County Council to enforce the scheme, including use of CCTV with number plate recognition.

Car Parking

- 7.11 Objectors are concerned that there would be insufficient car parking in the area for parents of children attending the dance school in London Yard. It is the Council's contention that there is sufficient car parking in North Bar and Market Place to serve this purpose. Counts of vehicles in the main car parks are undertaken twice yearly by the Council on Thursdays, Fridays and Saturdays. These show that there are generally some spaces available.
- 7.12 Amendments to the draft Order are proposed which would allow children attending the dance school to be dropped off and collected outside the restricted periods in Parsons Street (see para. 7.5 below). Within the restricted periods, the reduction of pedestrian/vehicle conflict would create a much safer and more pleasant environment in which the pedestrian has priority.

Crime and Disorder

- 7.13 Objectors suggested that the proposed evening core time would lead to an increase in crime and disorder. However, they did not present any evidence to this effect. Any new or existing licensed premises in Parsons Street would be required to promote the licensing objectives, as set out in the Licensing Act

2003, which include the prevention of crime and disorder and public nuisance⁹.

Disabled Drivers' Parking

- 7.14 Objectors agreed with the Council's view that there is currently a problem caused by 'Blue Badge' parking in Parsons Street. The Council propose an additional 15 parking spaces for these users in North Bar and Market Place to replace the disabled driver parking lost in Parsons Street. The proposed one hour limit for 'Blue Badge' holders in the new parking bay outside the Town Hall is consistent with the limit in the Market Place car park and other car parks in the area.
- 7.15 A 'Shopmobility' scheme is available in the town centre at Castle Quay where people can access mobility scooters.

Deliveries

- 7.16 In setting the times of the proposed pedestrian periods, the Council is seeking to strike a balance between allowing access for servicing and providing a safer and more attractive environment for shoppers and other pedestrians. Deliveries can take place outside the pedestrian core periods. To allow deliveries within the pedestrian periods would defeat the purpose of the Order.
- 7.17 A loading bay in Market Place is proposed as part of the scheme. Where the weight of goods to be carried is excessive, it is suggested that a trolley is used in line with Health and Safety at Work regulations. Alternatively, heavy or bulky items can be collected outside the pedestrian periods. It is not part of the objectives of the scheme to ensure that firms delivering out of the town centre have a better trading environment.
- 7.18 The experience in other pedestrianised areas of the town is that delivery firms have been flexible to meet the requirements of their customers.
- 7.19 A loading bay for Parsons Street was considered but was not practically possible. It would also not be consistent with the objectives of pedestrianisation.
- 7.20 Parcel carrying services, registered as such with the Secretary of State, would still be able to make deliveries of 'postal packets'¹⁰ at all times as they would be exempt from the restrictions.
- 7.21 The businesses operating in the Market Place to the east of numbers 11/12 would still be able to access their premises at all times on non-market days with servicing by use of the proposed loading bay.
- 7.22 The existing Order for the High Street pedestrianisation scheme includes an exemption to allow the butchers in Church Lane vehicular access to the rear of

⁹ The Council gave a breakdown of the recorded crime figures for Parsons Street for the last six months. There had been 34 recorded crimes in total. These involved two ABH (Actual Bodily Harm), two assaults, six burglaries, eight thefts, one public order offence, one mugging and 14 various other crimes.

¹⁰ 'Postal packet' is defined in the Postal Services Act 2000. The relevant extract is available at Inquiry Document 23.

their unit for hygiene purposes.

Market Traders

7.23 Objectors expressed concern that market traders packing-up their stalls on Thursday and Saturday afternoons would be able to bring their vehicles in to the Market Place during the proposed daytime core period. The Council submitted that the market traders are contractually obliged to keep their stalls open until at least 4.30pm on market days so this would not conflict with the proposed daytime core period¹¹.

Evening Restriction

7.24 The Council is aware of the different mix of uses in Parsons Street compared with the High Street. For this reason a daytime and evening restriction has been proposed. The purpose is not to establish a 'Mediterranean style café culture' but to create a safer and more attractive environment in a key area of the town centre.

7.25 The purpose of the evening pedestrian period is to support the commercial leisure units in the area which trade in the evening and night time. A safe and vibrant evening economy is considered to be important for the 'health' of town centres. Bustling, vibrant and active areas within the town centre add to the 'natural surveillance' on streets. The design for this area of the town centre is aimed at creating an area where restaurant, bars and cafés can thrive.

7.26 It would not be appropriate to remove the evening restriction between 1 October and 31 March as the commercial units in the area operate throughout the year with relatively high numbers of pedestrians in the area.

Implementation of the Scheme

7.27 Some objectors had concerns about the future implementation of the pedestrianisation scheme and whether the construction works would disrupt their businesses. Although this issue is not part of the inquiry, objectors can be reassured that the Council would consult each and every affected business during the planning of these works to ensure as little disruption as possible.

Amendments to Scheme

7.28 The Council has put forward some amendments to the draft Order which are set out in Section 8 of this report. These would allow vehicles from licensed postal delivery businesses into the prohibited area at all times and allow vehicles to access or egress premises in London Yard outside the pedestrian periods. Two, rather than one, exemption certificates would be issued for residential purposes per off-road parking space including use by nominated visitors' vehicles.

7.29 An amendment is also proposed which would allow businesses to access and egress their off-street parking spaces during the evening restriction. Again, it is proposed there be two certificates per off-street parking space for business

¹¹ The Council subsequently confirmed that the market operator is contractually obliged to keep the market open until 3.45pm. The Council has now contacted the market operator with a view to re-negotiating the market closing time until 4.30pm.

uses. The requirement that the vehicle driver should be the same as that specified on the certificate would be removed for both residential and business uses. No other compelling variation to the draft Order has been received either through the statutory consultation process or during the inquiry.

Overall Benefit

- 7.30 The Council has responded to the demands of the public in proposing this scheme and has balanced the needs of those who would benefit and those who would be affected to provide a fair compromise. It is acknowledged by the Council that this scheme would create some challenges for businesses operating in the area. The Council considers that these would be outweighed by the regeneration and improvement of an area of the town centre such that people would want to shop, visit and spend their leisure time there.
- 7.31 The objectors acknowledged that some improvement or regeneration is needed in Parsons Street. The Council would ask therefore that the draft Order, with the proposed amendments, be approved without any further modifications.

8.0 MODIFICATIONS PROPOSED BY THE COUNCIL TO THE DRAFT ORDER

- 8.1 The Council confirmed that it wished to make the following amendments to the draft Order in response to issues raised by objectors:
- 8.2 Amend sub-paragraph (c) of the definition of an "exempt vehicle" in Article 3 as follows:
- "vehicle in the service of or employed by a Licensed Postal Operator while in use for the purpose of loading, unloading, delivering or collecting postal packets at premises or posting boxes in the restricted roads;"
- 8.3 Add the following definition to Article 3:
- "Licensed Postal Operator" means a postal operator licensed by the Postal Services Commission to deliver mail.¹²
- 8.4 Delete the words "because of its use as a market" from the end of Article 9(e).
- 8.5 Add the words "or premises in London Yard" to the end of Article 11(d)
- 8.6 Delete the words "because of its use as a market" from the end of Article 11(g)
- 8.7 Amend paragraph 2 of Schedule 4 as follows -
- "A person who occupies private residential off-street premises with access to a private residential off-street parking area who is desirous that a vehicle should be permitted to be driven in Bridge Street, Market Place, Cornhill and/or Parsons Street, Banbury in order to gain access to or egress from that private residential off-street parking area, may apply to the Council for a certificate of exemption, which will exempt such vehicles from the provisions of Articles 8 and 10 of the Order to the extent specified by the Council, that is being a

¹² A list of licensed postal operators can be found on the Postal Services Commission's website at www.psc.gov.uk/licensed-postal-operators. The current list is available at Inquiry Document 31.

vehicle belonging to or ordinarily kept by a residential occupier or a nominated visitor of any premises along the lengths of Bridge Street, Market Place, Cornhill and/or Parsons Street, Banbury. The maximum number of certificates of exemption that may be issued for any such property will be two certificates per private off-street parking area used by the resident”.

8.8 Delete paragraph 7(a) of Schedule 4.

8.9 Amend paragraph 2 of Schedule 5 as follows:

“A person who occupies private off-street premises with access to a private off-street parking area who is desirous that a vehicle should be permitted to be driven in Bridge Street, Market Place, Cornhill and/or Parsons Street, Banbury in order to effect egress from that private off-street parking area, may apply to the Council for a certificate of exemption, which will exempt such vehicle from the provisions of Articles 8 and 10 of the Order to the extent specified by the Council, that is being a vehicle belonging to or ordinarily kept by a person employed at or used in connection with the business at any premises along the lengths of Bridge Street, Market Place, Cornhill and/or Parsons Street, Banbury. The maximum number of certificates of exemption that may be issued for any such property will be two certificates per private off-street parking area used by the business”.

8.10 Delete paragraph 9(a) of Schedule 5.

8.11 The Council would accept a further amendment to allow business vehicles to access and egress the prohibited area during the evening core period only.

8.12 It is recognised by the Council that, if the draft Order is made, modifications at paragraphs 8.2, 8.3, 8.7, 8.8, 8.9 and 8.10 above would also need to be introduced to the existing Order for High Street, Broad Street and Butchers Row to ensure a consistency of approach.

9.0 CONCLUSIONS

9.1 Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, references being given in square brackets to earlier paragraphs of this report where appropriate.

Human Rights Act 1998

9.2 It is claimed that the proposals would infringe the right to enjoy a private life and that the scheme is discriminatory in this respect in that it would not allow friends and customers access to the family home and business [5.13]. The proposals are also claimed to be unfair in that they would restrict traders more than the residents who would have access at all times [5.25]. The Council argue that rights to respect home and family life are not absolute rights and that authorities can act for the public benefit provided such action is proportionate. The Council also believe that a distinction can be drawn between the impact on private residential parking and private non-residential parking [7.1].

9.3 It is for the courts to interpret the law not me. In reaching my conclusions on this matter, I have considered the evidence presented to the inquiry in terms of the public benefits of the proposals against the likely adverse effects on residential and business interests. These have been weighed in the balance in arriving at my recommendations. As I understand it, this approach is consistent with the provisions of the Human Rights Act with respect to such interests.

9.4 With respect to the differing impacts of the proposals on businesses and residents, I note that Article 8 of the European Convention on Human Rights bestows the right to respect for private and family life. Given this emphasis, it seems to me that a distinction can be drawn between the impact on residential parking and that of businesses.

Policy Considerations

9.5 The proposals are supported by Policy TR4 in the Cherwell Local Plan 2011. I have however attached little weight to this in reaching my conclusions as this Plan has not been adopted by the Council. The Local Transport Plan 2006-2011 refers to plans for pedestrianisation of the Market Place area but does not make any reference to Parsons Street. Again, therefore, I have given little weight to this document. The Cherwell Community Plan 2006-2011 does have a 'key action to 2011' to extend pedestrian priority into the Market Place and Parsons Street. However, no evidence was submitted to the inquiry on the statutory basis for this plan or the extent of public consultation on which it is based. I am unable therefore to give it any great weight [3.1].

9.6 One of the objectors argues that such a scheme should be embedded in Local Plan policy following formal consultation [6.1]. I agree that no convincing evidence was submitted to the inquiry to show that these proposals meet this test. However, in my view this should not preclude such proposals being developed and consulted upon in their own right particularly as it would in this case involve the extension of an existing pedestrianised area.

9.7 It is claimed by objectors that the scheme conflicts with Government advice and the Council's own economic duties and policies [6.1]. However, no compelling evidence was submitted to this effect or to substantiate the claim that the approach being adopted by the Council is outdated. In response, the

Council argue that the scheme is designed to promote the vitality and viability of Banbury town centre and as such is consistent with a key Government objective in Planning Policy Statement 6: *Planning for Town Centres*. The Council also point to the environmental improvements arising from the project which would enable the town centre to remain competitive and attractive. This is the Council claim, consistent with the objectives of its Economic Development Strategy [7.2].

- 9.8 It is clear to me from all that I heard and read at the inquiry, together with my own observations on site, that Parsons Street is in need of improvement. Indeed, there was a general consensus on this amongst those objectors who appeared at the inquiry.
- 9.9 I also accept the Council's view that Parsons Street is a key street within the town linking important attractions including the Market Place, Banbury Cross and the St Mary's Church area [3.19]. As I saw on my site visits, it has attractive, varied and no doubt historic buildings in its own right. Again, from my own observations, I am persuaded that the street's attractiveness for pedestrians and shoppers is diminished by the narrow pavements and conflict with vehicular traffic both parked and moving.
- 9.10 It seems likely to me therefore that the removal of a significant proportion of the traffic in Parsons Street, coupled with an environmental improvement, would make the area more attractive for pedestrians and shoppers. Similar considerations apply to the Market Place although the scheme would place fewer restrictions on traffic in this area due to the Council's desire to maintain the Market Place car park [3.11]. In policy terms therefore, I can find no reason why the scheme is inconsistent with either Government objectives or the Council's own policy framework.
- 9.11 I note the point made in written objections that the current economic climate is the wrong time for such a scheme [6.1]. However, no convincing argument was put forward to support this claim. In any event, I do not consider this is a matter for me to judge.

Consultation Procedure

- 9.12 Objectors criticised the consultation undertaken by the Council on the draft Order, one describing it as low key and minimal, particularly in relation to the proposed evening restriction [5.1]. In response, the Council said that it had followed all the requirements of the statutory process and this was not challenged by any of the objectors either at the inquiry or in the written submissions [1.6].
- 9.13 The Council pointed out that a detailed consultation document was produced in August 2007 which included options for daytime and evening restrictions [3.9]. Some of the objectors said that they had not seen this document although the Council indicated that it had been sent to key stakeholders and those residents and businesses that would be directly affected. I note in this respect that a number of businesses located on Parsons Street did respond to this consultation as their comments are summarised in a report to the Council's Executive on 3 December 2007 [3.10].
- 9.14 I also note that further consultation on the draft Order was undertaken in June 2008. The Council confirmed that information regarding the proposals, including a plan, was hand delivered to all residents and businesses on the affected streets [3.13]. This gave rise to the 18 objections which are

considered in this report.

- 9.15 I appreciate that some objectors feel quite strongly that there should have been greater publicity given to the scheme and that, in particular, an effective two-way dialogue between the Council and individual businesses could have resolved some of the concerns at an earlier stage. I sympathise with this view given the time spent during the inquiry addressing issues raised by objectors and the resulting Council amendments to its proposals. Nevertheless, I am satisfied that the Council has met the requirements laid down in the regulations with respect to the necessary publicity for the scheme and opportunity for objections¹³.
- 9.16 Some objectors consider that the Chamber of Commerce's support for the scheme is of limited value given that it only has four members with premises in the affected streets with a further four who would be indirectly affected [5.7 & 5.9]. In reaching my conclusions I have taken into account all the views expressed whether they are from individuals or organisations. The weight I have accorded to them has been determined by the merits of the issues raised.

Enforcement of Existing Orders

- 9.17 Objectors argue that much of the existing congestion problem is caused by 'Blue Badge' holders parking in inappropriate locations without consideration for other users [5.3]. Indeed I witnessed this situation myself on the afternoon of Thursday 4 December when the market was in operation. A vehicle displaying a 'Blue Badge' had parked on the corner of the Market Place near to the junction with Butchers Row. As a result, a large vehicle associated with the market was unable to negotiate the corner and following vehicles were delayed for some time. Given the nature of the streets, it seems to me likely that this was not an unusual occurrence.
- 9.18 It became evident during the course of the inquiry that the Bridge Street/ Market Place/ Cornhill route to the west of the Town Hall is subject to an 'access only' traffic order introduced in 1980 [5.17]. There is also a traffic sign to this effect. The objectors said that this order is constantly being abused. They suggested that, if the proposed vehicle number plate recognition system was brought in, the existing order could be enforced. Effective enforcement they argued would eliminate a great number of the current problems including 'rat running', abuse of the 'Blue Badge' scheme and irresponsible parking. There would then, they maintained, be no need for pedestrianisation [5.3 & 5.17].
- 9.19 It is difficult to assess the strength of the above argument as no traffic flow information was available at the inquiry. Numbers of parked vehicles had been recorded and these showed significant numbers of vehicles parked on street in both Market Place and Parsons Street [3.19]. A high proportion of these were displaying 'Blue Badges' [3.20]. Again, this was confirmed by my own observations on site, although this was limited to the two occasions I visited the area during the daytime.
- 9.20 I doubt whether increased enforcement would have any significant effect on

¹³ The procedures to be followed are set down in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996

the total numbers of vehicles parked on-street. It is likely that the majority will be parked in accordance with the regulations either displaying a 'Blue Badge', loading/unloading or parking legitimately outside the waiting restriction time period¹⁴. Prevention of irresponsible parking or removal of such vehicles is problematical. It would require a high level of enforcement or delays whilst vehicles are removed. More rigorous enforcement of the 'access only' order, would also I suspect be difficult even with the assistance of the vehicle number plate recognition system. These types of order are notoriously difficult to enforce as motorists can often give a reason why they need access to a particular street.

- 9.21 I am not therefore persuaded by the argument that enforcement of the existing orders would be sufficient to resolve the current problems of conflict between pedestrians and vehicles particularly in Parsons Street.

Access to Businesses

- 9.22 I consider first the issues relating to the proposed daytime restriction between 10am and 4.30pm. Vehicular access to businesses would clearly be affected by the proposals. This would include servicing of the premises as well as collection by and deliveries to customers. There could also be some loss in passing trade depending on the type of business. To a greater or lesser extent, this was accepted by all parties who attended the inquiry.

- 9.23 The objectors contend that there would be difficulties in arranging deliveries outside the restricted period due to a number of factors. These include major suppliers using multiple 'drop off' scheduling which would be difficult to rearrange [6.1]. There would also be the potential problems caused by concentrating deliveries in a shorter time period [5.3]. It is claimed that these problems would be compounded as some of the suppliers need to deliver to premises in the existing pedestrianised area on the same day and within the same limited time period. Objectors also pointed out that some suppliers use Parsons Street to service the existing pedestrianised area and that this facility would be lost [5.19].

- 9.24 In response, the Council said that the experience in other pedestrianised areas of the town is that delivery firms have been flexible to meet the requirements of their customers [7.18]. I accept that to a large degree this is likely to be the case in the streets affected by these proposals. Nevertheless, it is clear that some businesses would find it more difficult to adapt to the new arrangements, particularly those who also provide a delivery and after sales service from their own premises [6.1]. However, it seems to me that the proposed daytime restriction on traffic together with the planned improvements to the street scene would result in a major uplift in the attractiveness of the area. This is likely to be of significant benefit to most businesses in the affected streets.

- 9.25 It seems sensible to me that the hours of the daytime restriction should be the same as those in the existing scheme. This would not only avoid confusion but would treat all businesses in the pedestrianised central area equitably. I consider these arguments to be more persuasive than the proposition that there should be differing hours to try and accommodate

¹⁴ Waiting is currently restricted in Parsons Street between 8am and 6pm Monday to Saturday

- multiple servicing arrangements in the central area.
- 9.26 Some of the amendments put forward by the Council would assist businesses in servicing their premises. In particular the clarification of what constitutes a 'Licensed Postal Operator' [7.20]. This was welcomed by objectors at the inquiry as these delivery companies would be exempt from the restrictions provided they were carrying 'postal packets'. It remained unclear as to what constitutes a 'postal packet' and this no doubt will be the subject of further research by the parties.
- 9.27 The amendment to provide for two rather than one exemption certificates per private off-street parking space would also assist businesses particularly in the hours outside the restricted times. The proposed deletion of the requirement that the vehicle operator would need to be the same as that on the certificate would also give greater flexibility [7.29].
- 9.28 The loading bay proposed in the Market Place would help those businesses in that area to service their premises on non-market days although I agree that it would not be as straightforward or convenient as the present arrangements. I can understand the disappointment of businesses in Parsons Street that a similar provision was not made for their area [5.18]. I appreciate that the options for this are very limited. However, I think this is a matter on which the Council should undertake further investigations.
- 9.29 The objection from the butcher in Church Lane included concerns regarding fresh meat products which would have to be wheeled in through the pedestrianised areas from Horse Fair [6.1]. It was not possible to clarify these concerns at the inquiry as the objector was not present. However, the Council explained that the existing Order for the High Street granted an exemption to the same butcher to access his premises for food hygiene reasons. It was confirmed by the Council that this provision would continue to operate [7.22].
- 9.30 The objection relating to the dancing school in London Yard raises a number of issues. This is a business as well as the family home. In terms of the implications for the business, the main issue is the effect the restriction would have on parents dropping off young children particularly in the evening [5.10]. I consider the effects of the night time restriction separately at paragraphs 9.37 to 9.44 below.
- 9.31 During weekdays, the dancing school operates between 3.45pm and 9.30pm and therefore the impact of the proposed daytime restriction would be for the short period between 3.45pm and 4.30pm. At the weekend, there would be a greater impact as the school is open both days including the time during the day when Parsons Street would be restricted to traffic [5.10]. It would then be necessary for parents/adults to escort young children from either the nearest available parking area or dropping off point. However, for the majority of the year this would be during daylight hours.
- 9.32 The above journeys would certainly be less convenient than the present arrangement and more costly if car parks have to be used. There would also no doubt be occasions when the car parks would be full. However, I consider that any difficulties for the dancing school as a result of the day time restriction would not be insurmountable. I also accept the point made by the Council that the restriction of traffic and associated environmental improvements would make Parsons Street a pleasanter and safer street in

which to walk [7.12].

- 9.33 Outside the restricted periods, the provisions in the existing draft Order would also, if implemented, prevent the use of Parsons Street for dropping off and collection of children attending the dancing school. The proposed Council amendment to the Order would resolve this problem as it would allow use of Parsons Street at these times if vehicular access or egress was being sought to premises in London Yard [7.28].
- 9.34 I conclude in relation to the proposed day time restriction that there would be inconvenience for some businesses and potentially real problems for a few. On balance, I consider that these disadvantages would be outweighed by the benefits to business and the public in general as a result of the improved environment for shoppers and other pedestrians in the affected streets.

Access to Residential properties

- 9.35 There were two objections concerning access to the same residential property. These again relate to the dancing school in London Yard which, as already noted above, is also the home of Mr MacDonnell's family. It was established during the inquiry that Mr MacDonnell has four parking spaces in London Yard which are used for both business and residential purposes [5.8]. Under the provisions of the existing draft Order, Mr MacDonnell would be given four exemption certificates for access to and egress from his home at all times. The proposed Council amendment would increase this to eight exemption certificates [7.28]. A further proposed amendment would allow one or more of these exemptions to be used by nominated visitors' vehicles [7.28]. This should also largely remove the difficulty associated with Mr Mills's objection [5.2].
- 9.36 Notwithstanding all of the above provisions, the proposed Order would place significant constraints on vehicular access to the home of Mr MacDonnell and his family. These would affect visits from relatives and friends as well as some deliveries. For the reasons set out above I am however persuaded that the changes proposed by the Council to the draft Order are sufficient to tilt the balance in favour of the proposals insofar as they affect access to residential property in the proposed daytime restriction period. The proposed night time restriction is discussed separately below.

Proposed Night Time Restriction

- 9.37 The draft Order would, if made, prohibit traffic from using part of the Market Place, Cornhill and Parsons Street between 8pm and 1am. This is arguably the most controversial aspect of the proposals based on the views of those objectors who attended the inquiry and gave evidence.
- 9.38 I also have concerns about this element of the scheme. As pointed out by Mr MacDonnell it would, together with the proposed daytime restriction, constrain access to his home and business for a substantial proportion of the day notwithstanding the exemptions already discussed above [5.13]. I consider this issue to be of no less importance because it has been raised only in relation to Mr MacDonnell's property.
- 9.39 It is difficult to assess how many other residential properties would be similarly affected. The Council informed the inquiry that there were 38 such properties in the affected streets [3.26]. A number of these on the north side of Parsons Street would have access to their properties from Bolton Road and

some on the south side and on Church Lane would appear to have access from Butchers Row. These properties would be largely unaffected by the proposals. The Council was unable to indicate how many of the remaining properties had private off-street parking spaces which would need access from Parsons Street.

- 9.40 Some of the residential properties referred to above will not have any off-street parking spaces. In these cases, the residents would not be allowed into the affected streets at all during the restricted period. Outside the restricted period they would also not be allowed in unless they were loading/unloading their vehicle or in other very limited circumstances. Currently, waiting in Parsons Street is prohibited between the hours of 8am to 6pm Monday to Saturday. This allows residents and others for that matter, to park outside these hours on-street i.e. overnight and on Sundays.
- 9.41 I am concerned that the Council might not have considered the implications for any residents in the situation described above. It may not be a great issue in that there could be very few, if any, residents who would be in this position. I consider it would be prudent however for the Council to undertake further investigations to determine the extent of the potential problem and if necessary provision could be made in the Order for limited further exemptions where appropriate.
- 9.42 The impact the night time restriction would have on parents with children attending the long established dancing school is also a major concern. I sympathise with the points made by both Mr Mills and Mr MacDonnell in this respect [5.5 & 5.10].
- 9.43 In my view the proposed night time restriction should not be pursued by the Council at this time. I am aware that the majority view in the 2007 consultation was in favour of it and that it is supported by the Chamber of Commerce and one of the restaurants in Parsons Street [3.10, 4.1 & 4.6]. I have also taken into account the Council's objective of promoting a safe and vibrant evening economy in Parsons Street [7.25]. However, it seems to me that a staged approach should be considered towards meeting this objective for the reasons set out below.
- (i) The impact of the night time restriction on access to residential property and children attending the dancing school requires further consideration.
 - (ii) The draft Order contains other prohibitions on traffic entering Parsons Street outside the restricted periods [1.4]. Even without the night time restriction, these would be likely to reduce substantially the number of vehicles in the evening and hence any conflict with pedestrians at that time. Together with the proposed environmental improvements, it may in practice be found that the Council's objective for Parsons Street can be met without introducing a night time restriction of the kind put forward.
 - (iii) There would be equity issues if Parsons Street alone had a night time restriction. The current proposal would allow vehicles servicing the existing pedestrianised area and disabled persons' vehicles in that area in the evening to egress via Parsons Street. At the same time, such vehicles wishing to access premises in Parsons Street would be prohibited. This could be a recipe for confusion and claims of unfair

treatment. The impact of such a proposal should in my view be considered across the central area as a whole.

9.44 For the above reasons I conclude that it would not be appropriate for the Council to proceed with the proposed night time restriction for Parsons Street at this time. I suggest that the position on this aspect of the draft Order be reconsidered by the Council following the further investigations referred to above with respect to residential parking, access to the dancing school and equity issues across the central area. For the reasons given in paragraph 9.43 (ii) above, it would also be prudent, following the introduction of the other proposals in the draft Order, for the Council to review whether such a night time restriction of the type proposed is necessary at all in the future.

Access for the disabled

9.45 Currently, a significant number of disabled drivers park on street in the Market Place and in Parsons Street for up to a maximum of three hours. Based on the evidence submitted by the Council and my own more limited observations on site I recognise that the numbers involved cause congestion problems at times [3.20].

9.46 The proposed restrictions would substantially reduce on-street parking facilities for disabled drivers. However, 'Blue Badge' holders would still be able to park in Parsons Street and on Market Place west of Nos.11/12 outside the restricted period. There would also be additional on-street bays for these users in a lay-by in Bridge Street and provision in the Market Place and North Bar car parks [7.14]. I recognise that the one hour limit in these bays is not regarded as sufficient by some objectors and I have sympathy for this view [6.1]. However, the Council argue that it is consistent with the current limit in car parks in the area [7.14]. It would also have the advantage of ensuring a greater turnover of spaces in the proposed bays which would be desirable given the proposed reduction in on-street parking for disabled drivers.

9.47 I acknowledge that customers who are disabled would not have the same degree of convenient and direct access to the businesses in the affected streets. Whilst the 'Shopmobility' scheme available in Castle Quay might be the answer for some it is clearly not suitable for all [7.15]. Regrettably, I do not think it would be practical for the existing parking facility for disabled drivers on the south west side of the Market Place to be retained as suggested by objectors [6.1]. This is because it would be located beyond the proposed turning facility for those vehicles entering Bridge Street/Market Place which would be unable to proceed down Parsons Street due to the proposed restriction.

9.48 In conclusion on this issue, I accept that there is simply not sufficient space in these streets to accommodate the demand for parking by 'Blue Badge' holders, meet the requirements of essential servicing vehicles and at the same time create an attractive and safe environment for shoppers and other pedestrians. In my opinion, the proposals would provide an appropriate balance in seeking to meet these conflicting needs including provision for disabled drivers.

Other Matters

Market Place Car Park

9.49 With respect to concerns raised about vehicles being unable to use the Market

Place turning facility, the Council has proposed amendments which should satisfactorily address this issue [8.4 & 8.6]. I note also that the Council will consider amending the existing 1.5 tonne weight restriction on the Market Place car park so as to avoid any ambiguity with the design of the turning facility which provides for vehicles up to 7.5 tonnes [7.8].

- 9.50 Concern was expressed by objectors regarding traders' vehicles which currently enter the Market Place before 4.30pm on market days to load up their vehicles. It seems that they are allowed to do this in accordance with the market licence arrangements after 3.45pm. The Council has accepted that this would need to be reviewed [5.21 & 7.23]. However, the Council should carefully consider the implications of any changes to avoid the situation whereby all the traders are loading their vehicles at a similar time. This could result in the obstruction of the route through to Parsons Street at the time when the proposed traffic restriction is ending. It is also important that the design of the new layout for the market area/car park provides for stalls to be set up and taken down with minimal interruption to the free flow of traffic on the adjacent public highway.

Enforcement

- 9.51 Effective enforcement of the proposed restrictions would be essential for a successful scheme. I understand therefore the concern expressed by an objector with respect to three parties being involved in enforcement [5.22]. The design of the paving scheme would therefore be very important in deterring unauthorised vehicles.
- 9.52 Introduction of CCTV and a licence plate recognition system could be considered if there was a significant abuse. However, I suspect that the number and variety of exempt vehicles would make this difficult in practice. The proposed introduction of the rising bollard at the entrance to Bridge Street/ Market Place on market days would need careful thought to avoid delays to exempted vehicles not all of which would have exemption certificates.
- 9.53 Overall, I recognise that the nature of the proposed restrictions is such that they should be more effective than is the case with the current 'access only' order [5.22].

Scheme Design

- 9.54 The design of the scheme in terms of hard paving and landscaping is not a matter which directly affects the Order before me. However, as noted above, it could play an important part in securing effective enforcement of the Order and hence the success of the overall scheme. Objectors are understandably concerned that accesses to premises are not obstructed in any way. The Council gave assurances with respect to this issue in terms of the necessary permissions which would be needed [5.15 & 7.9]. It would be highly desirable in my view for the Council to carry out further consultation on the design of the scheme, particularly with frontagers, in order that any such issues can be addressed at an early stage.

Disruption during construction

- 9.55 Objectors were concerned about disruption and loss of business during scheme implementation [5.26 & 6.1]. The Council reassured objectors at the inquiry that it would consult each and every business affected during the

planning of these works to ensure as little disruption as possible [7.27]. This is now therefore a matter of public record.

Modifications

9.56 I endorse the Council's proposed modifications to the Order as follows:

Amendment and addition to Article 3 relating to exemption for Licensed Postal Operators (paras. 8.2 and 8.3).

Deletion in Articles 9(e) and 11(g) which would give greater flexibility in the event the Market Place turning facility could not be used (paras. 8.4 and 8.6)

Addition to Article 11(d) to allow vehicular access to or egress from premises in London Yard outside the restricted period (para.8.5).

Deletion of paragraph 7(a) of Schedule 4 and 9(a) of Schedule 5 which would have required the driver of an exempt vehicle to be the same as the vehicle operator specified on the certificate (paras. 8.8 and 8.10).

9.57 I also endorse the Council's proposed modifications to paragraph 2 of Schedule 4 to allow exemption certificates for nominated visitors (para. 8.7). However, the wording proposed by the Council in the final sentence of this same amendment is ambiguous as it refers to the maximum number of certificates per private "off-street parking area". I propose that this final sentence should be amended to refer to "off-street parking space" as follows:

"The maximum number of certificates of exemption that may be issued for any such property will be two certificates per private off-street parking space used by the resident".

9.58 I propose a similar amendment to clarify the Council's proposed modification to paragraph 2 of Schedule 5 with respect to the maximum number of exemption certificates for business parking (para. 8.9). This should be amended as follows:

"The maximum number of certificates of exemption that may be issued for any such property will be two certificates per private off-street parking space used by the business".

9.59 For the reasons given in paragraphs 9.37 to 9.44 above, I recommend that appropriate modifications be made to the draft Order to delete the proposed 8pm to 1am restriction to traffic in part of Market Place, Cornhill and Parsons Street. It is a matter for the Council to consider whether this would be a material change to the Order requiring it to be re-advertised. As it would represent a reduction in the traffic restrictions proposed then this may not be necessary. My recommendations below assume this to be the case.

9.60 If the Council decide to proceed on the basis of my recommendations it would not be necessary to seek the consent of the Secretary of State as the proposed Order would no longer restrict vehicular access to premises for more than eight hours in a 24 hour period [1.6].

Summary of Conclusions

9.61 Subject to the proposed modifications, the scheme would, in my judgement, significantly improve the attractiveness of the Market Place and Parsons Street area of the town. It would become a safer and more pleasant area for shoppers and other pedestrians. Whilst there would be inconvenience and real problems for some businesses and residents, these disadvantages would

in my opinion be outweighed by the overall benefits of the scheme. I see no reason why the modified Order should not be made and conclude accordingly.

9.62 I have had regard to all other matters raised, whether at the inquiry or in written submissions, but they do not alter the conclusions I have reached.

10.0 RECOMMENDATIONS

10.1 I draw the attention of the Council to the suggestions I have made at paragraphs 9.28, 9.41, 9.44, 9.50 and 9.54.

10.2 I recommend that The Cherwell District Council (Banbury Town Centre) (Bridge Street, Market Place, Cornhill and Parsons Street) (Pedestrian Streets and Traffic Regulation) Order 200* be modified as proposed in paragraphs 9.56 to 9.59 above.

10.3 I recommend that the Order, so modified, be made.

Christopher Millns

INSPECTOR

APPENDIX B**DOCUMENTS**

DOCUMENT NUMBER	DESCRIPTION
1	Agency Agreement with Oxfordshire County Council
2	Notice of Proposals published 26 June 2008
3	Letter hand delivered to potentially affected premises, with plan showing extent of delivery
4	Proposed Order
5	Map showing the location and effect of the proposed Order
6	Statement of Reasons
7	Orders to be partially revoked
8	Objections/Representations received by the Council
9	Minutes of a meeting of the Council's Executive held on 4 August 2008, together with the officers' report
10	Notice of Public Inquiry, published on 23 October 2008
11	Proof of Evidence of Anthony Brummell MSc CEng MICE MCIWEM MIHT
12	Proof of Evidence of David Hanger BEng CEng MICE
13	Proof of Evidence of David Marriott MRICS
14	Proof of Evidence of Simon Smith FCCA
15	Letter from H A D Gibbs 219 Chatsworth Drive Banbury 17 November 2008
16	Letter from Miss K M Smith 46 Bloxham Road Banbury 19 November 2008
17	Representations from Buzzards 16 Parsons Street Banbury received 24 November 2008
18	Letter from Mr G Mills 120 Oxford Road Banbury 27 November 2008
19	Inspector's note regarding Inquiry Procedure

20	Cherwell District Council (Various Roads, Banbury) (Traffic Regulation) Order 1980
21	Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996
22	Inspector's list of questions for CDC Witnesses
23	UK Parliament Acts- Interpretation - "postal packet"
24	UK Parliament Acts - "universal service provider"
25	Non Statutory Cherwell Local Plan Policy TR 24, para 6.65
26	Statement from Mr Mills
27	Statement from Mr Wolstencroft
28	Cherwell District Council Parking certificates of exemption Nos. 1, 2, 3 4
29	Statement from Mr MacDonnell
30	Cherwell District Council response to the written statement of Mr Buzzard
31	Postcomm list of Licensed Postal Operators
32	Market Place layout draft proposals map
33	Cherwell District Council Closing submissions

Agenda Item 14

Executive

Food Waste Recycling

2 March 2009

Report of Head of Environmental Services

PURPOSE OF REPORT

To seek approval to launch the rollout of food waste recycling across the district from October 2009

This report is public

Recommendations

The Executive is recommended:

- (1) To note the proposed timescales for the plans in launching a Food Waste recycling scheme using the existing brown bin
- (2) To authorise the launch of food recycling across the district from October 2009 subject to a satisfactory analysis of the financial and environmental impacts of the interim arrangements.

Executive Summary

Introduction

- 1.1 The Executive in October 2008 authorised the preparation of detailed plans for the launch of food waste recycling during 2009/10.
- 1.2 A draft rollout plan taking into account the likely availability of local facilities, operational issues and financial issues has been developed. It involves the launch of a food waste recycling service from early October starting in parts of Bicester, Kidlington and surrounding villages.
- 1.3 In late January 2009 Oxfordshire County Council signed a 15 year contract with Agrivert to provide food waste processing facilities for all Oxfordshire councils. The facility to be used by Cherwell is an In-vessel Composting (IVC) plant at Agrivert's current composting site at Ardley. This site is currently used for all garden waste collected in the south of the district. Consequently no increased travel will occur from food waste collections in the south of the district. For the north of the district the Ardley site does not significantly increase the distances travelled from the current garden waste sites at Helmdon & Swerford.

- 1.4 The new in-vessel composting plant should be ready by late 2009. In the event of the plant not being ready for October 2009 Oxfordshire County Council are offering interim arrangements. There are some concerns about both the feasibility and the possible length of time interim arrangements may be needed and also the location of a transfer station in Cassington. It is therefore proposed that once timescales for the Ardley IVC are established, that the feasibility and full environmental implications of the interim arrangements are reviewed.
- 1.5 For the new scheme to be a success, a total revenue & capital investment of £240,000 is required. Half of this investment has been sourced from the Oxfordshire Waste Partnership (OWP). A bid being made by the OWP to the Public Services Board for food waste recycling across Oxfordshire may attract even more funding.
- 1.6 The new scheme will give all households a kitchen caddy with a roll of liners along with comprehensive information on food waste recycling. This should deliver a recycling rate above 55% in 2010/11 and also divert more 3,000 tonnes from landfill.

Proposals

- 1.7 To rollout a food waste recycling collection service from October 2009 – March 2010.

Conclusion

- 1.8 The rollout of food waste recycling collections from October 2009 will raise the recycling rate to beyond 51% in 2009/10 & more than 55% in 2010/11.

Background Information

- 2.1 The Council has been successfully operating an alternate week collection scheme since 2003/04. This scheme has seen the amount of waste being recycled rise from 10% in 2002/03 to an estimated 49.5% in 2008/09. In addition the amount of waste going to landfill has fallen from 54,000 tonnes to an estimated 29,500 tonnes in 2008/09.
- 2.2 The recycling scheme has been embraced by the public. However the one area of concern that remains is food waste going two weeks between collections. This concern has led to a recent small fall in customer satisfaction with recycling services. Also it has meant that customer satisfaction with refuse collection is below the very high levels prior to the launch of alternate week collections.
- 2.3 Food waste makes up an estimated 12,000 tonnes of the 29,500 tonnes in the green bins. Hence recycling food waste can make a big contribution to boosting the recycling rate and reducing further landfill tonnages. Consequently, adding food waste to the range of materials which can be recycled at the kerbside has been an aim for sometime. A pilot Food Waste Collection service was expected to be launched in 2008/09. However the lack of any local food waste processing facilities has meant this pilot has not taken place.

- 2.4 Oxfordshire County Council was requested in Autumn 2007 by OWP partners to provide food waste processing facilities by April 2009. Unfortunately the procurement process has had a number of delays and Oxfordshire County Council only signed the contract with the successful company, Agrivert in late January 2009
- 2.5 The new food waste processing contract provides food waste processing facilities for all OWP partners. These facilities include an In-vessel Composting plant at Ardley and an Anaerobic Digestion plant at Cassington. The In-vessel Composting plant is for the use of Cherwell and possibly Oxford City. The other districts are likely to collect food waste separately and deliver to the anaerobic digestion facility at Cassington.
- 2.6 The new contract will operate from 1 November 2009 although the County Council has given some assurances about offering interim arrangements prior to this date. The full details of these arrangements have yet to be disclosed but at best may involve using Cassington as a transfer station.
- 2.7 This has implications for the rollout of food waste recycling since Cassington is a long distance for waste collected in the North of the district. Consequently the period for any interim arrangements need to be short to minimise additional service cost and the environmental impact of onward transfer elsewhere. This latter point was a key issue which has caused the deletion of the pilot service. However, commencing rollout in the South of the district would minimise transport costs and would be at a time when green waste tonnages are at their lowest.
- 2.8 There are a number of reasons for launching in October which include:
- The peak season of garden waste is starting to reduce, ensuring householders have sufficient space to add food waste
 - Minimises the financial effects in 2009/10 from moving from collecting garden waste separately to collecting co-mingled with food
 - Two months to rollout collections to about half the district before Christmas impacts on collections and two months after for the rest of the district before garden waste tonnages rise in April.
 - Existing garden waste contracts finish at the end of September 2009

However, slippage from this date in October has a number of implications including, financial and operational issues.

- 2.9 To launch food waste recycling successfully requires approximately £240,000 in revenue & capital. These funds are to provide each household with a kitchen caddy, an initial roll of liners for each household, publicity material, promotion and other launch costs. For food waste recycling to be a success as much food waste as possible needs to be removed from the green bin. This will only be achieved by a well planned and executed launch.
- 2.10 Two bids have currently been made to minimise launch costs to Cherwell. The Oxfordshire Waste Partnership (OWP) have developed a bid for approximately £1m from the PSB to launch food waste recycling across the County. The element for Cherwell is around £200,000. In addition to this bid, an application has successfully been made to the OWP New Initiative Fund

for £120,000. This second bid has been approved in the event of the first bid not being successful. The result is that Cherwell can be certain that a minimum of £120,000 external funding will help fund the launch

- 2.11 The new scheme will involve the collection of food waste co-mingled with garden waste. No additional bins will be needed but all households will receive a kitchen caddy and a role of liners to encourage taking part in the scheme. This caddy will capture food waste in the kitchen and then will be emptied into the existing brown bin.
- 2.12 Provision of a caddy and a free role of liners are seen as important to encourage participation in the scheme. Liners do not need to be used as food waste can be added and left loose or wrapped in newspaper. However, the use of biodegradable corn starch liners does make food recycling very easy. To provide all households with free liners is likely to cost up to £180,000 per year. Consequently, it is not intended to supply future liners free. However making liners freely available at a low cost is important to encourage maximum participation by making the recycling of food waste as clean as possible.
- 2.13 The initial aim is to capture a minimum 3,000 tonnes of food waste in 2010/11. The diversion in food waste is expected to increase to around 5,000 tonnes by 2011/12. 3,000 tonnes recycled will add 5% to the recycling rate and a recycling rate of 55% is expected to be exceeded in 2010/11. 55% is the Oxfordshire Waste Partnership Waste Strategy target for 2020.
- 2.14 Operational staff have been to visit a range of councils which currently collect food waste co-mingled with garden waste. These councils include
- Lichfield District Council
 - South Hams District Council
 - Huntingdonshire District Council
 - Wycombe District Council
- 2.15 At outline rollout plan for food waste recycling has been developed based upon the need to deliver the food waste/garden waste mixture to Cassington. The scheme starts in some areas of Bicester, Kidlington and some of the villages around these two urban centres. Each new area comes on line in two to four week gaps. By Christmas 2009, half the district should be on the scheme with the other half coming onto the scheme during February & March 2010. By April 2010 all properties with the exception of some blocks of flats will be on the scheme. This of course is assuming facilities are available from the beginning of October.
- 2.16 Large blocks of flats will present a particular difficult challenge and consequently the implementation to large blocks of flats will be delayed until 2010/11. The detailed rollout plan and the policies associated with the food waste recycling scheme are expected to be completed by June 2009.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Residents concern about food waste is the main barrier to increasing customer satisfaction on the refuse collection service. Launching food waste

will address this concern as well as substantially increasing the recycling rate and reducing the amount of waste going to landfill.

- 3.2 Launching a food waste service does require some one off expenditure. It will also increase waste and recycling costs from 2010/11 due to the loss of a £20/tonne benefit on composting garden waste. However, this increase is substantially reduced due to payments made for out performing landfill targets. These payments could reduce the increase to around £100k/year from 2010/11.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** To start rolling out across the district of food waste recycling collections from October 2009.
- Option Two** To roll out food waste recycling collections over a longer timescale

Consultations

- Oxfordshire Waste Partnership** The proposed plans have been discussed with the OWP Co-ordinator and other OWP partner councils

Implications

- Financial:** The revenue implications in relation to collecting food waste within 2009/10 will be met through funding received from the Oxfordshire Waste Partnership. The capital implications are incorporated within the existing approved Capital programme

Comments checked by Karen Muir 01295 221545

- Legal:** Agreement to the financial arrangements with the Oxfordshire Waste Partnership was approved by the Executive in October 2007. The County Council is seeking an agreement with each district to provide minimum tonnages of food waste. Even though it is not intended that this is legally binding nor commits to any of the County Council's liability, this does take us forward to meeting the commitment which the County is looking for and needs.

Comments checked by Liz Howlett 01295 221686

- Risk Management:** The introduction of a new recycling service does introduce risks regarding the successful implementation. However a project team and a well resourced plan minimises the risks in implementation.

Comments checked by Rosemary Watts 01295 221566

Wards Affected

All

Corporate Plan Themes

Cleaner Greener Cherwell

Executive Portfolio

Councillor George Reynolds
Portfolio Holder for Community, Health & Environment

Document Information

Appendix No	Title
Background Papers	
None	
Report Author	Ed Potter, Head of Environmental Services
Contact Information	01295 221902 ed.potter@cherwell-dc.gov.uk

Agenda Item 15

Executive

Performance Management Framework 2008/2009 – 3rd Quarter Progress Report

2 March 2009

Report of the Chief Executive and Head of Improvement

PURPOSE OF REPORT

To report the Council's performance against the Performance Management Framework for the period October – December 2008.

This report is public

Recommendations

The Executive is recommended:

- 1) To note the progress made on delivering against the Corporate Scorecard and the other performance frameworks appended to this report.
- 2) To note the responses to the issues raised in the 2nd quarter report and to seek further information in the next quarterly Performance Management Framework report if required.
- 3) To agree that in the next quarterly report there will be an update on the impact of the economic downturn on:
 - a) The Council's ability to deliver the 2008/09 corporate targets of 400 new homes and the creation of 200 gross new jobs and the impact on our targets in these areas for 2009/10.
 - b) The income received through building control, planning applications and land charges during 2008/09, the projections for 2009/10 and the proposals for responding to a sustained drop in income as embodied in the 2009/10 budget.
 - c) The progress of key development projects such as Banbury Canalside, Bicester Town Centre and South West Bicester.
- 4) To agree that in the next quarterly report there will be an update on the following:

- a) The target for reducing acquisitive crime by 5% is unlikely to be met and current projections suggest a 2% reduction will be achieved.
- b) The amount of waste sent to landfill. This is expected to be reduced by a minimum of 1400 tonnes but with the real possibility of further improvement to achieve the annual target of 1500 tonnes.
- c) The worsening performance on fly tipping and prosecutions.
- d) The time taken to process minor and other planning applications. These met 59% and 71% of the respective performance targets and are rated Red and there has been a slight deterioration in the performance of both since the last quarter.
- e) The delay in introducing the Food Waste Recycling Service. It is now likely to be Autumn 2009 before the delayed local food waste processing facility is built by the County Council.
- f) The increase in the number of days lost through sickness from 3.58 per full time employee a year to 6.31.

Executive Summary

Introduction

- 1.1 This is a report of the Council's performance as measured by the Corporate Scorecard for the period October - December 2008. The Corporate Scorecard is made up of the Council's priority performance targets and covers seven areas of performance. These are performance against the Community Plan, the Corporate Plan promises, National Indicators, Best Value Performance Indicators, finance targets, human resource targets, and customer satisfaction targets. We also report the latest results of inspections of the Council for information. More detailed supporting information is attached showing the performance on delivering all the Corporate Plan, the performance against each of the National Indicators and Best Value Performance Indicators, and the delivery of the Corporate Improvement Plan, the strategic service projects and the revenue growth bids agreed for 2008/09.
- 1.3 It should be noted that although this is primarily a report of corporate performance the Performance Management Framework also includes monitoring at service level against service plans. The majority of performance issues are dealt with at service and directorate level. However significant service successes and issues are reported upwards and where appropriate included in the successes and exceptions reported in appendix two.

Proposals

- 1.5 We ask the Executive to note the significant progress made in delivering our objectives. In particular:
 - Under the national Use of Resources inspection regime we have improved our score (the scale is one to four) for Financial Reporting from two to three and for Value for Money from two to three. At the same time the Audit Commission recognised our combined annual report of finance and performance as an example of notable practice.

- The Audit Commission has released the national comparative figures for performance against Best Value Performance indicators for 2007/08. This shows we achieved 74% of BVPIs in the top half of performance nationally compared with 68% in 2006/07.
- The Council is making effective use of the Disabilities Facilities Grant to provide housing for vulnerable people and 140 completions are projected for the year.
- In the last quarter the number of families living in temporary accommodation, 92, fell to under 100 for the first time. This has now been reduced to 77 families.
- The investment in additional waste bins will be complete with the installation of the final batch in January. Also the new street cleansing vehicles arrived in November and these make emptying bins easier.
- The Street Cleansing Service is now operating to additional hours in urban areas.
- The improved performance on processing major planning applications. In this quarter the service met its target of processing 85% of applications within the Government target of 13 weeks.
- The Council is now on track to meet its target of reducing CO2 emissions by 4% from the 2006/07 baseline.
- An 'on-street' survey shows 89.6% public satisfaction with green spaces and public areas against the target of 71% set at the start of the year.
- The new one stop shop was opened in Banbury to schedule in October.
- The refurbishment of Bodicote House is proceeding to plan and budget. We are exploring options to increase income by letting Old Bodicote House and the Town Centre Offices in Banbury.
- Since the last quarter overall satisfaction with customer service when contacting the Council has increased from 90% to 95%. This includes 100% satisfaction with telephone contact and 92% for face to face contact.
- With our partners we agreed a new three-year Community Safety Strategy agreed.
- The effective management of our revenue and capital budgets and the saving of £170,000 to date this financial year through improved procurement.

1.6 There are a number of issues identified in these reports that are recommended for priority action or further monitoring of performance. These are:

- The ongoing impact of the economic recession on our ability to meet targets for the provision of new homes and jobs and the reduced income for Building Control, Development Control, and Land Charges.
- The target for reducing acquisitive crime by 5% is unlikely to be met and current projections suggest a 2% reduction will be achieved. (The Scrutiny Performance Management Working Group are proposing Overview and Scrutiny consider this issue in more detail).
- The worsening performance on fly tipping and prosecutions.
- The amount of waste sent to landfill. This is expected to be reduced by a minimum of 1400 tonnes but with the real possibility of further improvement to achieve the annual target of 1500 tonnes.
- The delay in introducing the Food Waste Recycling Service. It is likely to be autumn 2009 before the delayed local food waste processing facility is built by the County Council.

- The time taken to process new benefits claims and changes in circumstances (see progress report in section 2.1).
- The processing of minor and other planning applications are still rated red, meeting 59% and 71% of the respective performance targets, and there has been a slight deterioration in the performance of both since the last quarter.
- There has been an increase in the number of days lost through staff sickness from 3.58 to 6.31 (though seasonal illnesses will have made a significant contribution to this increase).

1.7 The Performance Scrutiny Working Group reviewed the Quarter Two Performance Report and proposed to the Resources and Performance Scrutiny Board on the 17 February that the following issues should be considered in more detail:

- The increase in acquisitive crime.
- The processing of minor and other planning applications.
- The amount of waste sent to landfill.
- The progress on delivering the Equalities Action Plan.
- The delivery of the food waste processing project.
- Fly tipping and enforcement.
- The progress on delivering service standards for front line services.

The Resources and Performance Scrutiny Board agreed to monitor the future performance of the first six items and to nominate a group of councillors to support officers developing the service standards.

Conclusion

1.8 This report shows the Council is continuing to deliver against the majority of its priorities and has in fact improved overall performance since the last quarterly report. The report identifies a number of areas where performance is not at the level required. Where there is significant and is likely to continue into the future then this is reflected in the recommendations of the report.

Background Information

2.1 Issues Raised in 2nd Quarter Performance Report

Executive 17 November 2008 agreed that further information be provided on a number of issues as set out below:

1. The impact of the economic down-turn on delivering:

a. The 2008/09 corporate targets of 400 new homes, including a minimum of 100 units of social housing, and the creation of 200 new jobs.

New Homes. The ability to deliver 400 new homes during 2008/09 has been affected by the slowdown in the housing market and the consequent reluctance of house builders to continue building. This trend is being seen across the country as a direct consequence of the credit crunch. Within Cherwell it should be noted that in the nine months to December 2008, a total of 320 completions had been recorded. This figure includes 48 completions which have been identified as a result of the recent comprehensive monitoring checks undertaken to produce the Council's statutory Local

Development Framework Annual Monitoring Report (AMR). The survey covered very small sites which have not recently been visited. It is therefore possible that the target of 400 will be achieved by the end of the year. This issue was considered in detail by Executive on 1 December 2008. The impact of current economic conditions on housing delivery will become more pronounced in coming months and needs to be carefully monitored. Comprehensive monitoring information will not be available again until the next full survey for the AMR (it is not cost effective to undertake this major survey frequently). However it will be possible to update on trends by checking progress with major sites. These sites contribute the majority of completions.

Within the 320 completions are 57 units of affordable housing. This is out of a total of 64 new affordable houses provided in the year to date, the remainder of which have been provided by other means (primarily acquisitions of existing private sector housing for social rented use under the council's initiative with registered social landlords. A number of other new affordable housing schemes are due to be completed in the period up to March and it is expected that the target of 100 new affordable homes will be achieved this year. Executive on 12th January considered a detailed report on the delivery of affordable housing in the current economic climate and members are directed to this report for more information on this matter. Currently the Overview and Scrutiny Committee is considering how to bring forward the supply of affordable housing in rural areas.

New Jobs. 652 new jobs are believed to have been created in the district in the year to 31 December 2008. These are spread across many companies, and are mostly as a result of new businesses or relocations, with relatively few due to expansion. There are no major new employers. 672 jobs are believed to have been lost, again through numerous small closures or contractions. There were no major individual losses or closures in the period. The situation is likely to worsen next quarter with closures such as Woolworths, and others outside the district which may have a knock-on effect, such as Aston Martin.

b. The income received through building control, planning applications and land charges and the budget implications of rising costs (fuel for example).

Building Control. For the first three quarters of 2008/09 the cumulative and actual Building Control income has been as follows:

Period	Budget	Actual	± % over budget
April to June 08	104,678	122,971	+17.4%
April to Sept 08	205,708	242,246	+17.8%
April to Dec 08	337,008	315,335	-6.4%

The downturn in the economy and in the building industry in particular, has clearly had an affect over the past few months. The market is very volatile and the best projection at present is that the outturn will be some £45,000 (or 9%) below budget. This includes the revised fees and charges that were

introduced from 1 November 2008. It should however be noted that the budget is managed on a business basis and to date it has been possible to reduce costs to match reduced income. Budget issues for 2009/10 have been taken into account in the current budget recommendations.

Planning Applications. As at 31 December 2008 the planning fee income was 21% below budgeted levels with an expected shortfall over the year of £277,000. Comparing year on year March to December (2007/08 & 2008/09) actual fee income is up 2% from £571,000 to £586,000. However this comparison is needs to be seen in the context of budget expectations of higher levels of income arising from a significant national fee increase in the year. It is unlikely, based on discussions with developers, that the situation will improve greatly in the final quarter with no significant planning applications expected. Budget issues for 2009/10 have been taken into account in current budget recommendations.

Land Charges. The income projected in the budget for 2008/09 was £317,000. Given the impact of the economic downturn this was revised down to £160,000 in September 2008. There has been a significant increase in the use of personal searches which has impacted on income because cost recovery is not permitted. Searches generally have declined in line with the property market. This includes personal searches which have declined sharply more recently. The cumulative income at 31st December 2008 was £125,000. With income remaining at about £11,000 to £12,000 a month the income target set in September should be achieved.

Fuel Costs. The current estimate for the year-end overspend on fuel is £40,000. The unit price of fuel has fallen to 80p/litre against a budget price of 85p a litre. The overspend on fuel may reduce further if oil prices fall below \$40 a barrel. However conflict in the Middle East has caused oil to rise back towards \$50 a barrel and this will obviously impact on retail prices.

c. The progress of key development projects such as Banbury Canalside, Bicester Town Centre, and South West Bicester.

Banbury Canalside. The site allocation has been included as one of the reasonable alternatives in the Local Development Framework. The next stage is to produce detailed planning guidance. The preparation of this is in hand and will continue for some months. Whilst dialogue with the principal landowners continues there is little that can be done prior to the confirmation of the flood alleviation scheme.

Bicester Town Centre. The Executive 12 January received an update report. This showed very encouraging progress is being made on the delivery of the scheme, despite the difficult economic conditions. Sainsbury have agreed to acquire the town centre retail development from Stockdale and the Council agreed to allow Sainsbury exclusivity on the scheme until December 2009.

South-West Bicester. Planning permission has been in place for some time. Discussions on detailed implementation are underway, but indications are that economic conditions will prevent an early start on the development. This is the site, approximately 1500 dwellings, that has the most significant impact on housing delivery over the next few years.

2. An update on:

a. The time taken to process minor and other planning applications.

The reasons for the fall off in performance in this area of work were explained in some detail in the 17 November PMF Executive report. Those reasons are still the cause of current performance. The recent decline in workload is a factor that assists, but decisions have been made to freeze vacant posts to reduce costs and this clearly cancels out that gain. There is also a continuing exceptional workload related to the RAF Upper Heyford case (completion of the Inquiry has been significantly delayed). Progress is being made to improve speed of processing, but recovery cannot be achieved quickly as the Council has to work within resource constraints. Nevertheless the backlog of minor/other planning applications has now largely been cleared. This in effect suppressed improved performance in the October - December quarter (455 applications cleared in total). We have reduced the applications currently in hand by over 25%. This will allow performance to improve in the final quarter of 2008/9. It should be noted that the Performance Scrutiny Working Group is proposing this performance be subject to review through the scrutiny process.

b. Increasing the visitor numbers to Banbury Museum.

Banbury Museum is the third most visited museum in the South East outside London (Source: Contribution of Museums, Libraries and Archives to the Visitor Economy, MLA July 2008).

The One Stop Shop installation within the Museum Shop and Tourist Information Centre, that took place in September and October, adversely affected the visitor figures for a two month period. Firstly the automatic counter was damaged during September and substantially under-recorded the number of visitors. Secondly, the unsightly and noisy works deterred visitors from entering the Museum.

New figures from November and December have been very encouraging, the museum receiving over 43,394 visitors over this two month period. These figures do not include One Stop Shop users and exceed the same period in 2006/07 by 1,367.

c. Addressing the 2.1% rise in crime overall and not meeting the target for reducing acquisitive crime and the timetable for producing the Anti-Social Behaviour Strategy.

Whilst performance has improved in the third quarter, the Police do not expect to achieve the year-end target for reducing serious acquisitive crime by 5%. This issue has been referred to the Overview and Scrutiny Committee and the chairman is considering asking a Task & Finish Panel to review this on completion of their work around antisocial behaviour. The timetable and process for producing an Antisocial Behaviour Strategy will also be influenced by the findings of the Task & Finish Panel together with the planned value for money review of Community Safety and Anti-Social Behaviour.

d. Improving the average time to process new benefits claims.

We are currently in negotiations with an outsourcing company to provide extra resources to deal with the increasing number of claims for benefits. We hope

to have that resource in place in the next couple of weeks. The service has also employed additional temporary staff to help with the extra work in the short term. They will stay until the new contract is up and running.

e. Reducing the amount of waste going to landfill.

The current estimate is that landfill tonnages will be around 29,500 tonnes for 2008/09. This is around 1600 tonnes less than 2007/08. An apparent effect of the recession is reducing, by a small amount, the tonnage in the green bins.

f. The progress on delivering Nightsafe Bicester.

Nightsafe Bicester was formally launched on 10 December 2008. A "Spikies" campaign was run in the three urban centres, including Bicester, to raise awareness amongst the licensed trade and general public about the risks of spiking drinks. Spikies are plastic toppers that fit into the necks of bottles to prevent anything being dropped into them. Feedback from local licensees was very positive.

g. The financial impact of the Government's free swimming programme for over 60s and under 16s.

Following further information received regarding the Government's free swimming initiative the Executive decided not to participate as the costs to the Council would be substantial and unaffordable.

2.2 Overview of Performance

The performance against the Corporate Scorecard is shown in appendix one.

The successes, exceptions and issues reported by officers, including those from individual service plans, are shown in appendix two.

The performance against all the targets in the Corporate Plan is shown in appendix three.

The performance of each of the National Indicators is shown in appendix four.

The performance of each of the retained Best Value Performance Indicators is shown in appendix five.

In addition to the Corporate Scorecard we also monitor our performance in delivering key corporate and service developments.

The progress made on delivering the Corporate Improvement Plan is shown in appendix six.

The progress made on delivering the Strategic Service Projects is shown in appendix seven.

The progress made on delivering the proposed outcomes of the 2008/09 Revenue Growth Bids is shown in appendix eight.

2.3 **Corporate Scorecard – Community Plan**

Progress in delivering the Community Plan is measured against 29 targets. These include a 'top ten' list of priority actions that Cherwell Community Planning Partnership has agreed for the year. They include targets for the Cherwell area and not just those that the district council is responsible for delivering. Information was only available for 18 of these, of which 17 were Green and 1 Amber. The remainder are largely dependent on information from surveys which have been completed but not yet reported.

Successes

- Consultants working on the review of the Sustainable Community Strategy are working on a review of all information and are on track to produce theme papers by the end of January.
- We are continuing to develop the links between the Community Plan and the Local Development Framework (LDF).

Issues

- Although there have been some initial delays with a cardiovascular disease project in the most deprived wards in Banbury Health Trainers are now working with clients.

2.4 **Corporate Scorecard – Corporate Plan and Corporate Plan Promises**

There are 55 targets in the Corporate Plan, 16 of which were highlighted as our service promises for 2008/09 in the council tax leaflet which was sent to every household in Cherwell. Of these 42 are Green, 9 Amber and 2 Red. Performance against two targets, which are also Corporate Plan Promises, will be measured by customer satisfaction surveys. Full details are in appendix three.

Successes

- Under the national Use of Resources inspection regime we have improved our score (the scale is one to four) for Financial Reporting from two to three and for Value for Money from two to three. At the same time the Audit Commission recognised our combined annual report of finance and performance as an example of notable practice.
- In the last quarter the number of families, 92, living in temporary accommodation fell to under 100 for the first time. This has now been reduced to 77 families.
- The Council is making effective use of the Disabilities Facilities Grant to provide housing for vulnerable people and 140 completions are projected for the year.
- Nightsafe Bicester launched on 10 December.
- New three year Community Safety Strategy agreed.
- All six Neighbourhood Action Groups established with community representation.
- Grants allocated to improve 17 village halls.
- An 'on-street' survey shows 89.6% public satisfaction with green spaces and public areas against the target of 71% set at the start of the year.

Issues

- The impact of the recession on achieving targets for delivering new homes, including affordable housing and new jobs (see details above).

- The introduction of sub regional Choice Based Lettings has been delayed from March till June due to delays in installing new software and partnership negotiations.
- The target for reducing acquisitive crime by 5% is unlikely to be met and current projections suggest a 2% reduction will be achieved.
- The amount of waste sent to landfill. This is expected to be reduced by a minimum of 1400 tonnes but with the real possibility of further improvement to achieve the annual target of 1500 tonnes.

2.5 **Corporate Scorecard - National Indicators**

National Indicators have replaced Best Value Performance Indicators as the statutory requirement for reporting the Council's performance. We are required to report performance against 32 National indicators, 10 of which will be measured by an annual survey. 11 indicators are Green, 5 Amber and 4 Red (data is not available for 2). Full details are in appendix four.

Successes

- The improved performance on processing major planning applications. In this quarter the service met its target of processing 85% of applications within the Government target of 13 weeks.

Issues

- The worsening performance on fly tipping and prosecutions.
- The processing of minor and other planning applications are still rated red and there has been a slight deterioration in performance since the last quarter (see details above) .
- The time taken to process new benefits claims and changes in circumstances (see also Best Value Performance Indicators where the measure of performance is more specific).
- The increase in recorded violent crime

2.6 **Corporate Scorecard - Best Value Performance Indicators**

We have retained selected Best Value Performance Indicators as they provide a useful means of comparing delivery with other councils and against our own historical performance levels. There are 39 retained Best Value Performance Indicators. This is three less than in the previous two quarters as we have removed three Development Control Best Value Performance Indicators. This follows clarification nationally that means these are identical to the National Indicators for this service. 22 indicators are Green, 10 Amber and 6 Red (with no data available for 1 due to technical reasons). Full details are in appendix five.

Successes

- The performance on removing graffiti has improved significantly and has moved from Red to Green status.
- An increase in the overall number of visitors to Banbury Museum.
- The improved performance in recovering Housing Benefits overpayment and reducing the amount outstanding.

Issues

- Conservation Area Appraisals are still at Red status because this was identified as a major project requiring concerted attention and moving to green will take at least another year. Excellent progress is being made but there is still a large backlog. Progress has slowed recently due to the

increased complexity of the assessment process on a number of more controversial conservation area designations and appraisals.

- There has been a slight drop in the number of pupils visiting Banbury Museum.
- The time taken to process new benefits claims and changes in circumstances, current performance is rated Red for both.

2.7 **Corporate Scorecard - Financial Performance**

There are four finance targets. All are rated Green. This is a significant improvement on Quarter Two when 2 were Green and 2 Amber.

It should be noted we have met our Corporate Plan Promises to keep the Council Tax increase below inflation.

Successes

- The end of year budget outturn is forecast to be within agreed budget tolerances.
- The performance on spending the sports centre modernisation budget has improved dramatically. The performance for the rest of the capital budget has changed from Red to Green with 70% of the budget to date delivered.
- £174,000 of procurement savings identified to date against a full year target of £260,000.

2.8 **Corporate Scorecard – Human Resources**

Three Human Resources indicators are monitored: staff turnover; days lost through sickness; and workforce capacity. 2 are Green and 1 has moved from Green to Amber.

Issues

- There has been an increase in the number of days lost through sickness from 3.58 days lost per full time equivalent in the second quarter to 6.31 days in the third quarter. This has been influenced by seasonal sickness (cold and flu) which usually affects the 3rd Quarter return. Human Resources are focussed on improving the management of sickness absence. This includes training on the application of the new sickness policy which comes into effect on 1 April 2009.

2.9 **Corporate Scorecard – Customer Feedback**

There are three customer satisfaction targets included in the Corporate Scorecard covering: satisfaction with customer service; feeling safe; and feeling well informed. The first of these is monitored continually through the Customer Contact Centre. The other two will be established through annual surveys.

Successes

- Since the last quarter overall satisfaction with customer service when contacting the Council has increased from 90% to 95%. This includes 100% satisfaction with telephone contact and 92% for face to face contact.

2.10 **Corporate Improvement Plan**

Executive 7 July 2008 agreed the 2008/09 Corporate Improvement Plan. The priorities of the Plan are: embedding the culture of performance management; delivering value for money throughout the organisation; understanding and

responding to the diverse needs of the communities that make up the District; developing partnership working; and engaging all our staff in the process of continuous improvement. There are 44 items in the Corporate Improvement Plan, 34 are Green, 9 Amber and 1 Red. Full details are in appendix six.

Successes

- Under the national Use of Resources inspection regime we have improved our score for Financial Reporting from two to three (the maximum is four) and for Value for Money from two to three.
- The Audit Commission has released the national comparative figures for performance against Best Value Performance indicators for 2007/08. This shows we achieved 74% of Best Value Performance Indicators in the top half of performance nationally compared with 68% in 2006/07.

Issues

- The improvement targets for a basket of retained Best Value Performance Indicators is scored Red overall. This is the result of a minor deterioration in the collection of National Non-Domestic Rates; the increase in the number of days of staff sickness; and a drop in the number of pupils visiting Banbury Museum. Both the latter issues are picked up elsewhere in this report.

2.11 Strategic Service Projects

These are 11 projects underway that although service-based are of corporate significance because of the resources involved, their impact on the Council's reputation or their contribution to delivering the Council's corporate priorities. 8 of the projects are Green and 3 Amber. Full details are in appendix seven.

Successes

- The Bodicote House refurbishment is on time and budget. The refurbishment of the Town Centre Offices will be completed by the end of March.
- The joint County and Cherwell Banbury Cultural Quarter Working Group held its first meeting.
- The technical group advising the Department of Communities and Local Government on the eco-town process has been wound up following the completion of major pieces of joint technical work. The outputs are now being reported and are assisting in the Council's campaign against the Weston Otmoor proposal

Issues

- The progress on the Banbury Flood Alleviation Scheme has been delayed as we await the date for the compulsory purchase order inquiry. The delay is procedural and is not expected to affect the overall progress of the scheme.

2.12 2008/09 Revenue Growth Items

Councillors agreed 21 revenue growth items for 2008/09. The delivery of the outcomes promised for these extra resources are monitored. Of the 21 items 18 are Green, 2 Amber and 1 Red. Full details are in appendix eight.

Successes

- The Planning Enforcement Team is fully utilising Uniform to manage the enforcement process and has achieved much improved management of

cases – including customer feedback and speedier responses where actions are required. Planning Committee has received detailed reports on this aspect of the Planning Services Improvement Plan

- An additional £60,000 of grant funding given to support advice centres and seniors clubs.
- The investment in additional waste bins will be complete with the installation of the final batch in January. Also the new street cleansing vehicles arrived in November and these make emptying bins easier.
- The Street Cleansing Service is operating to additional hours in urban areas.

Issues

- The delay in introducing the Food Waste Recycling Service. It is likely to be autumn 2009 before the delayed local food waste processing facility is built by the County Council.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The purpose of the report is to show the Council's performance against the performance measures in the Performance Management Framework. From this information the Executive can make an overall judgement about the progress the Council is making in meeting its objectives and identify the achievements it wishes to celebrate and the areas where action is required to improve performance.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One To review current performance levels and consider any actions arising.

Option Two To approve or reject the recommendations above.

Consultations Not Applicable

Implications

Financial: Financial Effects – The resources required to operate the Performance Management Framework is contained within existing budgets. However the information presented may lead to decisions that have financial implications. These will be viewed in the context of the Medium Term Plan & Financial Strategy and the annual Service & Financial Planning process.

Efficiency Savings – There are none arising directly from this report. The Performance Management Framework is designed to improve financial management, including the avoidance of overspending and underspend, and the achievement of efficiencies. We monitor the progress against the Council's targets for annual efficiency savings and report performance through the Performance Management Framework.

Comments checked by Karen Curtin, Chief Accountant,

01295 221551

Legal: Maintaining National Indicators is a legal requirement.
Comments checked by Liz Howlett, Head of Legal and Democratic Services, 01295 221686

Risk Management: The Performance Management Framework is designed to assist the Council in managing and monitoring delivery of its strategic objectives and improving customer satisfaction. Services are required to maintain their sections of the risk register, and update their risks no less frequently than quarterly. The service manager should address the risks associated with performance issues. The framework may show that performance is not achieving desired levels. Managers can address this by re-assessing the level of performance required, the priority it should attract, and the level of resource available. A failure to identify and improve key drivers of customer satisfaction through an effective Performance Management Framework is one of the Council's strategic risks.
Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Data Quality Data for performance against all indicators has been collected and calculated using agreed methodologies and in accordance with Performance Indicator Definition Records (PIDRs) drawn up by accountable officers. The council's performance management software has been used to gather and report performance data in line with performance reporting procedures.
Data quality issues with individual indicators are set out within the combined exceptions/successes report (appendix 2) giving Executive additional information on the reliability or accuracy of the data. This combines actions taken by individual accountable officers in services and also the improvement team as part of their data quality overview.
Comments checked by Neil Lawrence, lead officer on data quality, 01295 221801

Wards Affected

All

Corporate Plan Themes

The Performance Management Framework covers all of the Corporate Plan Themes

Executive Portfolio

Councillor Debbie Pickford - Portfolio Holder for Organisational Development and Improvement

Document Information

Appendix	Title
Appendix 1	Corporate Scorecard 2008/2009
Appendix 2	Successes, Exceptions and Emerging Issues
Appendix 3	Corporate Plan
Appendix 4	National Indicators
Appendix 5	Best Value Performance Indicators
Appendix 6	Corporate Improvement Plan
Appendix 7	Strategic Service Projects
Appendix 8	2008/09 Revenue Growth Items

Background Papers	
None	
Report Author	Mike Carroll, Head of Improvement
Contact Information	01295 227959 mike.carroll@Cherwell-dc.gov.uk

Corporate Scorecard

April - December 2008

Total GREEN	16	18
AMBER	7	6
RED	4	3
NO DATA (N/A)	2	2

Measure Definition	Responsible Service	Reporting Frequency	Comment on Performance to date	Quarter Two	Quarter Three
Working in Partnership					
Cherwell Community Plan	Community & Corporate Planning	Quarterly	Only data for 18 out of 29 indicators available, 17 of which were Green and 1 Amber.	A	A
Corporate Plan Promises					
A district of opportunity					
Create 200 new jobs in the District (gross)	Economic Development & Estates	Monthly	Total new jobs created in the district now amount to 652 since 1 April. However, in that period 672 are known to have been lost.	G	G
Bring to market 400 net new homes	Planning & Affordable Housing	Annual (informed by provisional quarterly monitoring)	Running total now 368. Good performance in Q3 (204) assisted by progress on some housing allocations. Improved monitoring resources have also enabled some previously unrecorded completions on very small sites to be identified. Target of 400 should now be met.	R	A
Complete 100 new affordable homes	Housing Services	Quarterly	64 affordable homes completed against a target of 58.	G	G
Enhance Kidlington village centre by replacing the street furniture	Urban & Rural Services	Quarterly	Successful consultation process undertaken and support identified for materials to be used for street furniture. Press release to be made once we have progressed and are more certain with procurement. Portfolio Holder report to sign off equipment selection due January 2009.	G	G
A safe and healthy Cherwell					
Reduce acquisitive crime in the District by 5%	Safer Communities & Community Development (Thames Valley Police)	Quarterly	Thames Valley Police unlikely to achieve this target - latest projections suggest a 2% reduction.	A	R
Progress against the Sports Centre Modernisation Programme	Recreation & Health	Monthly	Progressing in accordance with agreed timescales.	G	G
Support new and improved healthcare services in Bicester and surrounding area	Recreation & Health	Quarterly	PCT procurement process delayed. OJEU advert to be placed in mid January.	G	G
Support provision of the best possible services at the Horton Hospital	Recreation & Health	Quarterly	Better Health Care Programme pursuing four workstreams involving Board and Forum members. Health needs assessment complete. Interim service arrangements largely in place.	G	G
A cleaner, greener Cherwell					
Ensure 90% of streets and parks are clean	Environmental Services	Four monthly	On track - litter score very good, detritus score lagging but will improve in the next quarter.	G	G
Achieve a recycling rate of 49%	Environmental Services	Quarterly	Recycling rate on track for 49.5% - 50%.	G	G

Measure Definition	Responsible Service	Reporting Frequency	Comment on Performance to date	Quarter Two	Quarter Three
Reduce waste going to landfill by 1,500 tonnes	Environmental Services	Quarterly	Reduction in landfill tonnage will be in excess of 1400 tonnes, may hit 1500 tonnes.	R	A
Reduce the council's CO2 emissions by 4% from the 2006/2007 baseline	Environmental Services	Quarterly	Reduction appears to be on track.	A	G
An accessible, value for money Council					
Provide 10 new service access points in rural locations	Customer Service & Information Systems	Quarterly	Three kiosks and four PayPoints are being implemented currently.	G	G
Keep our Council Tax increase below inflation	Finance	Annually (at beginning of year)		G	G
Delivery against the Equalities Action Plan	Safer Communities & Community Development	Monthly	Remains on track for target achievement by year end.	A	A
National Indicators					
Performance against the National Indicator Suite (CAA)	Improvement Team	Monthly	11 of 20 NIs (55%) where data available have scored Green.	R	R
Performance against the former Best Value Performance Indicator Suite	Improvement Team	Monthly	22 of 38 BVPIs (58%) where data available have scored Green.	R	R
Financial Performance					
Percentage variance on revenue budget expenditure against profile (+2% / -5%)	Finance	Monthly	We are forecasting an overspend of £200k against budget - within budget tolerances.	G	G
Percentage variance on capital budget expenditure against profile (+2% / -5%). Capital ₆ : Sports Centre Modernisation Capital ₆ : Other Capital Projects	Finance	Monthly	SCM programme catching up - 95% of periodic budget delivered.	A	G
			97% of budget to date delivered. Service Heads to be encouraged to deliver.	A	G
£ in efficiency savings against a target of £260,000	Finance	Monthly	£174k of procurements savings YTD identified contributing to £260k target for full year.	G	G
Combined measure of growth bid outcomes achieved	Improvement Team	Quarterly	20 of 21 (95%) Growth Bids have achieved Green or Amber.	A	A
Human Resources					
Staff turnover	Human Resources	Quarterly	Quarter 3 = 2.4%.	G	G

Measure Definition	Responsible Service	Reporting Frequency	Comment on Performance to date	Quarter Two	Quarter Three
Number of days lost through sickness	Human Resources	Quarterly	See BV12. Q3 Outturn was 6.31 days against target of 6.00. Increase due to seasonal sickness absence - flu, colds etc. Increased focus on management of SA, training in the application of new SA Policy effective 1 April 2009 is now underway.	G	A
Workforce capacity	Human Resources	Quarterly	Quarter 3 = 90.8%.	G	G
Customer Feedback					
Ensure that at least 90% of our customers when asked are satisfied with our customer service when contacting the Council	Customer Service & Information Systems	Monthly	95% satisfaction overall. 100% over the phone, 92% face to face.	G	G
Ensure that at least 78% of residents when asked say they feel safe at home and in the community	Safer Communities & Community Development	To be determined	No data available until completion of Place Survey and/or Oxfordshire Citizens Panel.	N/A	N/A
Ensure that 70% of our customers when asked feel well informed about the Council	Communications	Annual	Annual customer satisfaction survey.	N/A	N/A

Collected for information only (no RAG score):

Other Surveys					
Measure Definition	Responsible Service	Reporting Frequency	Comment on Performance		
Customer Satisfaction Survey (for information purposes only)	Community & Corporate Planning	Annual	Satisfaction survey completed. General trend of improvement. Overall satisfaction: 2006 = 60% 2007 = 65% 2008 = 67%. Some areas of weakness around Anti-Social Behaviour, CCTV, communications and contact.		
Service Satisfaction Surveys (for information purposes only)	All Services	To be determined	No information at present		
Inspection Scores					
Measure Definition	Responsible Service	Reporting Frequency	Comment on Performance	Previous rating	Current rating
CPA / CAA	Improvement Team; Community & Corporate Planning	Annual	Re-categorisation inspection in November 2008.	Good	Good
Use of Resources	Finance	Annual		3	3
Direction of Travel	Improvement Team; Community & Corporate Planning	Annual	Details to follow.	Average	Average
Data Quality	Improvement Team; Community & Corporate Planning	Annual	Latest assessment March 2008.	2	2
Equalities Impact Assessment	Safer Communities & Community Development	Annual	We are working towards increasing our performance against the Equality Framework for Local Government, aiming to achieve a category 3 rating by end of 08/09.	N/A	N/A
Investors in People	Human Resources	Annual	Retained accreditation meeting 8/10 indicators.	Awarded	Retained

Performance Management Framework 2008/2009

Successes, Exceptions and Emerging Issues

October - December 2008

Successes – Corporate Plan – 2008/2009 Action Plan Targets

Strategic Priority	Action	Success
District of Opportunity	<ul style="list-style-type: none"> • Deliver improved community information to rural communities • Spend £300,000 on investing in better quality housing for vulnerable people 	<ul style="list-style-type: none"> • Discussions internally with Customer Service and Access to Services Manager taking a lead role. • The Disabled Facilities Grants budget has been committed in the first three quarters with the help of £250k additional budget & £60k transferred from the discretionary budget. That equals 104 jobs approved at a value of £740k. This added to the approved budget carried forward from 07/08 will give a projected spend for 08/09 of £938k equalling approximately 140 completions.
District of Opportunity	<ul style="list-style-type: none"> • Numbers in temporary accommodation reduced to 101 units 	<ul style="list-style-type: none"> • 77 households were recorded as living in temporary accommodation for December 2008.
A Safe and Healthy Cherwell	<ul style="list-style-type: none"> • Introduce the NightSafe initiative in Bicester • Implement a new Cherwell Community Safety Strategy • Complete the District-wide coverage of NIM Representatives from local communities • Local community survey carried out by NAGs to identify current local concerns • Support and improve 17 village halls through grant aid funding 	<ul style="list-style-type: none"> • NightSafe Bicester launched on 10 December 2008. • New 3-year strategy agreed by CCPP and Executive, and published on website. • All six neighbourhood action groups established with community representation. • All NAGs have identified their top three priorities through community surveys. • Grants allocated but not claimed until work/projects completed.

Strategic Priority	Action	Success
A Cleaner, Greener Cherwell	<ul style="list-style-type: none"> Undertake 10 county wildlife site surveys Maintain at least 71% resident satisfaction with green spaces and public areas 	<ul style="list-style-type: none"> Sites inspected and reported on by BBOWT. Satisfaction rating of 89.6% achieved.
An Accessible, Value for Money Council	<ul style="list-style-type: none"> Re-launch town centre offices in Banbury and Kidlington Introduce a single, centralised customer complaints process Produce a combined annual report of performance and finance Provide rural customers with more ways to access our services 	<ul style="list-style-type: none"> The Banbury facility opened as planned on October 6 2008 (the refurbished Kidlington office opened in September 2008). This is now in place with associated online form and new leaflet. Some teething issues as we try to avoid double recording. Achieved. This secured a level 4 score in the Use of Resources assessment and was confirmed as an example of "notable practice" by the Audit Commission. Have now received PayPoint contract details; met with and discussed possible sites with ORCC and Village Shops worker. Now planning to go out and discuss with individual identified shop owners.

Successes - Service Plans

Service	Success
Customer Service & Information Systems	<p>Customer Service & Resources</p> <ul style="list-style-type: none"> Member Workshop held to demonstrate new equipment packages and the new modern.gov committee system. Exit survey work completed at all local offices: 495 interviews completed with customers as they left the office. Draft report received. In twelve months since November 2007 power consumption by the server room has fallen from 138 kw/month to 87 kw/month.

Service	Success
Legal & Democratic Services	<ul style="list-style-type: none"> Committee management system procured and implemented.
Environment & Community	
Recreation & Health	<ul style="list-style-type: none"> Local democracy week involved 5 Cherwell secondary schools which included over 500 young people putting their questions to local councillors and a trip to the Houses of Parliament to meet Tony Baldry MP and put questions to him.
Planning, Housing & Economy	
Building Control & Engineering Services	<ul style="list-style-type: none"> Building Control satisfaction ratings remain high at 91% and 92% for each part of the service. Justified complaints remain low, 10 received altogether, and there have been 7 compliments.
Development Control & Major Developments	<ul style="list-style-type: none"> Process improvements have been made to the following. <ol style="list-style-type: none"> Delegated Reports - Now refined more appropriate to the task and will fit with revised PINS Householder fast-track appeals. Planning Committee refined - New structured report format - Revised officer presentation - Update reports now quarterly. Decision sign off process now altered to marry dispatch date to date of decision now saving 3/5 days processing time and extra recording sheets. A framework has been drafted in association with Legal & Democratic Services to facilitate public speaking at the Planning Committee in the new municipal year. This allows for the constitution change to be recommended and the Planning Committee to be consulted on the format.
Housing Services	<ul style="list-style-type: none"> The Housing Services Equalities & Diversity Group was launched in October 2008. Housing Services has designated a senior manager as an "Equalities & Diversity Champion" who chairs the working group, and represents the Service on the Corporate Officer Group and Equality & Access advisory panel for customers. To support the corporate plan aim of "give advice and support to find a home if you are without one", a Homebuy event was held in Bicester during October for customers to explain the range of Homebuy products available. Housing Services staff attended the event and held a "housing advice stall" to ensure customers received up to date information about housing products. The Private Sector Housing Team successfully prosecuted a private sector landlord for overcrowding. A round table discussion was held between officers of Housing Services and Charter Community Housing, Sanctuary Group and Sanctuary Care to share ideas and initiatives on housing management and housing development. This meeting helped to develop our strong working relationships and mutual understanding.

Service	Success
Chief Executive's Services	
Improvement Team	<ul style="list-style-type: none"> • Outcomes of VfM Reviews for Property Management, Fees and Charges and Street Cleansing reported to Executive. • Implementation of Housing Services VfM Review has resulted in Cherwell leading a local pilot group for trialling a proposed benchmarking scheme. • 74% of our BVPIs were in the top half of performance nationally for 2007/08 compared to 45% in 2002/03. • CAA Action Group established and priority Action Plans produced for Improving Data Quality and Management of Partnerships. • Achieved score of 3 for KLoE Value for Money.

Successes – National Indicators

Service	Success
Planning, Housing & Economy	
Development Control & Major Developments	<ul style="list-style-type: none"> • NI 157a % Major planning applications decided in 13 weeks: The planning improvement plan has ensured that a high level of performance is now sustainable with regard to major applications. This should be considered in the context of the Upper Heyford Inquiry and the impact that it had on the major developments team.

Successes – Best Value Performance Indicators

Service	Success
Customer Service & Resources	
Exchequer	<ul style="list-style-type: none"> • BV 79b(ii) Housing Benefit Recovered: Outstanding: September performance should have been green. The brought forward figure was incorrectly entered. This has now been corrected.

Successes – Strategic Service Projects

Service	Success
<p>Business Services</p>	<p>Customer Service & Resources</p> <ul style="list-style-type: none"> Accommodation Review and Refurbishment: Overall the project is on target in respect of timescales and budget allocation. Learning from phases 1&2 has enabled more effective planning of ongoing phases in closer liaison with the contractor. Town Centre Offices will be cleared of debris early in the new year to enable refurbishment works to commence for completion by the end March 2009.
<p>Planning & Affordable Housing Policy</p>	<p>Planning, Housing & Economy</p> <ul style="list-style-type: none"> The technical group to inform CLG on the eco town process has been wound up following successful completion of the major pieces of joint technical work (CDC/OCC/Parkridge/CLG and others).

Performance Management Framework 2008/2009

Exceptions

Exceptions – Corporate Plan – 2008/2009 Action Plan Targets

Strategic Priority	Action	Exception
<p>District of Opportunity</p>	<ul style="list-style-type: none"> • Achieve 400 new homes including a minimum of 100 affordable homes • Complete land assessments for business sites in the Local Development Framework 	<ul style="list-style-type: none"> • Ongoing impact of credit crunch. As reported in September the provisional figures for the first two quarters reflect the impact that the credit crunch is having on housebuilding rates nationally. It also reflects pre-existing delay on sites such as Bankside and former RAF Upper Heyford. The 2008 AMR will review the projections for 2008/09 onwards. The 2007 AMR's projections were made before the credit crunch began to seriously affect housebuilding. • Currently (December 2008) this is having less impact upon completions of affordable housing than on overall delivery of market homes. • Further assessment of employment land needs to be commissioned to support LDF however resource pressures (particularly owing to additional eco town work) have meant that this project is slipping. It is expected that any additional work can be completed by early 2009/10 and will not delay Core Strategy timetable.
<p>District of Opportunity</p>	<ul style="list-style-type: none"> • Complete transport studies and infrastructure needs assessment for Banbury and Bicester. 	<ul style="list-style-type: none"> • ITLUS work progressing well, however some capacity issues owing to Halcrow (transport consultants) being required to undertake work (for CDC) on eco towns. Also, some additional modelling required for Banbury.

Strategic Priority	Action	Exception
District of Opportunity	<ul style="list-style-type: none"> Expand Choice Based Letting to be a countywide scheme. 	<ul style="list-style-type: none"> The Choice Based Lettings project is nearing completion however delays in implementation of new software will result in the project slipping from March until June 09. This is due to the software supplier Abritas not being able to resource the sub regional project until June 2009.
A Safe and Healthy Cherwell	<ul style="list-style-type: none"> Work with Thames Valley Police to reduce theft from vehicles, robbery and household burglary by 5% 	<ul style="list-style-type: none"> Thames Valley Police projecting that they will not achieve the 5% crime reduction target. This is being considered by the Overview and Scrutiny Committee. <p>Latest projections (December 2008) suggest a 2% reduction.</p>
Cleaner, Greener Cherwell	<ul style="list-style-type: none"> Reduce the amount of waste sent to landfill by 1500 tonnes by 31 March 2009 	<ul style="list-style-type: none"> 1400 tonnes minimum predicted to date with the real possibility of further improvement to reach the annual target.

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Exceptions - Service Plans

Service	Exception	Proposed Action / Update
Environment & Community		
Environmental Services	<ul style="list-style-type: none"> Fuel likely to still be overspent but unit price now 88p/litre compared to the budget price of 85p/litre. Oil prices still falling so this overspend area may fall to around £50k 	
Safer Communities & Community Development	<ul style="list-style-type: none"> Consortium approach to CCTV maintenance procurement has collapsed 	<ul style="list-style-type: none"> CDC will now progress a tendering exercise as part of the upgrade contract.

Service	Exception	Proposed Action / Update
Safer Communities & Community Development	<ul style="list-style-type: none"> Thames Valley Police projecting that they will not achieve the 5% crime reduction target for serious acquisitive crime. This is being considered by the Overview and Scrutiny Committee. By end of December, all crime had risen by just 0.2% but measured as crime per 100,000 population had fallen from 58.08 in 2007 to 56.83 in 2008 	<ul style="list-style-type: none"> Performance to be reviewed by Overview and Scrutiny Committee.
Urban & Rural Services	<ul style="list-style-type: none"> Near miss incident in Bus Station requires review of procedures. Accident in Spiceball Car Park likely to lead to legal action by claimant. Risk review undertaken and Council position is to defend our position. 	
Planning, Housing & Economy		
Building Control & Engineering Services	<ul style="list-style-type: none"> Building Control income is currently predicted to be £40k below budget. This is being mitigated by the non-filling of a vacant post and reduced consultancy support costs. The income situation is quite volatile and this may result in a marginal deficit on the BC trading account this year. 	<ul style="list-style-type: none"> Despite reduced Building Control income the overall BCES budget is predicted to be £20k surplus due to measures taken in this and other services.

Exceptions – National Indicators (RED Indicators)

Service	Exception	Proposed Action / Update
Environment & Community		
Environmental Services	<ul style="list-style-type: none"> NI 196 Improved street and environmental cleanliness – fly tipping: 	<ul style="list-style-type: none"> This NI measures both fly tipping and enforcement actions. Fly tips are very slightly up 437 v 427 (in 2007/08). This is assessed as unchanged by this NI. Enforcement action good but less successful prosecutions this year than last. Hence an assessment of 3 rather than a 1.

Service	Exception	Proposed Action / Update
<p>Development Control & Major Developments</p>	<p>Planning, Housing & Economy</p> <ul style="list-style-type: none"> • NI 157b % Minor planning applications decided in 8 weeks • NI 157c % Other planning applications decided in 8 weeks 	<ul style="list-style-type: none"> • There has been a purge on applications that were out of time this has resulted in performance that is both below national standards and those set out in the service plan. However by the end of December 2008, the outstanding caseload across the team had been reduced by 30% meaning that improvement should be achieved for the final quarter of 2008/9. • The backlog of applications is now a level that is consistent with high performance. The minor alterations in process have assisted in keeping performance at a level that has been achieved during the year so far despite clearing the majority of the out of date applications.
<p>Planning & Affordable Housing Policy</p>	<ul style="list-style-type: none"> • NI 154 Net additional homes provided 	<ul style="list-style-type: none"> • Comparator of 681 for the year (170/171 per quarter) is based on expected supply from deliverable and developable sites from 2007 Annual Monitoring Report (revised projections are included in the 2008 AMR). The cumulative figure for the year so far reflects the impact that the credit crunch is having on housebuilding rates nationally. It also reflects delay on sites such as Bankside and former RAF Upper Heyford. However, 3rd quarter net additional housing completions were relatively high at 204 (provisional only as confirmed figures are agreed with OCC annually). This has resulted from development activity on a further two of the Council's non-statutory housing allocations (16 units completed at Arncott and 22 at Milton Road, Bloxham), a further 18 homes at Hanwell Fields, and the completion of 20 on a site identified in the Council's Urban Housing Potential Study 2005 (the former Sunlight Services Laundry at Bicester). Improved monitoring resources have also enabled 48 completions to be recorded against older planning permissions (i.e very small sites which have not recently been visited).

Exceptions – Best Value Performance Indicators (RED Indicators)

Service	Exception	Proposed Action / Update
Customer Service & Resources		
Exchequer	<ul style="list-style-type: none"> BV 78a Average time for new claims 	<ul style="list-style-type: none"> Average days for new claims have improved slightly even though the caseload continues to increase. We are currently in talks with an outsourcing company to undertake the additional work created by the increase in benefit claims. We hope to have that in place by the end of January 2009.
Exchequer	<ul style="list-style-type: none"> BV79b(iii) Housing Benefit Overpayment: Written Off 	<ul style="list-style-type: none"> A number of write offs are due to be completed within the next few weeks.
Environment & Community		
Environmental Services	<ul style="list-style-type: none"> BV 216b Information on contaminated land (% of sites of potential concern) 	<ul style="list-style-type: none"> Investigations carried out at the end of 2007/08 have shown that the figure used for the number of potentially contaminated sites used for the calculation of this indicator during the year was incorrect. This has impacted on the accuracy of performance reported during 2008/09, and so re-calculated data has now been entered retrospectively onto the performance management system. We are also reviewing the target for 2008/09.
Recreation & Health	<ul style="list-style-type: none"> BV 170a Visits to/usage of museums per 1,000 population 	<ul style="list-style-type: none"> There has been a negative, unavoidable, impact on Museum and TIC visitors during the recent work to the TIC/OSS.
Planning, Housing & Economy		
Planning & Affordable Housing Policy	<ul style="list-style-type: none"> BV 219c % of Conservation Areas with published Management Plans 	<ul style="list-style-type: none"> Figure is below target because of the large number of conservation areas in the district and (historically) insufficient resources to undertake appraisals. There is now an increased staff resource to undertake reviews and a commitment to complete these as part

Service	Exception	Proposed Action / Update
		<p>of a 4 year programme. (NB: Earlier CA character appraisals did not include management plans (which is why the figures are different for this PI and BV219a.05).</p>

**Performance Management Framework 2008/2009
Emerging Issues**

Emerging Issues – Corporate Plan – 2008/2009 Action Plan Targets

Strategic Priority	Action	Success
<p>District Of Opportunity</p>	<ul style="list-style-type: none"> • Launch and implement a new Cherwell Rural Strategy. • Enhance the village centre environment of Kidlington through the replacement of the street furniture. • Deliver £200,000 funding for transport infrastructure through developer contributions 	<ul style="list-style-type: none"> • Consultation period closed. Briefing made to CCPP. Parish Liaison meeting 12 November. Executive 17 November 2008. Further final report to Executive in January 2009. • Successful consultation process undertaken and support identified for materials to be used for street furniture. Press release to be made once we have progressed and are more certain with procurement. Portfolio Holder report to sign off equipment selection due January 2009. • The s106 agreement for Bicester Town Centre is currently with Sainsbury's legal team for final ratification. When this is completed funding in principle will be in place, however this needs to be tempered by the current economic climate and its potential impact on a site start that would trigger payments. Smaller payments have been cleared through the s106 process in December 2008, again these are dependant on the schemes starting on site.
<p>A Safe and Healthy Cherwell</p>	<ul style="list-style-type: none"> • Invest significantly in technology (CCTV) to improve crime detection rates and deter crime 	<ul style="list-style-type: none"> • TVP planning major refurbishment works at Banbury Police Station which could delay capital programme to upgrade CCTV suite.

Strategic Priority	Action	Success
An Accessible, Value for Money Council	<ul style="list-style-type: none"> Increase the proportion of total customer interactions that are handled online to 14% 	<ul style="list-style-type: none"> We are still using the definition of online customer interaction that was agreed in 2006/07. This will be reviewed and re-baselined this year so we will end with two figures - one as we will measure going forward, and one as close to the same criteria as used in 06/07 as we can.

Emerging Issues - Service Plans

Service	Emerging Issue	Proposed Action / Update
Recreation & Health	<p>Environment & Community</p> <ul style="list-style-type: none"> Successful launch of TIC/OOS but sales continue to be adversely affected. 	
Planning, Housing & Economy		
Development Control & Major Developments	<ul style="list-style-type: none"> The continued economic downturn has resulted in a significant drop in major strategic planning applications being submitted to the Council. This in turn impacts on the Council's ability to deliver the wider benefits associated with such development. Despite significant planning fee income in December the outlook with regard to the remainder of the financial year is bleak. As such, steps have been taken to plan for a reduction in fee income in 2009/10. This work resulted in the reduction of consultancy staff from 3 to 1, with an overall plan to remove dependency on such staff completely. 	

Corporate Plan 2008/2009 Action Plan April - December 2008			
	Quarter Two	Quarter Three	Comment
Cherwell: A District of Opportunity			
DCP01.1.1 Present and consult on choices about major development locations in the District	G	G	Public consultation on "options for growth" now completed. Information currently being analysed.
DCP01.2.1 Complete land assessments for business sites in the Local Development Framework	A	R	CMT Exception Further assessment of employment land needs to be commissioned to support LDF however resource pressures (particularly owing to additional eco town work) have meant that this project is slipping. It is expected that any additional work can be completed by early 2009/10 and will not delay Core Strategy timetable.
DCP01.3.1 Contribute to the creation of 200 new jobs in the District	G	G	Total new jobs created in the district now amount to 652 since 1 April. However, in that period 672 are known to have been lost.
DCP01.4.1 Complete transport studies and infrastructure needs assessment for Banbury and Bicester	A	A	CMT Exception ITLUS work progressing well, however some capacity issues owing to Halcrow (transport consultants) being required to undertake work (for CDC) on eco towns. Also, some additional modelling required for Banbury.
DCP01.4.2 Deliver £200,000 funding for transport infrastructure through developer contributions	G	A	CMT Emerging Issue The s106 agreement for Bicester Town Centre is currently with Sainsbury's legal team for final ratification. When this is completed funding in principle will be in place, however this need to be tempered by the current economic climate and its potential impact on a site start that would trigger payments. Smaller payments have been cleared through the s106 process in December, again these are dependant on the schemes starting on site.
DCP01.5.1 Achieve 400 new homes including a minimum of 100 affordable homes	R	A	CMT Exception See comments from September and the ongoing difficulties in response to the credit crunch. Currently this is having less impact upon completions of affordable housing than on overall delivery of market housing.
DCP01.6.1 Expand Choice Based Letting to be a countywide scheme	A	A	CMT Exception The Choice Based Lettings project is nearing completion however delays in implementation of new software will result in the project slipping from March until June 09. This is due to the software supplier Abritas not being able to resource the sub regional project until June 09.
DCP01.6.2 Temporary Accommodation Strategy approved	G	G	The Temporary Accommodation Strategy has been approved and published.
DCP01.6.3 Numbers in temporary accommodation reduced to 101 units	G	G	CMT Success 77 households were recorded as living in temporary accommodation for December 2008.

Corporate Plan 2008/2009 Action Plan April - December 2008			
	Quarter Two	Quarter Three	Comment
DCP01.7.1 Spend £300,000 on investing in better quality housing for vulnerable people	G	G	CMT Success The Disabled Facilities Grants budget has been committed in the first three quarters with the help of £250k additional budget & £60k transferred from the discretionary budget. That equals 104 jobs approved at a value of £740k. This added to the approved budget carried forward from 07/08 will give a projected spend for 08/09 of £938k equalling approximately 140 completions. Report to February Executive.
DCP01.8.1 Launch and implement a new Cherwell Rural Strategy	A	A	Parish Liaison meeting held in November. Webpage dedicated to parish News/Business. Access provided to webcast of the Parish Liaison meeting. Coordinated distribution of parish council correspondence/information.
DCP01.8.2 Deliver improved community information to rural communities	A	G	Design work is virtually complete, and tender documentation will be ready on time.
DCP01.9.1 Complete the design of the environmental enhancement scheme for Parson's Street Banbury	G	G	Successful consultation process undertaken and support identified for materials to be used for street furniture. Press release to be made once we have progressed and are more certain with procurement. Portfolio Holder report to sign off equipment selection due January 2009.
DCP01.9.2 Enhance the village centre environment of Kidlington through the replacement of the street furniture	G	G	
A Safe and Healthy Cherwell			
DCP02.1.1 Ensure at least 78% of residents say they feel safe at home and in the community	No Data	No Data	No data available until Place Survey and/or Citizens Panel.
DCP02.1.2 Work with TVP to reduce theft from vehicles, robbery and household burglary by 5%	A	R	CMT Exception Thames Valley Police unlikely to achieve this target - latest projections suggest a 2% reduction
DCP02.1.3 Invest significantly in technology (CCTV) to improve crime detection rates and deter crime	A	A	CMT Emerging Issue TVP planning major refurbishment works at Banbury Police Station which could delay capital programme to upgrade CCTV suite.
DCP02.1.4 Introduce the Nightsafe initiative in Bicester	A	G	CMT Success Nightsafe Bicester launched on 10 December 2008.
DCP02.1.5 Implement a new Cherwell Community Safety Strategy	G	G	CMT Success New 3-year strategy agreed by CCPP and Executive, and published on website
DCP02.2.1 Complete the District-wide coverage of NM Representatives from local communities	G	G	CMT Success All six neighbourhood action groups established with community representation
DCP02.2.2 Local community survey carried out by NAGs to identify current local concerns	G	G	CMT Success All NAGs have identified their top three priorities through community surveys

Corporate Plan 2008/2009 Action Plan April - December 2008			
	Quarter Two	Quarter Three	Comment
DCP02.3.1 Support the provision of the best possible services at the Horton Hospital	G	G	Better Health Care Programme pursuing four workstreams involving Board and Forum members. Health needs assessment complete. Interim service arrangements largely in place.
DCP02.3.2 Support new and improved health care services for Bicester and surrounding areas	G	G	PCT procurement process delayed. OJEU advert to be placed in mid January.
DCP02.3.3 Implement a new Cherwell Public Health Strategy	G	G	Health Strategy adopted.
DCP02.4.1 Help increase participation in active recreation by 1%	G	G	Increase in participation remains on target. Latest figures from Sport England show increase in participation in Cherwell.
DCP02.4.2 Prepare a funding and delivery plan for a Bicester multi-sports village	G	G	Project plan agreed by Executive but progress likely to be affected by slow down in housing markets/sales.
DCP02.5.1 Invest £15m in rebuilding or refurbishing our sports centres	G	G	Progressing in accordance with agreed timescales.
DCP02.6.1(a) Support and improve 12 existing community centres/organisations through grant aid funding	G	G	Provision of grants and advice.
DCP02.6.1(b) Support and improve 17 village halls through grant aid funding	G	G	CMT Success Grants allocated but not claimed until work/projects completed.
DCP02.6.2 Provide 820 formal and informal recreation opportunities for young people	G	G	Good progress being made. On target.
DCP02.6.3 Increase the numbers of older people participating in group activities by 3%	G	G	There are now 10,749 participants in group activities.
A Cleaner, Greener Cherwell			
DCP03.1.1 Ensure at least 90% of our streets and parks are clean at any one time	G	G	On track - litter score very good, detritus score lagging but will improve in the next quarter.
DCP03.1.2 Extend the cleaning times of all urban centres	G	G	Cleaning being carried out in the urban centres into the early evening.
DCP03.2.1 Increase our recycling rate to 49% by 31 March 2009	G	G	Recycling rate on track for 49.5% - 50%.
DCP03.2.2 Reduce the amount of waste sent to landfill by 1500 tonnes by 31 March 2009	R	A	Reduction in landfill tonnage will be in excess of 1400 tonnes, may hit 1500 tonnes.
DCP03.3.1 Undertake 10 county wildlife site surveys	G	G	Completed last month.
DCP03.4.1 Reduce the Council's carbon dioxide emissions by 4%	A	G	Reduction appears to be on track.
DCP03.5.1 Inform all residents on actions individual households can take to reduce carbon emissions	G	G	Leaflet widely available and has been distributed to more than 12,000 properties.

Corporate Plan 2008/2009 Action Plan April - December 2008			
	Quarter Two	Quarter Three	Comment
DCP03.6.1 Maintain at least 71% resident satisfaction with green spaces and public areas	G	G	CMT Success Satisfaction rating of 89.6%
Cherwell: An Accessible, Value for Money Council			
DCP04.01.1 Introduce a single, centralised customer complaints process	G	G	CMT Success This is now in place with associated online form and new leaflet. Some teething issues as we try to avoid double recording.
DCP04.01.2 Ensure that at least 90% of our customers are satisfied with our customer service	G	G	95% satisfaction overall. 100% over the phone, 92% face to face.
DCP04.01.3 Increase Cherwell Link to four editions per year	G	G	Fourth edition distributed. 2009 schedule includes four issues.
DCP04.02.1 Secure level 3 and work towards level 4 status in the national equality standard	A	A	Work plan agreed to reach level 3 by year end
DCP04.03.1 Baseline our existing complaints resolution performance	G	G	Not certain all previous complaints recorders have provided their evidence but for those that have, last year's performance was 100%.
DCP04.04.1 Achieve a score of 3 against the KLoE for VfM in the Use of Resources assessment	G	G	Achieved.
DCP04.04.2 Deliver a balanced, revenue-based budget without calling on reserves	A	G	The prompt and effective cost containment actions taken within the year have impacted positively on areas of earlier concern.
DCP04.04.3 Secure £210,000 in efficiency savings of which £160,000 procurement savings	G	G	£174k of procurements savings YTD identified contributing to £260k target for full year.
DCP04.05.1 Keep our council tax rise to below the rate of inflation for 2009/10	G	G	
DCP04.06.1 Produce a combined annual report of performance and finance	G	G	CMT Success Achieved. This secured a level 4 score in the Use of Resources assessment and was confirmed as an example of "notable practice" by the Audit Commission.
DCP04.07.1 Review the outcome of the One Stop Shop pilot at Bodicote House	G	G	Exit survey of customers as all our local offices provided a wealth of evidence that the new layout is liked and appreciated. Specific feedback from disabled users and through customer feedback cards has or is being acted on.
DCP04.07.2 Re-launch town centre offices in Banbury and Kidlington	G	G	Achieved.
DCP04.07.3 Provide rural customers with more ways to access our services	A	A	Discussion held with a number of interested shops/outlets. These have been plotted and show good spread across the District. Likelihood is 3/4 being up and running this year.
DCP04.08.1 Review the 6 month Webcasting pilot extension	G	G	Achieved.
DCP04.09.1 Ensure that 70% of our customers when asked feel well informed about the Council	No Data	No Data	

Corporate Plan 2008/2009 Action Plan April - December 2008			
	Quarter Two	Quarter Three	Comment
DCP04.10.1 Increase the proportion of total customer interactions that are handled online to 14%	G	G	CMT Emerging Issue We are still using the definition of online customer interaction that was agreed in 2006/07. This will be reviewed and re-baselined this year so we will end with two figures - one as we will measure going forward, and one as close to the same criteria as used in 06/07 as we can.

Number Green and Amber 50 51
 Percentage 96.15% 92.73%

Overall Action Plan Status Amber Amber

National Indicators 2008/2009
April - December 2008

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
Customer Service & ICT						
NI 14: Reducing avoidable contact: Minimising the proportion of customer contact that is of low or no value to the customer	Actual	29.35%	G	13.73%	G	This reporting has not yet settled in and some avoidable contact - especially missed bin reporting - is being recorded as value rather than avoidable contact. Staff training will rectify this but the figure is higher than 13.73%.
	Target	35.00%		35.00%		
Development Control and Major Developments						
NI 157: Processing of planning applications as measured against targets for "major" application types	Actual	76.92%	A	85.00%	G	CMT Success The planning improvement plan has ensured that a high level of performance is now sustainable with regard to major applications. This should be considered in the context of the Upper Heyford Inquiry and the impact that it had on the major developments team.
	Target	80.00%		80.00%		
NI 157: Processing of planning applications as measured against targets for "minor" application types	Actual	60.47%	R	59.01%	R	CMT Exception There has been a purge on applications that were out of time this has resulted in performance that is both below national standards and those set out in the service plan. However by the end of December 2008, the outstanding caseload across the team had been reduced by 30% meaning that improvement should be achieved for the final quarter of 2008/9.
	Target	85.00%		85.00%		
NI 157: Processing of planning applications as measured against targets for "other" application types	Actual	72.02%	R	71.01%	R	CMT Exception The backlog of applications is now a level that is consistent with high performance. The minor alterations in process have assisted in keeping performance at a level that has been achieved during the year so far despite clearing the majority of the out of date applications.
	Target	92.00%		92.00%		

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
Environmental Services						
NI 185: CO2 reductions from local authority operations	50	No Data (annual)	No Data (annual)	No Data (annual)	No Data (annual)	4% reduction looks to be on track. However data collected this year is base data.
	Target	2008 data to provide baseline	2008 data to provide baseline	2008 data to provide baseline	2008 data to provide baseline	
NI 188: Planning to adapt to climate change	Actual	SCORE = 0	G	SCORE = 0	G	This is a self assessment with a score of 0-4 (4 = highest). A score of 1 is expected by March 2009.
	Target	SCORE = 0		SCORE = 0		
NI 191: Residual household waste per household	Actual	260.55 kg/h/hold	A	386.63 kg/h/hold	A	The target is incorrectly profiled. An end of year performance of around 510kg/household is expected.
	Target	256.46 kg/h/hold		384.69 kg/h/hold		
NI 192: Household waste sent for reuse, recycling and composting	Actual	53.43%	G	51.22%	G	Year end recycling rate expected to be around 49.5% - 50%.
	Target	49.00%		49.00%		
NI 194: Levels of air quality - Reduction in NOx and primary PM10 emissions through local authority's estate and operations	Actual	No Data (annual)	No Data (annual)	No Data (annual)	No Data (annual)	
	Target	Baseline data in 2008	Baseline data in 2008	Baseline data in 2008	Baseline data in 2008	
NI 195(a): Improved street and environmental cleanliness - Litter	Actual	4%	G	4%	G	
	Target	6%		6%		
NI 195(b): Improved street and environmental cleanliness - Detritus	Actual	9%	G	10%	G	
	Target	11%		11%		

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
NI 195(c): Improved street and environmental cleanliness - Graffiti	Actual	1%	G	0%	G	
	Target	1%		1%		
NI 195(d): Improved street and environmental cleanliness - Fly Posting	Actual	0%	G	0%	G	
	Target	1%		1%		
NI 196: Improved street and environmental cleanliness - fly tipping	Actual	tipping down & enforcement up	G	3	R	This NI measures both fly tipping and enforcement actions. Fly tips are very slightly up 437 v 427 (in 2007/08). This is assessed as unchanged by this NI. Enforcement action good but less successful prosecutions this year than last. Hence the assessment of 3 rather than 1.
	Target	1		1		
Exchequer						
NI 180: The number of changes of circumstances which affect customers' HB/CTB entitlement within the year	Actual	2 172	G	4 195	A	This is a new Government target. The target has been set using performance figures up to date. The target could alter after the collection of the years data. The complete data will give us a better understanding of the indicator
	Target	2 100		4 200		
NI 181: Time taken to process Housing Benefit / Council Tax Benefit new claims and change events	Actual	12.8 days	G	13.48 days	A	This is a new Government target. The target has been set using performance figures up to date. The target could alter after the collection of the years data. The complete data will give us a better understanding of the indicator
	Target	12.86 days		12.86 days		
Finance						
NI 179: Value for money - total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008-09 financial year	Actual	Report in October	G		No Report for Period	
	Target	£260k (full year)		£260k (full year)		
Housing Services						
NI 155: Number of affordable homes delivered	Actual	40	G	64	G	
	Target	40		58		

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
NI 156: Number of households living in temporary accommodation	Actual	104	G	77	G	
	Target	110		102		
NI 187: Tackling fuel poverty - people receiving income based benefits living in homes with a low energy efficiency rating	Actual		No Data (annual)		No Data (annual)	The United Sustainable Energy Agency will be appointed to undertake the postal survey of fuel poverty. This has been delayed due to procurement reasons. January 1 is the provisional date for the survey.
	Target					
Planning and Affordable Housing Policy						
NI 154: Net additional homes provided	Actual	164	R	368	R	Comparator of 681 for the year (170/171 per quarter) is based on expected supply from deliverable and developable sites from 2007 Annual Monitoring Report (revised projections are included in the 2008 AMR). The cumulative figure for the year so far reflects the impact that the credit crunch is having on housebuilding rates nationally. It also reflects delay on sites such as Bankside and former RAF Upper Heyford. However, 3rd quarter net additional housing completions were relatively high at 204 (provisional only as confirmed figures are agreed with OCC annually). This has resulted from development activity on a further two of the Council's non-statutory housing allocations (16 units completed at Arncott and 22 at Milton Road, Bloxham), a further 18 homes at Hanwell Fields, and the completion of 20 on a site identified in the Council's Urban Housing Potential Study 2005 (the former Sunlight Services Laundry at Bicester). Improved monitoring resources have also enabled 48 completions to be recorded against older planning permissions (i.e very small sites which have not recently been visited).
	Target	341		511		

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
NI 159: Supply of ready to develop housing sites	Actual		No Data (annual)		No Data (annual)	Not monitored on quarterly basis. Possible near term review of housing expectations may alter percentage.
	Target	rolling target of 100%		rolling target of 100%		
NI 170: Previously developed land that has been vacant or derelict for more than 5 years	Actual		No Data (annual)		No Data (annual)	Work required to establish baseline - to be ready for annual return
	Target	Low and reducing % based on baseline 2006		Low and reducing % based on baseline 2006		
Recreation and Health						
NI 8: Adult participation in sport and active recreation	Actual		No Data (annual)		No Data (annual)	This data is collected by Sport England via an annual Active People survey in Oct/ Nov with results available following Jan/ Feb. Delivered through CDC Recreation and Sports Development team working with Oxfordshire Sports Partnership, the Local Sports Network and other facility providers.
	Target	1% increase in participation		1% increase in participation		
NI 56: Obesity among primary school age children in Year 6	Actual		No Data (annual)		No Data (annual)	Data will be collected nationally and disseminated to the local PCT. To be reported at year end. CDC Health Strategy and Improvement Officer works closely with the PCT in delivery initiatives across the District.
	Target	Local targets have still to be set by PCT		Local targets have still to be set by PCT		
NI 110: Young People's participation in positive activities	Actual		No Data (annual)		No Data (annual)	Information not yet available. Monitoring will be done through the Oxfordshire Play Partnership of which CDC is an active member. The CDC Play and Young People Officer develops opportunities for young people to participate in positive activities.
	Target	Local targets have still to be set by County Partnership		Local targets have still to be set by County Partnership		

Indicator Description	Quarter Two	Performance	Quarter Three	Performance	Comments
Safer Communities and Community Development					
NI 15: Serious violent crime rate	Actual	0.20	0.25	G	CMT Exception Actual crime has reduced by 33.3% (70 in 2006, 51 in 2007, 34 in 2008). Need to review baseline and target with Thames Valley Police.
	Target	0.24	0.36		
NI 16: Serious acquisitive crime rate	Actual	4.37	6.34	A	CMT Exception Thames Valley Police are projecting year end performance at 2 - 3% reduction against target of 5%. Performance to be reviewed by Overview and Scrutiny Committee.
	Target	4.13	6.20		
NI 20: Assault with less serious injury crime rate	Actual	3.29	4.74	A	Domestic incidents have increased by 13% whilst non-domestic have decreased by 14.6%. This reflects the increased confidence in reporting domestic abuse.
	Target	3.07	4.60		
NI 35: Building resilience to violent extremism	Actual			No Data (annual)	New multi-agency group now established to include the Council's Community Cohesion Champion.
	Target				
NI 184: Food establishments in the area which are broadly compliant with food hygiene law	Actual			No Data (annual)	No data available until Q4. Test reports being run on Uni-form to assess data quality.
	Target				
Urban and Rural Services					
NI 197: Improved local biodiversity - active management of local sites	Actual		Indicator Deleted	N/A	Indicator deleted. Revised guidance from Audit Commission states that "Deira has confirmed the Spatial Level is Single tier and county councils" therefore district councils are not expected to report directly into the EDC.
	Target				

Indicator Description		Quarter Two	Performance	Quarter Three	Performance	Comments
Cross-Service Indicator						
NI 182: Satisfaction of business with local authority regulation services	Actual		No Data		No Data	
	Target					

	Quarter One	Quarter Two	Quarter Three	
Green	8	9	11	34.38%
Amber	3	5	5	15.63%
Red	0	3	4	12.50%
No Data	4	3	1	3.13%
No Data (annual survey planned)	13	11	10	31.25%
No Target	0	0	0	0.00%
No Report for Period	0	1	1	3.13%
Total This Period	28	32	32	
Overall NI Status	Red	Red	Red	

Best Value Performance Indicators 2008/2009
April - December 2008

		Quarter Two	Performance	Quarter Three	Performance
BV002a.02 Equality Standard Level	Actual	2	G	2	G
	Target	2		2	
BV008 % Invoices paid within 30 days	Actual	98.22	A	98.25	A
	Target	100		100	
BV009 % Council Tax collected	Actual	58.75	G	87.14	G
	Target	58.5		87	
BV010 % NNDR collected	Actual	60.18	G	86.38	A
	Target	58.5		86.75	
BV012 Days / shifts lost to sickness	Actual	3.58	G	6.31	A
	Target	4		6	
BV078a Average time for new claims	Actual		No Data	31.56	R
	Target	22		22	
BV078b Average time for changes	Actual		No Data	10.4	R
	Target	7		7	
BV079a % Benefit calculations correct	Actual		No Data		No Data
	Target	99		99	
BV079bi.05 % HB Recovered: Overpayment	Actual	76.34	A	79	G
	Target	77.5		77.5	
BV079bii.05 % HB Recovered: Outstanding	Actual	11.65	R	27.52	G
	Target	18		27	
BV079biii.05 % HB O'Pay: Written Off	Actual	0.85	R	1.73	R
	Target	2.5		3.75	
BV082ai.05 % H'hold Waste Recycled	Actual	22.9	A	24.18	A
	Target	24.35		24.35	
BV082aia.05 Tonnes H'hold Waste Recycled	Actual	7426.77	G	11030.56	G
	Target	7225		10837.5	
BV082bi.05 % H'hold Waste Compost	Actual	30.63	G	27.38	G
	Target	22.33		22.33	
BV082bii.05 Tonnes H'hold Waste Compost	Actual	9883.63	G	12490.29	G
	Target	6625		9937.5	
BV091b % of households with two recyclables collected	Actual	100	G	100	G
	Target	100		100	
BV106 % New homes built on 'brownfield'	Actual	50.45	G	59.73	G
	Target	50		50	
BV156 % LA public buildings - disabled	Actual	100	G	100	G
	Target	66.7		66.7	
BV166a % score on Environmental Health checklist	Actual	100	G	100	G
	Target	100		100	
BV170a Visits to/usage of museums per 1000 pop.	Actual	898.03	R	1402.56	R
	Target	1201.82		1813.72	
BV170b Visits to museums in person per 1000 pop.	Actual	776.34	R	1213.27	A
	Target	889.47		1314.91	
BV170c Pupils visiting museums and galleries	Actual	1141	G	2014	A
	Target	850		2100	
BV179 % standard searches in 10 days	Actual	100	G	100	G
	Target	100		100	
BV199a.05 Env. Cleanliness - Litter	Actual	11.36	A	11.23	A
	Target	11		11	
BV199b.05 Env. Cleanliness - Graffiti	Actual	0.95	R	0.47	G
	Target	0.65		0.65	
BV199c.05 Env. Cleanliness - Fly-Posting	Actual	0	G	0	G
	Target	0.4		0.4	
BV203 % Change families in temporary accommodation	Actual	59.35	G	50.77	G
	Target	86		86	

		Quarter Two	Performance	Quarter Three	Performance
BV204 % Planning appeals allowed	Actual	21.05	R	18.18	A
	Target	18		18	
BV205 Quality of Service checklist	Actual	100	G	100	G
	Target	100		100	
BV213 Housing advice: No. case work intervention	Actual	2.25	G	3.15	G
	Target	1.96		2.93	
BV214.05 % Repeat homelessness	Actual	0	G	0	G
	Target	5		5	
BV216b.05 Info. on contaminated land (% of sites of potential concern)	Actual	1.96	R	2.93	R
	Target	25		25	
BV217.05 % Pollution control improvements	Actual	100	G	100	G
	Target	100		100	
BV218a.05 % Abandoned vehicles-investigate	Actual	97.64	G	97.04	G
	Target	95		95	
BV218b.05 % Abandoned vehicles-removal	Actual	79.55	A	82.76	A
	Target	85		85	
BV219a.05 Conservation areas - number	Actual	54	A	55	G
	Target	55		55	
BV219b % Conserv. Areas with up to date Character Appraisals	Actual	27.78	G	32.73	G
	Target	20		20	
BV219c % Conserv. Areas with published Management Plans	Actual	66.67	A	63.64	R
	Target	73		73	
BV225 % score on DV actions checklist	Actual	81.82	A	81.82	A
	Target	82		82	

	Quarter One	Quarter Two	Quarter Three	
Green	24	20	22	56.41%
Amber	5	8	10	25.64%
Red	5	7	6	15.38%
No Data	4	4	1	2.56%
No Target	1	0	0	
Total This Period	39	39	39	
Overall BVPI Status	Red	Red	Red	

Corporate Improvement Plan 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
Be Recognised as an Excellent Authority			
CIP01.1.1 Undertake customer Satisfaction Survey	G	G	
CIP01.1.2 Undertake Place Survey	A	G	Survey completed. Weighted data should be available in February/March 2009.
CIP01.2.1 Achieve Excellent CPA Rating	A	A	
CIP01.2.2 Achieve Score of 3 for VfM and Financial Reporting	A	G	CMT Success Latest Use of Resources assessment has improved the rating for Financial Reporting and Value for Money to 3 for each category.
Deliver Value for Money			
CIP02.1.1 Extend the Information Available on Comparable Costs and Service Performance	G	G	Analysis of comparative performance as measured by 07/08 outturn budgets used to determine the VfM programme for the remainder of 08/09. The outcome of the VfM Review of Fees and Charges, Street Cleansing and Corporate Property Management reported to the Executive. All these reviews made extensive use of comparative information on costs and service performance.
CIP02.2.1 Deliver April-September Programme	G	G	
A Culture of Continuous Improvement and Innovation Across the Council			
CIP03.1.1 Monitor the National Indicators	G	G	CMT Success The Audit Commission has published the national comparable performance 07/08 against BVPIs. This shows the council has continued to improve it's performance against BVPIs and achieved a performance of 74% BVPIs in the top half of performance nationally against an anticipated performance of 75%.
CIP03.1.2 Monitor the 42 Best Value Performance Indicators	G	G	
CIP03.1.3 Meet Improvement Targets for the 28 Retained BVPI's	R	R	
CIP03.2.1 Service and Develop Unit Costs and Productivity Benchmarking	A	A	
CIP03.2.2 Research Best Practice to Improve Services	A	G	Best practice research fundamental to successful VfM reviews of Corporate Property Management, Street Cleansing and Fees and Charges. Increased evidence of awareness of best practice shown through the Service & Financial Planning process.
CIP03.3.1 Retain Investors in People Accreditation	G	G	
CIP03.3.2 Identify Further Opportunities for External Recognition	G	G	

Corporate Improvement Plan 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
Working in Partnership			
CIP04.1.1 Deliver the Partnership Improvement Plans	A	A	Focused actions to deliver the Plan have now begun and anticipate return to Green in January 2009.
CIP04.1.2 Through S&FP Identify Opportunities to Develop New or Existing Partnerships	A	A	
CIP04.2.1 Through S&FP Improve the Management of and Develop More Partnerships	A	A	
CIP04.3.1 Explore Shared Service Delivery for Internal Audit	G	G	Following a VFM review a contracted out option was pursued in partnership with Oxford City Council leading to significant cash savings.
CIP04.3.2 Explore Shared Service Delivery for Revenue and Benefits	A	G	Consultants due to report on outcome of review in February 2009.
CIP04.3.3 Consider Shared Service Options Through S&FP and VFM Reviews	A	A	Work underway to evaluate service options for Corporate Property Management. As reported elsewhere the outcome of the review of delivery of the Benefits Services to be reported to Executive in February 2009.
Recognise the Diverse Needs of the Community			
CIP05.1.1 Research the Local Population and Population Trends	G	G	
CIP05.1.2 Establish a Central Resource for Accessing Population Information	G	G	
CIP05.1.3 Have Regular Population Data Updates	G	G	
CIP05.1.4 Use 3 Year EIA Action Plans to Inform 2009/10 Service Plans	A	A	All services asked to consider implications of EIAs and many actions identified however further work required to both complete the programme of EIAs and translate the outcomes into service actions.
CIP05.2.1 Increase and Improve Our Customer Access Points	G	G	
CIP05.2.2 Develop New Service Standards for 10 Priority Services	A	A	
CIP05.3.1 Increase Engagement with Traditionally Hard to Reach Groups	A	A	

Corporate Improvement Plan 2008/2009 April - December 2008				
	Quarter Two	Quarter Three	Comment	
Ensure Decision Making is Based on High Quality Management and Demographic Information				
CIP06.1.1 Roll-out Performance Plus	G	G		
CIP06.1.2 Introduce New Corporate Scorecard	G	G		
CIP06.1.3 Introduce new National Indicators	G	G		
CIP06.2.1 Commission an annual Customer Satisfaction Survey	G	G		
CIP06.2.2 Participate in the cross Oxon Place Survey	G	G		
CIP06.2.3 Deliver the Knowing Our Communities project	G	G	Survey of population and make up of ethnic minority communities commissioned. Report of findings to cross organisational working group in January 2009 and commissioning of second phase of work into community needs.	
CIP06.3.1 Continue Involvement in Current Benchmarking Initiatives	G	G		
CIP06.3.2 Ensure Comparative Information from CIPFA and the Audit Commission is Fully Utilised	A	G	Comparative information from the Audit Commission used to inform the VFM Programme for the second half of 08/09 and used extensively to inform VFM Reviews.	
CIP06.3.3 Use Comparative Information and Best Practice to Inform S&FP and Service Improvement	A	G		
Deliver our service promises and new developments and be efficient in the way we do this				
CIP07.1.1 Monitor, Review and Report Performance through the PMF	G	G		
CIP07.2.1 Introduce a New Human Resources Strategy	G	G		
Recognise our Staff are our Greatest Asset				
CIP08.1.1 Involve Staff at all Levels in the S&FP Process and Continuous Service Improvement	G	G		
CIP08.2.1 Implement the Action Plan Arising from the Staff Survey	G	G		
CIP08.2.2 Continue the Staff Cascade	G	G		
CIP08.2.3 Continue CEX Staff Briefings	G	G		
CIP08.2.4 Double the Size of Inside Cherwell	G	G		

Corporate Improvement Plan 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
CIP08.3.1 Deliver a Development Programme to Managers Who Report to EMT	G	G	
CIP08.3.2 Align Resources with Learning Priorities	G	G	

Number Green and Amber
Percentage

44
100.00%

43
97.73%

Overall Corporate Improvement Plan Status

Green

Amber

Strategic Service Projects 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
Strategic Service Projects			
Accommodation Review and Refurbishment	G	G	CMT Success Overall the project is on target in respect of timescales and budget allocation. Learning from phases 1&2 have enabled more effective planning of ongoing phases in closer liaison with the contractor. Town Centre Offices will be cleared of debris early in the new year to enable refurbishment works to commence for completion by the end March 2009.
Banbury Bankside Development	A	A	Further meetings held with key stakeholders, at these meetings there was still a strong commitment to the completion of the s106 agreement.
Banbury Canal-side	G	G	Work is progressing in line with the LDF timetable. There is little scope for action to progress implementation until the LDF is in place, but the Homes and Communities Agency continue to support the council.
Banbury Cultural Quarter	A	G	First Joint CDC/OCC Working Group meeting held. Discussions with Environment Agency commenced. Integrated Lill/Library concept under development
Banbury Pedestrianisation	G	G	Public inquiry held in December and inspector's report awaited. Design work is progressing so that tenders can be invited when we are ready to proceed. Timetable dependant on the process for considering any possible amendments, when the inspector's report is received. Concerns have been raised regarding arrangements for access by market and street traders, to be considered by the Project Board in January.
Bicester Town Centre Redevelopment	A	A	The agreement reached between Sainsbury's and Stockdale regarding the ownership of Town Centre Retail, (the developer) are helpful, and enhance the likelihood of progress being made. However, the project remains amber until revised terms for the development agreement have been agreed.
Flood Alleviation	G	A	Date for the start of the Compulsory Purchase Order inquiry has yet to be confirmed.
Investors in People	G	G	IIP Assessor due to return in Mid January 2009.
RAF Upper Heyford	G	G	Inquiry ongoing with closing now timetabled for March 2009.
SW Bicester Development	G	G	Initial discussions have taken place with regard to the initial reserved matters planning applications, infrastructure and the first 90 dwellings. Initial sketch schemes have been presented, although many design matters are unresolved at this stage.
Weston Otmoor Eco Town	G	G	CMT Success The technical group to inform CLG on the eco town process has been wound up following successful completion of the major pieces of joint technical work (CDC/OCC/Parkridge/CLG and others).

Growth Bids 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
Planning, Housing & Economy			
DCMD Additional Staffing (particular focus on Enforcement) = £100,000	G	G	The Enforcement team is now fully utilising the Uniform Computer system to record and progress enforcement matters and record statistics. The other staffing elements of the improvement plan have now been shelved due to the financial circumstances of the service.
DCMD Electronic Data Capture = £15,000	G	G	Project ongoing
HS Additional Staffing (Disabled Facilities) = £26,000	G	G	Additional member of staff in place. HIA has been brought in house. Delivery of HIA and DFG programme on course for 2008/9.
HS Additional Staffing (Homelessness) = £100,000	G	G	This grant funding is provided by CLG to support the Council's work to reduce and prevent homelessness in Cherwell. The Council's Homelessness Strategy Action Plan includes projects such as "no place like home", joint commissioning arrangements such as money advice with CAB - this work is funded by the grant and monitored by the Homelessness Partnership.
HS Choice Based Lettings = £18,000	G	G	Abritas system fully integrated. Sub-regional CBL due to go live in early Summer 2009.
HS Foyer Accommodation = £23,000	G	G	This scheme continues to offer a safety net to young people threatened with homelessness or a housing crisis.
HS Spend to Save Initiatives = £0	G	G	No current initiatives.
Environment & Community			
ES Additional Recycling Bins = £12,500	G	G	New Street Cleansing vehicles arrived in late November, these make emptying the bins easier. Rest of the bins due to be installed in mid-late January 2009.
ES Food Waste Pilot Collection Scheme = £30,000	R	R	Still no local food waste processing facilities. Now looks to be autumn 2009 before facilities are built.
ES Pest Control = £10,000	G	G	SDK Environmental performing well. Budget on track
ES Street Cleansing Service = £35,000	G	G	Cover in urban centres operating to extended hours
SCCD Implementation of NightSafe across District = £15,000	A	G	Nightsafe Bicester launched in December to complement Nightsafe Banbury and Nightsafe Kidlington

Growth Bids 2008/2009 April - December 2008			
	Quarter Two	Quarter Three	Comment
SCCD Public Protection = £36,000	G	G	Public Protection team now fully staffed
SCCD Support to the Voluntary Sector = £60,000	G	G	CMT Success Additional £60,000 grant funding to advice centres and seniors clubs
URS Additional Staffing: In-house ecologist = £18,000	G	G	Need to keep a check on extent to which large schemes require Ecological input and whether these take precedence over the 'business as usual' activities which are the focus of the post.
URS Licensing inspection and enforcement capability = £40,000	G	G	Unit is now involved in proactive enforcement across the range of licensing services. The outcomes of this include much improved joint working with partners; greater presence felt by licensed activities from more frequent inspections; pursuit of prosecutions against license holders that contravene their license.
URS Street Markets = £15,000	A	A	Still awaiting final report and recommendations from Scrutiny.
Customer Services & Resources			
EXCH Internal Bailiffs Service = £75,000	A	G	The main driver for the bailiff project was the introduction of new legislation. The legislation has now been postponed, therefore we no longer need to continue with this project at the present time. We will explore this option again at a later date.
LDS Virtual Clerk Service = £10,000	A	A	Propose to support parishes through the new committee management system Modern.gov and existing administrative support within Legal & Democratic Services. Working with the Oxfordshire Association of Local Councils to put forward a bid for IT support to parishes.
Chief Executive's Services			
COM Appoint a Fulltime Designer and Review Printing requirements = £60,000	G	G	Savings being tracked in terms of time. Better idea of total savings will be known if proposal for consolidated design budgets is approved.
COMP Fundamental Refresh of the Cherwell Community Plan = £100,000	A	G	Spend and project milestones both on track.

Number Green and Amber
Percentage

20
95.24%

20
95.24%

Overall Growth Bid Status

Amber

Amber