

**Committee:** Executive  
**Date:** Monday 2 September 2013  
**Time:** 6.30 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

### Membership

<b>Councillor Barry Wood (Chairman)</b>	<b>Councillor G A Reynolds (Vice-Chairman)</b>
<b>Councillor Ken Atack</b>	<b>Councillor Norman Bolster</b>
<b>Councillor John Donaldson</b>	<b>Councillor Michael Gibbard</b>
<b>Councillor Tony Ilott</b>	<b>Councillor Nigel Morris</b>
<b>Councillor D M Pickford</b>	<b>Councillor Nicholas Turner</b>

## 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 - 10)

To confirm as a correct record the Minutes of the meeting held on 1 July 2013.

## **Strategy and Policy**

6. **High Speed 2 (HS2) Update** (Pages 11 - 72) **6.35pm**

Report of Head of Strategic Planning and the Economy

### **Summary**

To receive an update on the High Speed Rail - HS2 scheme and Cherwell District.

### **Recommendations**

The Executive is recommended:

- (1) To note the process that has been introduced by HS2 Ltd for Safeguarding.
- (2) To note the CDC response to the HS2 Environmental Statement.
- (3) To note the on-going Legal Challenge to the HS2 scheme and next steps.

7. **District Wide Programme of Article 4 Directions to Protect Heritage Interest**  
(Pages 73 - 100) **6.45pm**

Report of Head of Strategic Planning and the Economy

### **Summary**

To consider the introduction of a District wide programme of Article 4 Directions to preserve the Character and Appearance of Areas with Heritage Significance.

### **Recommendations**

The Executive is recommended:

- (1) To approve the process of rolling-out a programme of Article 4 Directions.

8. **Funding Provision for Enforcement Action in Connection with Work-in-default and with Bringing Empty Homes Back into Use** (Pages 101 - 106) **6.55pm**

Report of Head of Regeneration and Housing

### **Summary**

To seek support in principle for the establishment, through the annual budget setting process, of a capital budget against which the Housing and Regeneration Service can draw when taking enforcement action to bring empty homes back into use, or when needing to undertake Works-in-Default following the failure of a notice recipient to comply with an enforcement notice requiring remedial works.

## **Recommendations**

The Executive is recommended:

- (1) To support the establishment of a capital budget, through the annual budget setting process for 2014-15, and in successive years, that will enable enforcement powers delegated to the Head of Regeneration to be utilised effectively, and without the need for the necessary funding to be sought separately in each particular case.

## **Service Delivery and Innovation**

9. **South West Bicester Sports Village Progress Update** **7.05pm**  
(Pages 107 - 112)

Report of Head of Community Services

### **Summary**

To give Members a progress report on the Bicester Sports Village project.

### **Recommendations**

The Executive is recommended:

- (1) To note the progress on the construction of Phase 1 (grass pitches, cycle track and landscaping) and the progress on the procurement process for Phase 2 (design and construction of a pavilion and car park).

## **Value for Money and Performance**

10. **Performance Management Framework 2013/14 First Quarter Performance Report** (Pages 113 - 144) **7.15pm**

Report of Head of Transformation and Corporate Performance Manager

### **Summary**

This report covers the Council's performance for the period 01 April to 30 June 2013 as measured through the Performance Management Framework.

### **Recommendations**

The Executive is recommended:

- (1) To note the many achievements referred to in paragraph 1.3.
- (2) To identify any performance related matters for review or consideration in future reports identified in paragraph 1.4.
- (3) To note progress on issues raised in the Quarter two report highlighted in paragraph 1.5.

**11. Quarter 1 2013/14 Finance and Procurement Report (Pages 145 - 160) 7.25pm**

Head of Finance and Procurement

**Summary**

This report summarises the Council's Revenue and Capital performance for the first 3 months of the financial year 2013/14 and projections for the full 2013/14 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2013/14 budget process currently underway.

To receive information on treasury management performance and compliance with treasury management policy during 2013/14 as required by the Treasury Management Code of Practice.

**Recommendations**

The Executive is recommended:

- (1) To note the projected revenue & capital position at June 2013.
- (2) To note the quarter 1 (Q1) performance against the 2013/14 investment strategy and the financial returns from the two funds.
- (3) To note the contents and the progress against the Corporate Procurement Action Plan (detailed in Appendix 1) and the Procurement savings achieved at June 2013 (detailed in Appendix 2).

**Urgent Business**

**12. Urgent Business**

Any other items which the Chairman has decided is urgent.

**(Meeting scheduled to close at 7.35pm)**

**Information about this Agenda**

**Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 221589 prior to the start of the meeting.

**Declarations of Interest**

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

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

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

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

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

### **Evacuation Procedure**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

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

### **Mobile Phones**

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

### **Queries Regarding this Agenda**

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

**Sue Smith**  
**Chief Executive**

Published on Thursday 22 August 2013

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# Agenda Item 5

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 1 July 2013 at 6.30 pm

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

Councillor Norman Bolster, Lead Member for Estates and the Economy

Councillor John Donaldson, Lead Member for Banbury Brighter Futures

Councillor Michael Gibbard, Lead Member for Planning

Councillor Tony Ilott, Lead Member for Public Protections

Councillor D M Pickford, Lead Member for Housing

Councillor Nicholas Turner, Lead Member for Performance and Customers

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

Apologies for absence: Councillor Ken Atack, Lead Member for Financial Management  
Councillor Nigel Morris, Lead Member for Clean and Green  
Councillor Tim Emptage, Leader of the Liberal Democrat Group

Officers: Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Adrian Colwell, Head of Strategic Planning and the Economy (for agenda items 8 and 10)  
Jo Pitman, Head of Transformation (for agenda Item 16)  
Nicola Jackson, Corporate Finance Manager  
Ed Potter, Head of Environmental Services (for agenda items 9 and 15)  
Helen Town, Strategic Housing Officer (for agenda items 6 and 7)  
Marianne North, Housing Needs Manager (for agenda item 7)  
Natasha Clark, Team Leader, Democratic and Elections

#### 14 **Declarations of Interest**

Members declared interests in the following agenda items:

#### 15 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

16 **Urgent Business**

There were no items of urgent business.

17 **Minutes**

The minutes of the meeting held on 3 June 2013 were agreed as a correct record and signed by the Chairman.

18 **Graven Hill Acquisition Update**

The Head of Regeneration and Housing submitted a report which sought consideration of the next steps towards the acquisition of Graven Hill Executive and provided an update on the progress being made with the acquisition of Graven Hill.

**Resolved**

- (1) That Full Council be recommended to add the acquisition and redevelopment of Graven Hill and prudential borrowing into the Policy Framework and make available the capital sums required as part of the budget.

**Reasons**

To ensure that the Council is following correct procedures in making key decisions

**Options**

Option One: To approve the recommendation

Option Two: To reject the recommendation

19 **Cherwell Housing Strategy and Tenancy Strategy 2012-17**

The Head of Head of Regeneration and Housing submitted a report which provided an update on the Housing Strategy 2012-17 and Tenancy Strategy 2012-17.

In introducing the report, the Lead Member for Housing report on the work being done in the District by the council and partners to deliver affordable housing, housing related support and to prevent homelessness and improve housing standards.



Housing Services had enabled the delivery of 113 new affordable homes in 2012/13 by supporting Registered Provider's (RP's) and working with planners and developers and the Council's 'Build' Programme had delivered 7 refurbished properties for single people.

The Lead Member for Housing explained that the Welfare Reform Act 2012 which had introduced major changes to the social welfare system would mean a fundamental change for housing organisations and for those receiving benefit. In terms of the social sector size criteria, which affected over 900 social tenancies in Cherwell, the Council had worked with Registered Providers to minimise the effects by changing the priority for downsizers in the Allocations Policy, by the use of Discretionary Housing Payments and through the development programme providing a greater number of one and two bedroom homes. Officers were working with Sanctuary Housing to monitor the impact.

### **Resolved**

- (1) That the contents of the report and progress to date in delivering the Council's Housing Strategy and the Council's Tenancy Strategy be noted.
- (2) That officers be requested to submit a further update in twelve months' time.

### **Reasons**

The Council's Housing Strategy contains six main priorities that the Council identified it would deliver over the period of the Strategy.

The Council's Tenancy Strategy provides guidance for Registered Providers operating in the Cherwell area.

### **Options**

None

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### **Criteria for Local Heritage Assets Register**

The Head of Strategic Planning and the Economy submitted a report which sought consideration of the criteria for a District wide Local Heritage Assets Register.

### **Resolved**

- (1) That the criteria for the selection of Local Heritage Assets be approved.

### **Reasons**

The National Planning Policy Framework (NPPF) requires local authorities to ensure that local heritage is protected. This is done by understanding local heritage assets and managing change to ensure that the significance is not harmed. The criteria for assessing Local Heritage Assets is therefore

important to ensure that local heritage assets are appropriately managed and their significance is not harmed. The criteria from Cherwell District Council will help provide long term protection for the heritage of the District.

### **Options**

Option One: To accept the document as criteria and process for the purposes of planning.

Option Two: To decline the document as criteria and process for the purposes of planning.

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### **Carbon Management**

The Head of Environmental Services submitted a report which sought consideration of the progress the Council's Low Carbon Management Plan and well as other low carbon related projects.

### **Resolved**

- (1) That the achievements of the ongoing delivery of the Carbon Management Plan be noted.
- (2) That the success of the investment in solar panels on key buildings be noted.
- (3) That the results of the Energy & Environment Survey be acknowledged.
- (4) That Cherwell's sign up to the national Climate Local Commitment be supported.

### **Reasons**

The Low Carbon Environmental Strategy is key to reducing energy costs and emissions along with the Carbon Management Plan

The work already achieved by the Use of Natural Resources Group needs to continue to deliver the Carbon Management Plan.

Key to the internal and external environmental work of the council is to understand residents' opinions and expectations regarding climate change and energy efficiency and to engage with them.

### **Options**

Option One: To approve the forward plan for the Use of Natural Resources Group for 2013/14, to note the results of the Energy & Environment Survey and to support Climate Local

Option Two: To reject either all or some of the proposals under Option One

Option Three: To ask officers to modify either all or some of the proposals under Option One

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## **Enabling Business Investment in Cherwell**

The Head of Strategic Planning and the Economy submitted a report which sought consideration of how to use recent research to enable business investment in Cherwell.

In introducing the report, the Lead Member for Estates and the Economy explained that independent research had been undertaken across England, the results of which could contribute towards the planning and economic development objectives of the Council.

Local Futures' Place Profiles were computer-generated reports that provided a high-level analysis of an area and told a 'story of place'. The reports provided a quick, easy to understand and yet comprehensive analysis of an area in relation to a national index by using standard data sources. Cherwell had been examined in terms of its attractiveness to inward investors and businesses considering the District as a location.

The overall analysis revealed that, despite some areas of weakness, Cherwell performed extremely well overall and had the highest Business Location Index when compared to surrounding districts and compared very strongly at an English level. Cherwell ranked 11<sup>th</sup> out of all 325 local authority areas in England.

### **Resolved**

- (5) That agreement be given to share this research and engage with members of the Cherwell-M40 Investment Partnership (CHIP) to identify competitor locations and points of Cherwell's competitive advantage to form the basis of a promotional campaign to strengthen the economic base of the District and attract inward investment and this should also assist the retention of local SMEs and support them to prosper, all of which will contribute to growth in business rates and the vitality of Cherwell.
- (6) That new District- wide promotional material to secure new investment including Investor Profiles for our portfolio of major sites, setting out location, characteristics of the population, local demographics etc. be commissioned.
- (7) That agreement be given for Cherwell District Council to lead new initiatives in 2013/14 including a bulletin for businesses to promote investment, and a District wide business forum to enhance the networks the IoD, FSB and local Chambers within the District as a whole.

### **Reasons**

The Cherwell Economic Development Strategy (2011-16), adopted by both the District Council and the Local Strategic Partnership, identifies the importance of a strong and resilient economy for the future of north Oxfordshire. By leading and enabling investment in three broad areas: people, business and place, specific commitment was given to take action on the following inter-related themes:

- a) Promote business & cluster development
- b) Attract new investment
- c) Promote employment sites & premises

### **Options**

Option One: To take no action and retain the funding for other purposes.

Option Two: To implement the plans described in the recommendations.

Option Three: To alter and implement the plans described in the recommendations.

## **23 Joint Arrangements Steering Group (CDC/SNC/SDC) Terms of Reference**

The Head of Law and Governance submitted a report which sought agreement to adopt formal terms of reference for the “three way” Joint Arrangements Steering Group involving members and officers of Cherwell District Council, South Northamptonshire and Stratford on Avon.

### **Resolved**

- (8) That the terms of reference for the “three way” Joint Arrangements Steering Group (JASG) be adopted.

### **Reasons**

As discussions on shared working with SDC bear fruit and significant progress is made towards recommended implementation of proposals it is important to define the role and responsibilities of the “three way” JASG in a way which is consistent with the existing terms of reference for the SNC/CDC JASG.

### **Options**

Option One: To approve the recommendation.

Option Two: To amend the proposed terms of reference, but this is not recommended as they have the support of all three sets of Council members on the body and are consistent with the existing terms of reference for the CDC/SNC JASG.

## **24 Transformation Challenge Award**

The Head of Finance and Procurement submitted a report which outlined proposals for bidding against the transformation challenge award and detailed the process and timetable for completion.

### **Resolved**

- (1) That the contents of the report and the purpose of the transformation challenge award be noted.
- (2) That the areas suggested for collaboration with South Northamptonshire and Stratford upon Avon Councils be endorsed.
- (3) That authority be delegated to the Director of Resources in consultation with the Head of Finance and Procurement and the Leader of the Council to finalise submissions ahead of the deadline date of 14 July 2013.

### **Reasons**

Through the Transformation Challenge Award the Government is making funding available to support local authorities that are at the cutting edge of innovation for service transformation so that they are going further and faster in re-engineering service delivery and achieving efficiency savings.

The 3 way Joint Arrangements Steering Group has recommended areas the 3 councils could bid for funds together and independently. In order to satisfy the bidding criteria we need to be able to evidence that the areas for collaboration have political support and the JASG is asking the Executive to confirm this support.

### **Options**

Option One: Implement as per recommendations

Option Two: To approve or reject the recommendations above or request that Officers provide additional information.

## 25 **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 items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.

## 26 **Shared Services - Environmental Services**

The Head of Environmental Services submitted an exempt report which sought approval of the implementation of Stage 1 of a shared service covering

Environmental Services in Cherwell District Council and South Northamptonshire Council.

### **Resolved**

- (9) That the implementation of Stage 1 of a shared service covering some elements of Environmental Services be approved.
- (10) That it be noted that a report covering Stage 2 of a shared service will come forward later in the financial year.

### **Reasons**

This report is presented to provide information on Stage 1 of a shared service. The impact on staff is very low and the savings proposed are achievable and some need to be delivered in 2013/14.

Stage 2 business case will be developed later during 2013.

### **Options**

Option One: To approve the implementation of the shared service.

Option Two: To not approve the implementation of the shared service.

Option Three: Investigate other options

## **27 Proposal for a Shared Human Resources Service with South Northamptonshire District Council and a Collaborative Approach to the Delivery of HR Services with Stratford On Avon District Council**

The Head of Transformation submitted an exempt report which sought consideration of the proposal for a shared Human Resources service with South Northamptonshire District Council and a Collaborative Approach to the Delivery of HR Services with Stratford on Avon District Council

### **Resolved**

- (11) That the responses to the consultation process with the affected staff and trade union representatives be noted.
- (12) That the approval of the Personnel Committee of the staffing aspects in relation to the proposal for a Shared HR Service with SNC be noted.
- (13) That the proposal to work in collaboration with Stratford on Avon District Council in relation to the delivery of HR Services be approved.
- (14) That the proposed final business case to share an HR Service between CDC and SNC be approved and implemented, subject to similar approval by SNC Cabinet and Full Council.

### **Reasons**

The introduction of a shared HR Service will continue to build upon the Shared Service model between CDC and SNC, whilst supporting the principle of collaborative working with SDC.

It will provide increased resilience to all partners and ensure that specialisms and best practice can be developed internally to be shared across all partners.

It will deliver service improvements, increase efficiency, avoid duplication and deliver financial savings for CDC.

### **Options**

Option One: To reject the proposal meaning the two services continue to operate independently. This would not deliver the benefits or financial savings to CDC identified in the business case.

Option Two: Approve the business case as attached

The meeting ended at 7.20 pm

Chairman:

Date:

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## Executive

### High Speed 2 (HS2) Update

2 September 2013

### Report of Head of Strategic Planning and the Economy

#### PURPOSE OF REPORT

To receive an update on the High Speed Rail - HS2 scheme and Cherwell District.

This report is public

#### Recommendations

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The Executive is recommended:

- (1) To note the process that has been introduced by HS2 Ltd for Safeguarding.
- (2) To note the CDC response to the HS2 Environmental Statement.
- (3) To note the on-going Legal Challenge to the HS2 scheme and next steps.

#### Executive Summary

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##### Introduction

- 1.1 The update report provides an overview of how the Safeguarding process will work in relation to the HS2 scheme, the submission of the Cherwell response to the Environmental Assessment and the on-going legal challenges to the HS2 scheme. The detailed, extensive response to the Environmental Assessment forms the basis for the enhanced mitigation that will be sought in those areas most affected by the scheme.

##### Proposals

- 1.2 Details of the issues to be considered are set out in the background information.

##### Conclusion

- 1.3 Cherwell District Council continues to take appropriate steps to respond to the HS2 scheme. This includes supporting legal challenge when necessary and engaging directly with HS2 Ltd to secure the best possible mitigation for the District should the scheme be approved by Parliament.

## **Background Information**

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### **2.1 Background**

High Speed Two (HS2) is a scheme advocated by the UK Government to deliver enhanced rail capacity and connectivity between Britain's major conurbations. The HS2 'Y' network aims to provide direct, high capacity, high speed links between London, Birmingham, Leeds and Manchester. Direct links also planned to Heathrow Airport and to the Continent via the existing HS1 (Channel Tunnel Rail Link) line.

### **2.2 Delivery of HS2**

High Speed Two (HS2) Ltd is a company wholly owned by the Department for Transport charged with the development and promotion of the high speed rail project on behalf of the Government.

HS2 Ltd is currently progressing Phase One of the project, including engineering, design and environmental work to allow the Government to 'deposit' a Hybrid Bill in Parliament by the end of 2013. This Bill will seek powers to construct and operate Phase One, with anticipated construction commencing in 2017 and trains operating from 2026.

The Secretary of State for Transport announced a consultation on preferred route for Phase Two to Leeds and Manchester in July 2013.

### **2.3 Delivery of HS2: developing the route**

HS2 Ltd has appointed specialist teams of consultants, engineers and architects to design route and create indicative station layouts. Significant environmental effects have been identified and mitigation measures proposed.

A number of formal consultations have taken place, including the draft Environment Statement (Spring 2013), Property & Compensation proposals & Safeguarding (October 25th 2012 to 31st January 2013). Consultation also sought views on the proposed approach to safeguarding Phase One, included draft directions that would be issued to Local Planning Authorities.

### **2.4 DfT: Safeguarding Directions – 9<sup>th</sup> July 2013**

Safeguarding Directions were issued to Local Planning Authorities (LPA) including Cherwell on 9 July 2013.

Safeguarding is a long established town planning mechanism that protects large-scale infrastructure projects, such as railways and motorways, from developments that could conflict with them.

As a result of the Safeguarding Direction being issued, LPAs are now required to consult HS2 Ltd from that "commencement date" before determining certain planning applications that fall within the safeguarded area. The LPA has no discretion on these issues so Cherwell District Council is required to follow the new rules and procedures.

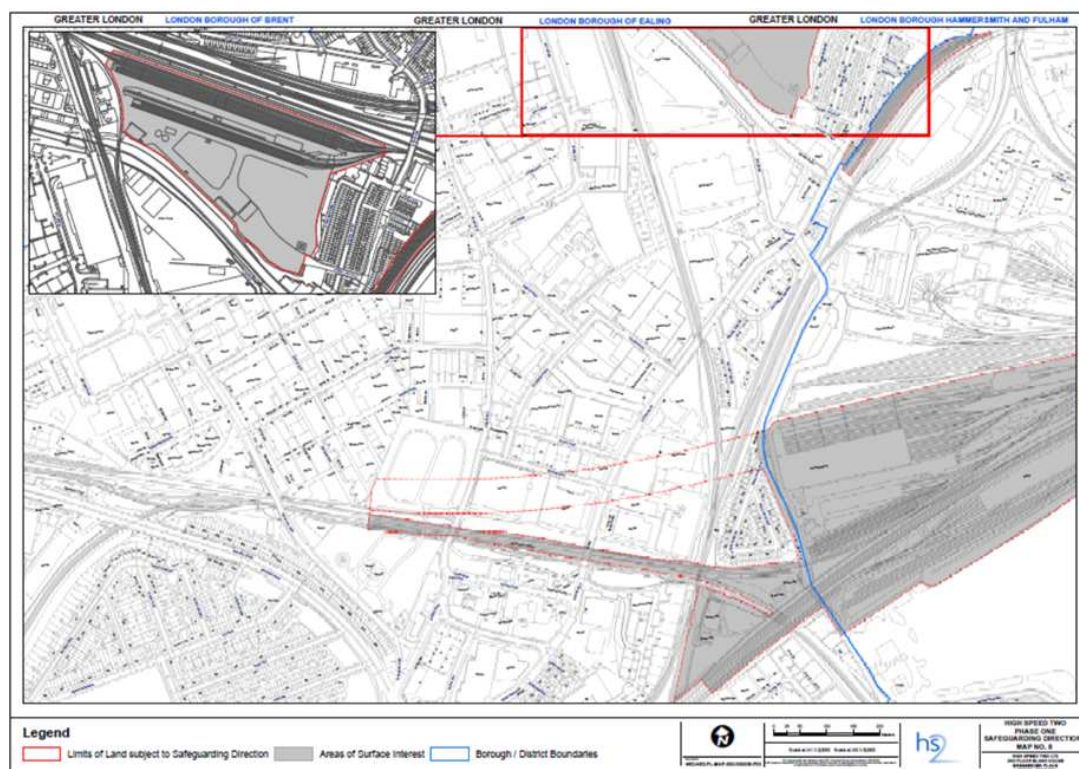
### **2.5 Notice to property owners**

HS2 Ltd has written to all property owners within surface and sub-surface areas. Letters were also sent to all owners who were within a draft safeguarded area but are

not within actual safeguarding and are unlikely to be in the future. The Directions contain plans showing limits of the safeguarded area, areas of surface interest (AOSI), the direction wording (ie the Statutory Instrument) and the duties on the local planning authorities (LPAs)

Accompanying the Direction are guidance notes to LPAs (includes local land charge searches) and provisions on blight and purchase notices.

### Example Plan



### 2.6 Documents received by each Local Planning Authority from HS2 Ltd include:

- Maps relevant to the LPA
- GIS shapefile
- Safeguarding directions
- HS2 Ltd report on consultation
- Government response to consultation
- Guidance for LPAs
- Guide to claiming compensation
- Impact assessment
- Document setting out changes to maps following consultation

These documents are available for download from the CDC Website.

### 2.7 Implications for Planning Applications.

These Safeguarding Directions apply to certain planning applications (including those not finally determined) within the relevant zone. HS2 Ltd may comment on a planning application where there is a:

- Conflict with the construction and/or the operation of HS2;
- Requirement to protect land from potential impacts of the construction and/or operation of HS2;

- Opportunity to provide for joint schemes, e.g. major developments with the proposed stations.

2.8 The responsibilities of Local Planning Authorities such as Cherwell are:

- To apply criteria for referral to HS2 at the registration of planning applications stage.
- To consider whether the proposal falls 'In or out of the AOSI' and to consider possible exemptions.
- To consider hard copy or electronic consultation.
- That the role of the case officer is restricted, in that they must not determine an application before the expiry of the consultation period with HS2 Ltd.
- To apply HS2 Ltd's advice or refer the application to the Secretary of State before determination.
- To take account of the HS2 Safeguarded area within Planning and Local Land Charge Registers

2.9 The responsibilities of HS2 Ltd fall within three types of response:-

1. No objection
2. Conditions – standard or bespoke
3. Recommendation of refusal

HS2 Ltd aim to respond within 21 days, with a dedicated webpage and planning mailbox for referring applications by email.

Further Information is available from [www.hs2.org.uk/safeguarding](http://www.hs2.org.uk/safeguarding)

## **2.10 Response to draft Environmental Assessment - July 11th 2013**

Cherwell District Council (CDC) submitted a major response to the consultation on the HS2 Draft Environmental Statement on 10<sup>th</sup> July. The response was approved for submission by the Portfolio Holder for Planning, Councillor Gibbard. The response is attached as Appendix A.

CDC re-iterated a number of points that have been made in previous submissions, by ourselves and others, to reinforce those areas where we still feel that insufficient preparation work and research has been done, such as on transport impacts, local economic impacts, conservation and noise issues.

CDC has sought local community views and drawn on expertise from neighbouring authorities within the 51M consortium in a few specialist areas such as ecology to ensure that our response is both comprehensive and complimentary.

The document is downloadable from -

<http://www.cherwell.gov.uk/HighSpeed2RailLink.htm>

## **2.11 Response to High Court Challenge – 24th July 2013**

On 24th July the Court of Appeal dismissed the latest appeal against the HS2 scheme.

Action was brought against the Department for Transport's decision to progress with HS2 by a group of 15 local authorities from the 51M alliance; HS2 Action Alliance and Heathrow Hub Limited.

The local authorities have asked for permission to appeal to the Supreme Court, the

highest court in the UK.

The Supreme Court appeal will be brought on the ground that a full Strategic Environmental Assessment (SEA) should have been carried out to assess the effect on the environment of both HS2 and its alternatives. An additional and related ground is that the Hybrid Bill process is incompatible with another aspect of European law, the Environmental Impact Assessment Directive.

Cherwell District Council is a party to the appeal but on the basis that no additional costs fall on the authority as a result of its participation. This was also the stance taken by the Council at the Court of Appeal stage. The appeal hearing is being expedited and it is currently estimated to be heard in October.

## **2.12 Next Steps**

- 2.13 CDC has begun preparing detailed mitigation proposals for where the preferred route passes through Cherwell, such as additional bunds, planting and screening to reduce the impacts of noise and visual impacts. There will be close liaison with community in shaping these proposals.
- 2.14 CDC plans to engage Parliamentary Agents jointly with South Northants Council to coordinate responses to Hybrid Bill when tabled in December 2013. CDC anticipates being called to give evidence on issues facing the District from the route. As Parliament can change much about the HS2 scheme, the nature of the mitigation sought by CDC stands to be important and will be considered during the passage of the Hybrid Bill
- 2.15 The government is currently aiming to try to get the Hybrid Bill through Parliament before the General Election is held in May 2015. The passage of the London Cross Rail Hybrid Bill took 91 Parliamentary days which suggests that the proposed Parliamentary Bill timetable looks very challenging to secure, a point made recently by the Public Accounts Committee.

## **Key Issues for Consideration/Reasons for Decision and Options**

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- 3.1 To note the Safeguarding Direction. This is now in force.
- 3.2 To note the steps taken in response to the Environmental Statement, the on-going legal challenge and the preparation of a detailed mitigation strategy in time for the consideration by Parliament of the Hybrid Bill.

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

- |                     |   |
|---------------------|---|
| <b>Option One</b>   | To note the recommendations relating to CDC actions and discretion. |
| <b>Option Two</b>   | To reject those recommendations                                     |
| <b>Option Three</b> | To propose an alternative approach.                                 |

## Consultations

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**Oxfordshire County Council, South Northants Council and 51M**

Extensive discussions on the nature and potential impacts of High Speed Rail on landscapes.

## Implications

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**Financial:** The cost of preparing the response to the HS2 Environmental Statement was met from existing resources.

Comments checked by Karen Curtin, Head of Finance.  
0300 0030106

**Legal:** As indicated in the report the Council remains a party to the on-going appeal but with immunity from any adverse costs consequences should it be unsuccessful. The proceedings are being conducted by external solicitors procured on behalf of the 51M authorities.

Comments checked by Kevin Lane, Head of Law and Governance, 0300 0030107

**Risk Management:** There are major implications for the District from the DfT proposals, which Cherwell Council is working to address.

Comments checked by Claire Taylor, Corporate Performance Manager, 0300 0030113.

## Wards Affected

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**Fringford**

## Corporate Plan Themes

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**A Cleaner, Greener Cherwell**

## Lead Member

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**Councillor Gibbard  
Lead Member for Planning**

## Document Information

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Appendix No	Title
Appendix A	Response to draft Environmental Assessment - July 11th 2013
<b>Background Papers</b>	
None	
<b>Report Author</b>	Adrian Colwell, Head of Strategic Planning and the Economy
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**Cherwell District Council**

**Formal Response to DfT Consultation on:**

**HS2 *Draft* Environmental Statement  
(May 2013)**

**8th July 2013**

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Cherwell District Councils formal response to the above consultation is in five sections.

1. Executive Summary
2. Response to Volume 1: Introduction to the Draft ES
3. Response to Volume 2: Community Forum Area Report 14 (Newton Purcell to Brackley)
4. Response to the Draft Code of Construction
5. Conclusion

Within sections 2, 3 and 4 there is an opening section reiterating a number of points made by CDC previously in our response to the Consultation on the HS2 White Paper (Spring 2011). These are repeated as we do not consider that they have received sufficient consideration in later published material. Our formal response to the published consultation documents then follows within each section.

## 1. Executive Summary: The anticipated impact on Cherwell District

Cherwell District Council is extremely concerned that the Draft Environmental Statement is just one-tenth of the size of the anticipated final ES (approximately 5000 and 50,000 pages respectively). Further, that the majority of the critical baseline data, on which to assess actual impacts is omitted from the Draft. It is therefore extremely difficult to comment on the anticipated end result without this foundation of baseline data.

To add to these facts, there will not be an opportunity to respond to the final document other than through petitioning, an action which is simply not an option for the vast majority of those individuals, communities and businesses directly and indirectly affected.

Cherwell District is also extremely concerned that common sense principles such as the 'Kent Criteria', which could have significantly reduced the environmental impact of the scheme have not been incorporated despite two years of promotion by Cherwell District Council and Community Forum members;

The Kent Criteria are:

- i. 'To use existing transport corridors (both rail and road) where that can be shown to minimise land take, severance and environmental and noise intrusion.*
- ii. To avoid built development as far as possible where new rail tracks are constructed outside present BR operational land.*
- iii. To take careful account of the constraints arising from different geology and drainage in order to minimise environmental damage from tracks.*
- iv. Construction of rail tracks on lengthy embankments to be avoided to minimise noise and visual and noise intrusion.*
- v. To design cuttings, tunnels, cut and cover screening embankments and acoustic walls to minimise visual and noise intrusion.*
- vi. The greatest possible degree of noise attenuation shall be the aim, and the general standard of protection shall not be inferior to that provided in accordance with best practice elsewhere.*
- vii. There will be a fundamental requirement for the final route alignment to pay regard to existing settlements to an extent that with the use where necessary of protective measures there is no significant deterioration in the noise climate.*
- viii. Protection of communities and the environment from noise intrusion to be planned to the highest modern standards, which take account of the special characteristics and intrusion of railway noise within parameters*

*related to receiver sensitivity, and measured over a period bearing direct relationship to the actual period of operation of the route, and with special consideration being given to any overnight operations.*

- ix. Noise protection to be achieved wherever possible at source by the incorporation of the highest engineering standards in motive power units, rolling stock, the design and construction of tracks, power distribution systems, structures and trackside equipment rather than the insulation of individual properties.*
- x. To design for operating speeds which enable commuter use of new tracks and permit maximum practical flexibility in vertical and horizontal alignments so as to minimise property loss, environmental damage and noise intrusion.*
- xi. Fair, flexible and comprehensive compensation to be speedily settled for affected property, whether for impact from land take, noise or visual intrusion and to include property affected by increased use of existing tracks.*
- xii. Roads and paths to be reinstated where severance occurs.*
- xiii. Agricultural and other land severed to be reassembled to enable good long term management.*
- xiv. Financial provision to be made for full environmental treatment of new and enhanced rail facilities to the highest modern standards, including substantial "off-line" landscaping.*
- xv. Principles and proposals be established for the construction phase including identifying the location and function of each construction site and access to and between them, planning controls to be exercised over the construction stage and included within any Bill proposal; and an environmental code of conduct for the management of the sites.*
- xvi. Principles and proposals be established for spoil disposal and other bulk material movements including identifying disposal sites considered necessary to meet predicted requirements, giving priority to mitigation measures alongside of close to the Rail Link, seeking to use chalk in cement-making or sand in the minerals industry where feasible, taking the opportunity to fill a derelict site (or sites) within NW Kent or the Medway Valley which is otherwise unlikely to be satisfactorily restored, and maximising the transportation of spoil and other bulk materials by rail, overland conveyors or river barges as appropriate rather than by road planning controls to be exercised over the construction stage and included within any Bill proposal, and an environmental code of conduct for the management of sites.*

- xvii. *To design a high standard of safety for both passengers and those living adjacent to the rail lines, and provide suitable means of emergency access.*
- xviii. *To recognise the social and environmental blight created by houses subject to purchase left empty in a community, and prepare and implement a letting, sales and management policy designed to reduce such impact’.*

If the scheme is confirmed by Parliament, it needs to become an exemplar scheme worthy of the nation, particularly as it is the latest transport infrastructure project in UK history. As it stands it will fundamentally & permanently alter communities to the detriment and needs to be radically redesigned.

In addition, Cherwell District Council makes the following observations and will expand on each point within this document.

- The cumulative effects from other plans and programmes have not yet been considered (e.g. Aviation Review)
- Distinct lack of baseline information, specifically baselines on noise, air pollution, water resources/flooding and traffic
- There is no clarity about consultation on the final ES and how this fits with the Hybrid Bill process
- **Community** – significant leisure/business impacts have not been fully assessed.
- There are discrepancies between the plan and profile maps and the map books and narrative under Community Forum Areas, which contains out of date data
- **Community Cohesion**: This will have a direct impact on those who will no longer be able to live within the hamlet of Lower Thorpe and an indirect effect on the two neighbouring communities due to the severance effect of the railway viaduct and the loss of community cohesion that currently exists between two neighbouring villages and the historic community that joins them (Lower Thorpe).
- **Landscape and visual assessment** – There is no mention of having referred to local Landscape Character Assessments. The methodology has recently changed and it is unclear whether the LVIA takes account of this
- **Air quality** – No baseline data. It is not stated whether construction will be by road or rail and this is fundamental
- **Climate** – there is no assessment in the Draft ES
- **Cultural heritage** – there is very limited information
- **Sound, noise and vibration** – there is no background data or baseline. The assumed use of 3m sound barriers is misleading as the character of areas has not been considered.
- **Socio-economics** – no assessments are included. Some businesses will be lost. It is not acceptable that is addressed by off-setting jobs and implying that replacing a lost locally-based motorsport engineer role with a

groundworker from out-of-district is acceptable and hence not significant in terms of loss.

- **Traffic and transport** – the lack of a Traffic Assessment is a fundamental omission at this stage. In addition, the Highways Agency has not approved any routes
- **Waste and Minerals** – nine million tons of ‘surplus excavated material’ and imported aggregates have an interaction with traffic and transport impacts and will affect areas as much as 20 miles from the route in order to access the strategic trunk roads network
- **Water resources and flood risk** – detailed design but no real information. There is no justification of tunnel impacts on groundwater or de-watering on archaeology
  
- **Presentation and layout comments -**
- The Non Technical Summary (NTS) should be a standalone document, ideally avoiding where possible a lot of cross referencing to volumes in the main ES.
- The overall construction programme should be in the NTS and it would be helpful for construction times to be included in each CFA section in the NTS – standalone document.
- Summaries of waste and climate would be helpful in the NTS
- The NTS contains very limited descriptions of the receiving environment.
- Some settlements/features are referred to in the text but not shown on the maps – this should be rectified.
- If referred to in the text it should be shown on the plan – e.g. in NTS only 2 viaducts shown but 3 referenced in text.
- The maps (NTS and CFA Reports) could be clearer, they are quite difficult to read – could the colouring be improved?
- It would be helpful to summarise in each CFA chapter in NTS buildings demolished, roads and PROW diverted.
- NTS should briefly summarise local options rather than just cross ref vol 2.
- It would be helpful if NTS contained bullet points identifying main mitigation measures during construction rather than just referring to CoCP – standalone document.
- More reference to comments of statutory consultees would be helpful.
- Will the SMR form part of the formal ES to enable easy cross referencing?
- When considering cumulative effects with other proposed/likely developments there will need to be liaison with the LPA to ensure all developments are included.
- There are very few references to how comments from communities have been addressed in respect of significant effects. Valued environmental attributes identified by the consultation should be identified as should activities with significant effects on those valued attributes.
- Policy framework should make reference to national policy.
- ES could be arranged clearer so that the significant effects are clearly defined – in places they get ‘lost’ in the text and must have clear prominence.
- It would be useful if all significant effects and residual effects were tabulated. The Draft ES uses tables for some topics but not others

- Chapter summaries would be helpful.

A number of key issues in terms of impact and mitigation are still being considered and are to date unresolved so it's very difficult to offer much detailed comment at this stage. Also therefore we can't be clear on any residual effects.

In addition, not all full methodologies are included so we can't really comment on their appropriateness or otherwise.

Some areas are still very vague – 'potential loss of archaeological features 'could' be significant', 'significant noise effects 'may' occur' – is it or isn't it, will they or won't they? The Landscape/Visual section is particularly vague. Together with noise this is the biggest concern facing this council.

As a result no confidence can be placed in the results at this point in time and Cherwell District Council questions the value of the draft ES and consultation.

## **2. CDC Response to Volume 1:**

Cherwell District is a rural, unspoilt and tranquil place, where a substantial proportion of the population live in villages and countryside; a tranquil environment that this project will destroy.

This part of Cherwell District is not a formal Area of Outstanding Natural Beauty (AONB), but it is an unspoilt ancient landscape with deep history and tranquillity which the Council have always sought to protect.

The Council is committed to 'Preserving what is Special' about the District and in particular protecting the villages and countryside from inappropriate development and developments of scale. It remains very unclear how local character will be maintained. We are surprised that so little work has been undertaken of what will be lost as a result of this project.

This response to the Draft Environmental Statement is driven by a desire to minimise the impact on individuals, communities and fundamental character of the District. We wish to ensure that the final proposal and the ongoing debates on mitigation and compensation minimise impact from the scheme.

We don't believe that rural areas are just blank spaces on the map to be filled with development, but something unique, something to be treasured. We have a duty to 'Preserve what is special' and try to pass it on intact to future generations. The proposed route will pass through a district with Conservation Areas, Listed buildings and a high quality environment. This is what needs to be recognised, both the implications for communities, businesses and individuals now, but the loss to communities of the future too.

A scheme of national significance therefore demands the very highest environmental standards to achieve the very lowest impact possible. As what is the price to put on tranquillity, or the heritage and biodiversity that will be adversely affected or lost?

In the Cherwell District the revised 'preferred route option' will have a direct impact on the Fringford district ward.

We believe that it is critical that the wider impact of development on all of the heritage and environmental assets in Cherwell District is considered in more depth than has been the case to date. The impact on the setting of Scheduled Monuments, Listed Buildings and Conservation Areas are required in law to be considered when assessing the impact of a development. Similarly the biodiversity sites all have a wider context and cannot survive if isolated from their surroundings.

The impact work is not just limited to designated or known sites and a major infrastructure project such as this will have a significant impact on the historic and existing landscape of the District.

It is critical that HS2 takes a number of additional studies into account in considering the impact on Cherwell District. These should include Environmental Character Areas, a Green Infrastructure Study and the Landscape Sensitivity Studies in assessing the impact the HS2.

## **Sound and Noise**

The assessment for sound, noise and vibration is based on criteria defined in the Scoping and Methodology Report (SMR). However, whilst assessment criteria adopted for assessing airborne and ground borne sound, noise and vibration impacts from construction activities and operationally static equipment have been based on criteria defined in relevant British Standards and Codes of Practice, no detailed reference or explanation has been provided for the criteria used to assess airborne sound in respect of operational train movements or reasons why other relevant criteria has not.

For example, the absolute sound levels stated in the third bullet point of paragraph 14.3.26 of the SMR. Also, how the criteria for determining the significance of an impact, detailed in paragraph 14.3.31 of the SMR, will be taken account of acoustically in the assessment process particularly the character of the existing environment and any unique characteristics for the train noise in terms of level/spectra differences. All of this information needs to be provided in the final ES in order that any reasoning can be understood and demonstrate adherence to the policy objectives of the National Planning Policy Framework (NPPF) and also the Noise Policy Statement for England (NPSE) concerning the use of robust scientific evidence.

Where assessment has been based on criteria applied in respect of other similar development projects in the UK or abroad then some explanation needs to be provided on the evidence supporting that criteria and/or analysis of post project monitoring after the development was completed and operational.

Whilst a description has been provided in respect of some of the likely construction noise sources no similar description has been provided in respect of operational train noise sources such as from wheel/track interface, aerodynamic noise, and also from infrastructure such as acoustic impacts when trains pass into and out of tunnels/viaducts/cuttings, embankments etc .

This information is important to enable anyone reading the ES to better understand the reasoning behind the assessment.

The comment that HS2 Ltd has the “opportunity to design and specify a complete railway system” including “quieter trains and noise barriers that are effective” (section 6.12) is noted. However, details of the “specifications” would need to be provided in the final ES including comparisons between alternative mitigation options using a “cost benefit analysis” approach (i.e. each measure ranked in terms of level of mitigation provided and costs) as typically used in “Best Practicable Means” for example. This could be used to demonstrate good design practice and drive innovation towards the aims of



the NPPF and NPSE, and also HS2 Ltd Sustainable design aims and Sustainability Policy.

**The Assessment of Noise & Vibration, Air Quality and Contaminated Land**

<b>Chapter</b>	<b>Section</b>	<b>Heading</b>	<b>Comment</b>
1		Introduction	
	1.1	Overview of HS2	No comment but noted that environmental effects that result from train operations have been assessed using the expected Phase Two Operations
	1.2	Hybrid bill procedure	No comment
	1.3	The need for EIA & role of an Environmental Statement	No comment
	1.4	Environmental Minimum requirements	No comment
	1.5	HS2 & sustainability	No comment
2		Background to High Speed 2	No comment
3		The Proposed Scheme	
	3.3	Services & Operating Characteristics	No comment
	3.4	Proposed Scheme description (Aylesbury to Coventry Gap)	No comment
	3.5	Principle features & infrastructure	No comment – but some reference to any specific acoustic attenuation characteristics would have been useful.
	3.6	Construction	No comment – noted that Construction impacts of Phase 1 included in the Noise & Vibration Assessment as based on the Code of Construction Practice and Principles of BS5228:2009 Control of noise and vibration on Construction & Open Sites.

4		Environmental impact assessment	Comments in Section 4.4 General assumptions and limitations- noted
5		Scope & methodology for environmental topics	
	5.3	Air quality	Use of the local authority data and defra background maps for assessing the existing air quality concentrations is acceptable. However, they will still need to be assessed and it is unclear what criteria will be used to assess the significance of any impacts. Previously proposed reduction in emissions due to improvements in vehicle abatement technology driven by EU standards have not delivered the reductions in emissions expected. As such, it should be assumed that emissions will not decrease as previously expected and assumed to stay the same to assume worst case scenario.
	5.9	Land Quality	Appropriate risk assessment is welcome as outlined but the focus should be on demonstrating the development is suitable for use. This is not made clear in this section. There is no specific information included in this section on what criteria will be used to assess. The investigation, assessment and proposals should be provided prior to commencement.
	5.12	Sound, noise & vibration	Noted that assessment for sound, noise and vibration is based on criteria defined in the Scoping & Methodology Report as finalised and published in September 2012. However, whilst assessment criteria adopted for assessing airborne/ground borne noise and vibration impacts from construction activities and operationally static equipment have been based on criteria defined in relevant British Standards and Codes of Practice, no

		<p>detailed reference or explanation has been provided for the criteria used to assess airborne sound in respect of operational train movements or reasons why other relevant criteria has not. For example, the absolute sound levels stated in the third bullet point of paragraph 14.3.26 of the Scoping Methodology Report (SMR). Also, how the factors detailed in paragraph 14.3.31 of the SMR will be taken account of acoustically in the assessment process but particularly the character of the existing environment and unique characteristics for the train noise in terms of level/spectra differences. All of this information needs to be provided in the final ES in order that any reasoning can be understood and demonstrate adherence to the policy objectives of the National Planning Policy Framework (NPPF) and also the Noise Policy Statement for England (NPSE) concerning the use of robust scientific evidence.</p> <p>Also, where assessment has been based on criteria applied in respect of other similar development projects in the UK or abroad then some explanation needs to be provided on the evidence supporting that criteria and/or analysis of post project monitoring after the development was completed and operational.</p> <p>Whilst a description has been provided in respect of some of the likely construction noise sources no similar description has been provided in respect of operational train noise sources such as from wheel/track interface, aerodynamic noise, and also from infrastructure such as acoustic impacts when trains pass into/out of tunnels/viaducts/cuttings, embankments, etc .</p> <p>Such information is important for the</p>
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			<p>lay person to better understand the reasoning behind the assessment.</p> <p>The criteria for determining the significance of an impact, outlined in section 14.3.31 of the SMR with regard to the number and grouping of receptors is still under discussion.</p> <p>The limitations of the assessment are noted.</p>
6		Approach to mitigation	
	6.6	Air quality	No mitigation is foreseen as necessary other than that included in the transport assessment and the CoCP. Without appropriate assessment and understanding of the methodology of assessing the air quality impact as referred to above, this cannot be assumed.
	6.12	Sound, noise & vibration	Noted comment regarding “opportunity to design and specify a complete railway system” including “quieter trains and noise barriers that are effective”. Details of the “specifications” would need to be provided in the final ES including comparisons between alternative mitigation options using a “cost benefit analysis” approach (i.e. each measure ranked in terms of level of mitigation provided and costs) as typically used in “Best Practicable Means” for example. This could be used to demonstrate good design practice and drive innovation towards aims of NPPF & NPSE and HS2 Sustainable Design Aims & Sustainability Policy.
Appendix A		Sustainable Design Aims	No comment but stress the importance of the relevant details being provided in the final ES Report to demonstrate this.



### **3. Response to Volume 2: Community Forum Area Report 14 (Newton Purcell to Brackley)**

The anticipated impact on this section of Oxfordshire is considerable, as a brief description of the line as it passes through the Council's area illustrates:

a) Travelling south to north the line would first enter the district for a short section to the north of Godington. The proposed line is generally following the former Great Central railway line, but north of Godington it will deviate further north on new viaducts (approx 3 metres high) over the Padbury Brook. It is assumed, but not confirmed, that the former railway embankment and bridge will remain in situ and thereby shield the village of Godington to some extent.

b) The route then passes back into Aylesbury Vale DC's area passing the village of Chetwode before passing back into Cherwell to the east of the main part of Newton Purcell village. The line would travel on a raised embankment parallel to, and just to the north of, the former railway embankment. It is not clear if the former railway embankment adjacent will stay or go. The line would then pass over the existing A4421 just to the north of the existing redundant railway bridges and abutments. No information is available whether these former structures will stay or go. The plans submitted with the consultation show a diversion of the A4421 to the north west of the current alignment to pass over the new rail line (at least 8 metres above the new rail height. Long embankments to north and south lift the road to that level. Accommodation works to the existing roadway are needed so that the existing road can still function as the access to houses north and south of the HS2 line and to serve the end of the Barton Hartshorn Road.

c) Proceeding north-westwards the proposed HS2 line regains the Great Central alignment (albeit in wider cutting) and travels in low cut to the A421. A new bridge to take the A421 across the railway would be needed. The line continues north westwards in increasingly deep cutting passing between Warren Farm and The Oaks Farm. Just short of the Mixbury Lodge to Fulwell Road the line would start to deviate north eastwards from the former railway line remaining in deep cutting as it passes under that road and north of Tibbetts Farm. To the north-east of Mixbury the line would need to come out of cutting and pass over a short viaduct to cross the deep valley of a small brook flowing eastwards to the Great Ouse River at Fulwell. The line would then pass back into deep cutting for 300-400m (8 metres deep approx) before re-emerging onto embankment and viaduct (10 metres high) as it crosses the Great Ouse River heading onto Aylesbury Vale again to pass between Westbury and Turweston and hence into South Northamptonshire Council's area to the north-east of Brackley.

HS2 must consider the implications that the scheme has for the delivery of a number of key corporate priorities for the council. In particular, the effect on the A422 and A4421 and the impact on construction when these key projects are under construction, and the A422 and A4421 will be the primary route for construction traffic.

Similarly, there are a number of works required to the A422 and A4421 as a result of these developments and we need to understand if and how these will be affected by HS2 sooner rather than later. Delivering these improvements has been taken into account when considering the viability of these developments and we need to understand the implications i.e. are improvements being sought and made for works that will then be affected by HS2?

### **3.1 Fit with Local Plan Policies**

It is illustrative that the area through which the HS2 route proposes to run is judged locally to be sensitive and significant.

All of the area of Cherwell through which the line passes is a locally designated Area of High Landscape Value (AHLV) in the adopted Cherwell Local Plan. This is not recognised in the ES at all.

The line will be in a mixture of cutting and embankment. The new construction will be a raw feature in the landscape which on-site planting will do little to alleviate in the short to medium term. The impact is not only from the new engineering structures of the line (embankments, cuttings and viaducts) but also from the view of the trains themselves and the overhead gantries. In addition one has to consider the structures that will carry roads and footpaths across the line. The overbridge at Newton Purcell will be particularly prominent, as will the viaduct across the Great Ouse River.

Of lesser visual significance will be the A421 overbridge and the Padbury Brock viaduct but these are still substantial new structures in the AHLV. With regards to the cuttings it cannot be established, on the basis of the submitted drawings, what the land take will be as some of the cuttings are quite deep around Mixbury. It is therefore difficult to assess the true impact. The Council will need to seek mitigation of these impacts both on and off site if the scheme proceeds.

HS2 does not sit well with these policy objectives.

### **3.2 Geology and Topology Issues**

The proposed route in Cherwell District will largely pass through clay. This will have a major impact on how the route is designed.

The experience around Oxfordshire of development in the same rock series has established the need for well shored sides, wider V cuts to avoid under-slip occurring through water and frost effects. This experience suggests that HS2 may need to have a potentially larger land take than might at first be anticipated.

It is this geology that will lead to a larger land take being needed than might first be anticipated as a cutting into clay requires a shallower V to ensure a stable side to the cutting, as the experience from HS1 shows.

This does not appear to have featured in the scheme assessment to date.

CDC believes that a number of issues require more detailed consideration:

- The impact of a loss of high quality agricultural land, minerals areas and potential waste planning sites.
- The scale of the land take required for the line and associated works.
- The locations of land take for new access during and after construction.
- The early identification of where to deposit 1,000's tonnes of waste and most appropriate location in the District for the construction of haul roads and access roads.

### **3.3 Impacts on the Local Environment**

CDC has considerable concern about the impact of the proposal on the environment of Cherwell District.

The environmental issues from HS2 are considerable and include:

- Applying the lessons from HS1 and London Crossrail, that good environmental planning and scheme management is the key to a successful scheme.
- Anticipating construction and operational impacts; considering avoidance (within a broad corridor), mitigation and compensation.
- Completing a full Environmental Impact Assessment and Strategic Environmental Assessment urgently.
- Resolving how the project meets the obligations on the promoters under the Climate Change Act 2008 and contributes to the national plan for emission reduction given the levels of embodied carbon in the construction and operation of the scheme.
- Justifying why HS2 has not considered alternatives that would have a much lower environmental impact.

It is of considerable regret that the protection offered in the Treasury Growth Strategy (March 2011) for Green Belt and sensitive environmental areas such as AONB's as a consequence of the proposed reforms of the Planning system excludes HS2, which undermines the reassurance offered in the Planning Reforms being introduced through the Localism Bill. As para 2.21 records – *'the Government's commitment to maintain the greenbelt, Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty and other environmental designations'*.

This commitment amounts to little of substance in the light of the HS2 experience and communities cannot draw any reassurance from it.

CDC is concerned to ensure that a number of lessons from HS1 are given more detailed consideration ahead of HS2 being submitted for adoption through the planned Hybrid Bill including:

- The implications of removal of vegetation for both route and on sites nearby for construction or access purposes.



- The impact on properties affected by loss of visual amenity close to route and all those with views across the railway.
- The need for high quality mitigation to ensure visual amenity impacts during the construction of HS2.
- The need to aim to ensure that permanent effects are mitigated in some areas once HS2 construction is completed and vegetation becomes established.
- The landscape and visual impact from foot bridges, road bridges and other structures. The HS1 designs were very intrusive visually.

There is a need to consider how the soil type, gradient of cutting and climate change will affect the most appropriate species to plant to secure a rapid reclamation of areas affected by earth movement during construction. The quality of the restoration achieved in Kent after 10 years + of new growth and planting has been impressive as the photograph below shows:



But a major concern for CDC stems from the evidence of the HS1 line in Kent over the height of line and gantries, locations for screening, tunnels and banking. An example from Kent is below shows how visible the route can be:



Cherwell District Council notes the effort made within the context of HS1 to seek to minimise the visibility of the route through lowering of the floor of the cuttings to reduce the visibility of the actual line. We are also clear that this step did not always succeed and the tops of the overhead cables is frequently visible the length of the route through Kent. It is envisaged that this problem is likely to occur to the east of Mixbury where the line is in shallow cutting.



CDC are also keen to avoid the experience of HS1 where poor quality of bridges providing local service access as well as for footpaths and bridleways were provided, with a negative visual impact. An example is shown below:



### **3.3.1 Air quality**

Estimates of background air quality have been obtained from Defra for 2011 and future years (2017 and 2026), and reference has also been made to Cherwell District Council's air quality data. It is agreed that the main effects on air quality will be from construction activities, which will be localised and controlled and managed through the methods outlined in the Code of Construction Practice (CoCP) the general requirements of which will be supplemented by Local Environmental Management Plans and method statements for each community Forum.

No baseline data. It is not stated whether construction will be by road or rail and this is fundamental.

There is considerable potential for localised dust occurrence and the potential for nuisance on residential, business and amenity areas in the construction period that would be necessary to build the proposed HS2 line. This includes the line of the preferred route, the wider land that is planned for acquisition for operational safety.

But air quality impacts can also be anticipated from a number of associated factors, including:

- Traffic impacts during construction and from new road alignments and in particular the proposed new bridge for the A4421 over the HS2 route at Newton Purcell and the air quality impact from the elevated road on nearby dwellings, flora and fauna.

It is of great concern that these issues are not considered in the consultation documents and that an Environmental Impact Assessment is planned some time after the need case will have been considered; thus excluding issues of local impact and potentially costly remediation from the business case assessment.

At the very minimum, should a decision be taken to proceed with the scheme a construction environmental management plan will be required to address mitigation management.

### **3.3.2 Climate**

There is no assessment in the Draft

There is considerable potential for localised dust occurrence and the potential for nuisance on residential, business and amenity areas in the construction period that would be necessary to build the proposed HS2 line. This includes the line of the preferred route, the wider land that is planned for acquisition for operational safety. We expect measures to reduce this to be taken, particularly to the east of the route due to prevailing south-westerly winds.

### **3.3.3 Ecology**

The HS2 route passes through an almost entirely rural setting within Cherwell District. Whilst it is called a Draft ES it is only slightly more detailed than an EIA scoping document. It is very disappointing that we are not being given the opportunity to comment on a full Draft ES. The documents do not provide enough information to comment properly or to assess the impact of HS2.

The Council endorses a series of questions that have been raised by Oxfordshire County Council's Ecologist, namely:-

- What evidence (ecological survey data) are the conclusions in section 8 and Community Forum Area Chapters 13 and 14 of the Draft ES based on? No survey results are included and it states that surveys are ongoing. It is inadequate to base assumptions about likely impacts on insufficient data.
- Para. 5.7.2 of Vol. 1 states that they will be "...guided by the methodology advocated by IEEM...". Why "guided by" and not "adhere to"? The ES should adhere to IEEM methodology.

- There is no assessment of route-wide cumulative impacts on ecology. Cumulative impacts on ecology could be very significant and need to be properly assessed.

Para. 5.7.8 of Vol. 8 states:

“However, it is considered unlikely that HS2 Ltd will gain access to survey all land where access has been requested prior to the submission of the formal ES. HS2 Ltd is currently developing (in liaison with Natural England) a formalised precautionary approach to assessment which is to be followed in the formal ES.”

We do not consider that this is an appropriate way of dealing with this issue. Other organisations and individuals should be given the opportunity to comment on the definition that will be used for the “precautionary approach”. There is an Ecology Working Group of ecology stakeholders along the route and HS2 should agree the definition of the precautionary approach through this group.

Sources of information are incomplete: e.g. the list for the Environmental Features Maps does not include TVERC (Thames Valley Environmental Records Centre), nor does Chapter 13 section 7. Information from TVERC should be included. Woodland is from OS maps – this is a very unusual approach. UK Biodiversity Action Plan Priority Habitats should be included based on information from TVERC, then verified through HS2’s ecological surveys. At present the maps do not show UK Biodiversity Action Plan habitat – this is inadequate. Local Wildlife Sites should include Proposed Local Wildlife Sites. In the Community Forum Chapters the assessment of UK BAP Priority Habitats should include Scrub-dense continuous.

The documents refer to mitigation measures for Great Crested Newt and other protected species, but these are not detailed. These need to be clearly stated.

The route comprises large areas of arable farmland, as well as more valuable areas for wildlife including and protected sites, stream corridors and areas of ridge and furrow grassland. There is therefore a good opportunity for enhancing the wildlife value of this area through mitigation and compensation works.

There will be direct impacts from HS2 on already identified protected sites and habitats and also a loss of connectivity in the landscape, particularly impacting butterflies and mammals.

While there are no international designated sites affected in Cherwell District, there will be an impact on nationally designated sites (e.g. SSSI’s) and regional / local designated sites.

There is a potential for major loss of ancient woodland and historic hedgerows and the Council are in the process of mapping these sites given the incomplete nature of the BAP coverage in the District.

Cherwell DC is concerned at the serious potential for impact on protected species and areas with abundant wildlife.

There will also be an impact on productive farmland in Cherwell District. It is unclear whether there will be restrictions on farming with farm access broken. There is a continuing need for livestock and crop access and new bridges to a width to accommodate farm machinery. The current mapping undertaken by HS2 does not take into account the nature of land ownership and the impact on farm businesses of the route.

The Council is concerned to ensure that the correct surveys & assessments are undertaken. An appropriate assessment is required for the project to comply with the provisions of Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna (Habitats Directive).

An independent assessment of the environment and biodiversity of the area affected is critical to ensure this is properly considered if the scheme is proceeded with. In addition, HS2 must ensure appropriate surveys are undertaken to identify the potential opportunity for habitat creation and extension in appropriate locations.

### **3.3.4 Loss of Hedgerows**

The area through which the HS2 route proposes to run is judged locally to be sensitive and significant. The Cherwell District- Local Plan Saved Policies has sought to provide protection against the unwarranted loss of hedgerows.

There is no evidence of HS2 taking account of its impact on this sensitive landscape form.

### **3.3.5. Specific Site impacts in Cherwell District:**

We seek to ensure that the real ecological costs of all proposals are understood and taken account of before any decision on High Speed Rail is made.

There are sites where the HS2 route will result in the direct loss and fragmentation of valuable wildlife habitat and impact on many important species of flora and fauna.

We have the following records of species and areas of ecological/ biodiversity interest within 500m either side of the proposed line within Cherwell District:

Protected Species:

- Water vole (protected under Wildlife and Countryside Act 1981 as amended)
- Badger (Protected under Protection of Badgers Act 1992)
- Grass snake (protected under Wildlife and Countryside Act 1981 against killing and injury)
- Common Lizard (protected under Wildlife and Countryside Act 1981 against killing and injury)
- Biodiversity Action Plan (BAP) Priority/ Section 41 Species and notable species:
  - Water flax beetle – Nationally Notable invertebrate
  - Small Heath - BAP/ Section 41 NERC Act species
  - Cinnabar - BAP/ Section 41 NERC Act species
  - Wall - BAP/ Section 41 NERC Act species
  - Shaded Broad-bar - BAP/ Section 41 NERC Act species
  - Basil Thyme - BAP/ Section 41 NERC Act species
  - Wood White - BAP/ Section 41 NERC Act species
  - Dingy Skipper - BAP/ Section 41 NERC Act species
  - Grizzled Skipper - BAP/ Section 41 NERC Act species
  - Small Blue - BAP/ Section 41 NERC Act species
  - Four-spotted - BAP/ Section 41 NERC Act species
  - Figure of eight - BAP/ Section 41 NERC Act species
  - Cuckoo - BAP/ Section 41 NERC Act species
  - *Lebia chlorocephala* (ground beetle) – Nationally notable
  - *Stenus butrintensis* – Nationally notable
  - *Psallus albicinctus* – Nationally notable B
  - Kingfisher – amber list bird

The route passes within close proximity to a number of large ponds and lagoons (close to Finmere and Godington). There may therefore be issues with amphibians, most notably Great Crested Newts to be addressed, which could be using areas to be affected as terrestrial habitat. The lagoons may also be important for water birds which could be impacted by disturbance.

The route also appears to pass through or directly adjacent to a couple of plantation and woodland areas near Finmere. There may be important nesting birds or roosting bats in these areas which would need to be surveyed for.

Bats – there are no specific records for bats but they are likely to be foraging along the watercourses and hedgerows throughout the area as well as the old LNER railway as this forms a major vegetated corridor across the wider landscape and therefore could be important for commuting and foraging bats, which may be difficult to mitigate for.

We have records of water vole throughout the district and it is likely they are present on some of the other watercourses to be affected. Nine crossings of watercourses of various sizes have been identified in addition to on the River Great. Otters may be present on any of these watercourses.

Badgers are also likely to be widespread.

For all these species the principal impacts both during construction and in the long-term when trains are running will be

- direct destruction and loss of habitat
- direct and indirect disturbance due to noise, lighting and habitat
- fragmentation and loss of connectivity of habitats
- isolation of populations
- potentially direct injury and killing of individuals both during construction and when trains are running

There is only one specifically highlighted habitat in our records namely a District Wildlife Site – the Old LNER railway LN2/3. This was previously of Local Wildlife Site value but has been downgraded due to loss of ecological interest. It still contains Lowland Calcareous grassland of BAP priority habitat quality and is important for butterflies and likely to be important for other invertebrates. There would be direct land loss of this area.

The proposed route would necessitate the loss of a number of hedgerow sections which are also likely to be BAP priority habitat and similarly a number of woodland areas which may qualify under lowland deciduous woodland.

The closest local wildlife site is Spilsmere wood 850m to the West. It is not foreseen that there would be any impacts on this, however there may be disturbance from noise.

### **3.3.6 Ecological mitigation and compensation**

Mitigation and compensation needs to focus on protecting and improving protected sites, ensuring connectivity across the route and improving connectivity through the landscape alongside the route

CDC believes it is essential that offsite mitigation / compensation is in place before construction takes place in order to minimise impacts.

Creation of new habitats as a replacement for those lost, potentially fencing during construction and removal of reptiles/amphibians to receptor sites. Replacement bat roosts and bird nesting opportunities. Timing restrictions on work to avoid or coincide with breeding/hibernation times. Bridge designs to cater for bats, otter passes etc...

Attention has already been drawn above to the loss of tree cover. There is a potential for further hedgerow loss as well. The Council is concerned that the level of information provided is currently poor. If the scheme proceeds to the Hybrid Bill stage we will need to ensure that the Environmental Statement is based on current and up to date survey information to ensure compliance with the EEC Directives on the conservation of natural habitats and of wild flora and fauna.

Proposals for the sort of environmental compensation and mitigation necessary to address the impact of the proposed HS2 scheme include:



- Increasing woodland cover in the area
- Enhancement of existing ridge and furrow sites to create flower rich meadows
- Focus of compensation works around areas of existing interest and at potential route crossings for wildlife, as this is where wildlife may become 'funneled'.
- Working with Environmental Stewardship to deliver large scale habitat improvements
- Enhancing existing wildlife corridors such as disused railways and streams

### **3.4 Landscape and visual assessment**

There are few visual representations of the impact on our district with the Community Area Forum Reports. As such, the anticipated impact is requires significant mitigation measures.

There is no mention of having referred to local Landscape Character Assessments. The methodology has recently changed and it is unclear whether their LVIA takes account of this.

CDC is looking for the scheme (if pursued) to be as inconspicuous as possible with minimal impact and change to the character of the District. CDC are concerned with the potential for major visual impact and to ensure rail clutter is screened and kept to a minimum.

Due to the typology of Cherwell District HS2 stands to be very visible from many part of the District. We have particular concerns about the potential visual impact at a number of locations, including the following:

- The line dissects a relatively small area on the eastern side of Cherwell district and although the route physically only occupies 5.5km the visual impacts extend well beyond this.
- The landscape character is one of unspoilt undulating arable and pasture land with good hedgerow and associated tree cover. In places there are small to substantial blocks of woodland. A number of small villages are relatively sparsely located within 5km of the line.
- Area accessible from Godington Footpaths. The line will be on a viaduct at this point as it travels through the valley. From the Cherwell side approaching from Godington there will be some screening provided by the disused rail track which is estimated to be 6m high and has some scrub cover making the screen higher. The power line gantries are likely to be visible. The existence of a disused line very close to a new one may well have the effect of making the area look quite degraded visually as there will be an area of dead ground between the the two lines. It would be preferable to remove the original line and utilise the spoil in constructing the new line. Visual Impact substantial

- Area around Newton Purcell. A sizeable part of the village is within the 500m of the line. The line is 3.5m above grade with a major road bridge over track plus power lines. This will necessitate a considerable bridge and engineering works which will be intrusive on a small village which is very close. It is assumed that some properties will be too close to be retained as the ground re-modelling required will be considerable. Substantial impact +
- Footpath at 627 319 The track is almost at grade here where it runs along the line of the disused railway. Here the impact will be caused by the overhead power lines. The existing track at this point is currently well screened by vegetation but it is not clear if it will be possible to retain this. This may be possible on one side of the track but not the other as there will be some cutting which there is not at present. There is insufficient detail yet available to form definitive opinions upon Impact moderate to substantial.
- Footpath at 624 325. The track will be slightly cut in here. Again due to the earthworks required it may not be possible to retain all the existing screening. Impact moderate to substantial
- A421. The proposed line crosses the A421 by way of a bridge. The landscape is relatively flat and the approach to the bridge along a long straight road. The bridge will rise above the A421 creating a large structure over the road. Substantial impact.
- Featherbed lane. The line will be in cut, not significantly visible at this point but a new bridge will be required with associated earthworks. Impact moderate to substantial
- Mossycorner Lane. In cutting as it passes directly past Mixbury with a small length of viaduct before passing into cutting again. Unlikely to be visible in summer due to intervening vegetation. Likely to be visible in winter. The village is just outside the 500m examination zone. Moderate visual impact, possibly substantial in winter.
- The line ploughs through valleys and raised ground, from cut to viaduct and back, completely dissecting the landscape and interrupting the landscape pattern.
- There will be considerable localised impacts wherever there are substantial sections of cut or fill. In Cherwell the maximum extent of these is 10m. Allowing for 1:5 slopes this could mean cutting or filling for up to 50m either side of the rail corridor. At this stage none of this has been identified and considered. Much less any mitigation of the scars.
- There will be very significant earth moving required in the construction process. Roads in the vicinity of the line are narrow country lanes

unsuited to heavy traffic. Construction impacts will be considerable due to noise, dust, traffic and visual scaring.

- The visual impact of the line will be much greater than shown on the sections as these just illustrate the impact for track levels, and do not include the overhead power lines which add further to the height of the structure above ground. There is also the possibility of noise baffles to reduce the sound impacts creating a further landscape impact which will then require mitigation in themselves.
- A further significant consideration in landscape impact terms is the loss of tree cover. The existing cuttings and embankments provide strong linear features containing established trees. Where the existing alignment is being re-used, or the line runs close to and parallel to the former line, it is considered that most of these landscape features will be lost. This will cause significant harm. In addition between Newton Purcell and Mixbury the line would run adjacent to and through two plantations. These would be severely affected as landscape features. North east of Mixbury the line has to cross a sharp sided valley on a viaduct between two deep cuttings. This is likely to be a significant feature when viewed from the footpath which runs north from Beaumont Lodge.

Mitigation of landscape and visual effects is most effective if it is designed into a project at inception stage as this gives opportunities to avoid, reduce, offset and if possible remedy the effects of the development. Adding on cosmetic measures such as screen planting are likely to be less successful.

The landscape is very sensitive to this development because of its nature and scale, the distribution of visual receptors and the extremely limited scope for mitigation. Accommodating a development like this without a detrimental effect to the landscape character of the area is considered to be impossible.

This is a major project in terms of size and scale. It will create a significant artificial linear structure in landscape and visual terms and a resulting substantial adverse impact with few if any benefits. Protection and enhancement of the landscape is one of the objectives of the Transport Analysis Guidance. The Council cannot see how this project achieves these aims.

Specifically, in relation to the design of bridges and acoustic barriers, CDC does not support 'standard' concrete bridges and barriers regardless of pigmentation/colour. The visual impact needs to preserve what is special. We expect to see locally distinctive materials and appropriate design – e.g. use of natural and locally sourced stone facings.

CDC is concerned to ensure that a number of lessons from HS1 are given more detailed consideration ahead of HS2 being submitted for adoption through the Hybrid Bill including:

- The implications of removal of vegetation for both route and on sites nearby for construction or access purposes.
- The impact on properties affected by loss of visual amenity close to route and all those with views across the railway.
- The need for high quality mitigation to ensure visual amenity impacts during the construction of HS2.
- The need to aim to ensure that permanent effects are mitigated in some areas once HS2 construction is completed and vegetation becomes established.
- The landscape and visual impact from foot bridges, road bridges and other structures. The HS1 designs were very intrusive visually.

There is a need to consider how the soil type, gradient of cutting and climate change will affect the most appropriate species to plant to secure a rapid reclamation of areas affected by earth movement during construction. The quality of the restoration achieved in Kent after 10 years + of new growth and planting has been impressive as the photograph below shows: -



But a major concern for CDC stems from the evidence of the HS1 line in Kent over the height of line and gantries, locations for screening, tunnels and banking. An example from Kent is below shows how visible the route can be:





Cherwell District Council notes the effort made within the context of HS1 to seek to minimise the visibility of the route through lowering of the floor of the cuttings to reduce the visibility of the actual line. We are also clear that this step did not always succeed and the tops of the overhead cables is frequently visible the length of the route through Kent.



CDC are also keen to avoid the experience of HS1 where poor quality of bridges providing local service access as well as for footpaths and bridleways were provided, with a negative visual impact. An example is shown below:



Engineers at a consultation event on June 3<sup>rd</sup> 2013 confirmed that it would be possible to add pigment to colour concrete infrastructure. Whilst we are keen to investigate this further as a visual impact mitigation measure, we emphasize the need for the use of local materials and design styles to sympathetically incorporate harsh modern infrastructure into soft historic landscapes.

Careful blending of tones and use of locally sourced facings could significantly reduce the blight caused by standard white concrete architecture which, as the local planning authority, we will not accept under any circumstances.

### **3.4.1 Power and train servicing points**

It is known that the HS2 will be electrified and will need connection to the National Grid with suitably located transformer compounds. No information is available about the location of these sites which will also need road access for maintenance. To the east and north of Mixbury an existing high voltage pylon-line crosses the proposed railway and then runs along the former Great Central railway line. At least one pylon would need to be relocated to facilitate the building of the railway. This is at the point where the Mixbury Lodge to Fulwell road crosses the line, and therefore is road served. From seeing such power take-off compounds in Kent when viewing HS1 it is considered that this feature would also be harmful to the visual amenity of this part of the countryside which is classified as being of high landscape value.

It is clear from the experience the communities in Kent that were affected by the HS1 project that there was a substantial effort in places to mitigate and compensate for the worst effects of the line. CDC would expect no less than



they received and for lessons from HS1 and the 18 Kent Principles to be applied to the design and development of HS2.

CDC notes that there were unexpected late additions to the 'architecture' of the scheme, with power download facilities and train servicing centres that were not revealed in the consultation phase. From the HS1 experience in Kent CDC is also concerned to ensure that the land take required for all elements of the scheme is provided to the public in advance.

To avoid this situation with the HS2 project CDC want to know up-front the locations of power supply facilities and rolling stock support points which would be visible intrusions across the District. These issues should be covered in the 'permissive provisions' and deemed consents parts of the Hybrid Bill.

It is of profound regret that HS2 has not sought to provide any detailed information on the locations for:

- Electricity Substations
- Service & Maintenance roads and access points

The proposed location of electricity substations is a key issue. CDC would be concerned about new overhead pylons being erected to provide electricity connections.

The visual intrusion of such substations in Kent illustrates how intrusive this industrial architecture can be and requires substantial screening:



### 3.5 Sound, noise & vibration

The basis for the operational train noise assessment criteria needs to be explained as detailed in the comments to Section 5 of Volume 1 (see above).

The potential for significant noise effects is dependant on the baseline data and the change in sound level brought about by the Proposed Scheme (paragraph 11.6.5). However, with the limited information provided with regard to baseline data it is not possible to determine the likely impacts at receptors in terms of the criteria specified in 14.3.26 of the SMR.

Further information needs to be provided in the final ES to explain how the criteria in 14.3.31 of the SMR, used in assessing whether an effect is potentially significant at a residential receptor, will be applied.

The significance of an impact at all receptors should be assessed regardless of their number and grouping. The decision on whether or not to consider mitigation for isolated or small groups of receptors then needs to be explained and reported in the final ES in terms of cost benefit analysis and sustainability, and not just discounted on the basis that there are five or less.

It is noted that further assessment work is being undertaken to confirm operational sound and vibration significant effects that will include further baseline monitoring and the consideration of additional mitigation. This should all be detailed in the final ES and having regard to the comments above.

CDC want to ensure that the final line if approved has as little noise impact as possible.

The AOS identifies only 3 or 4 properties at Newton Purcell as potentially experiencing high noise levels, with further housing nearby potentially eligible for noise insulation (implying relatively high noise levels). The same plans show four properties in Godington, all the remaining properties in Newton Purcell and five outlying properties (Cross Farm, Widmore Farm, The Oaks Farm, Warren Farm (4 properties), Tibbetts Farm, and Beaumont Lodge) as potentially experiencing a noticeable noise increase. It is not explained why the The Oaks Farm, which is located immediately adjacent to the line is not categorised as experiencing high noise levels. Two areas, close to the railway at Newton Purcell, and around Warren Farm are also annotated as “preliminary candidate areas for mitigation”.

There are two other areas for concern.

- Firstly to the north east of Mixbury the line crosses a short viaduct between two cuttings. It is thought likely that high speed trains crossing this at full speed will send a pulse of noise up and down the valley to each side, with properties at Mixbury and Fulwell likely to experience this sudden repetitive noise event. This could have a significant detrimental affect.



- To a lesser extent Fulwell may also experience noise from the much longer viaduct across the Great Ouse River. The AOS recognises the potential for noticeable noise in Westbury, but not in Fulwell.

In their Appraisal of Sustainability document at Appendix 5.4 the HS2 organisation sets out the criteria it proposes to assess the impact of noise and vibration generated by the planned high speed rail project.

In the opening paragraphs of the report the case is made for the use of the LAeq unit of noise measurement to assess and quantify the noise levels produced by trains. A time period of 18 hrs has been chosen as the appropriate averaging period over which the LAeq is to be applied. The 18 hr time period is defined as 'daytime' between 06:00 and 00:00 (midnight). It is suggested that the LAeq measure 'correlates best with the annoyance caused to humans by noise'

Whilst it is accepted that LAeq is a commonly used noise measurement the claim that it correlates as an index of annoyance is to be questioned particularly in the case of rail noise where individual noise events typically involve large amounts of sound over short periods of time followed by periods of time when the 'nuisance' is entirely absent. In these circumstances the use of a maximum event noise level such as LAmay may more accurately reflect the noise impact. Equally the LAeq measurement does not accurately reflect the additional impact caused when for example a train emerges from a cutting or tunnel and a nearby sensitive receptor is suddenly exposed to a significant volume of noise. This effect is in part addressed later in the report when the issue of tunnel boom is considered. It is felt that due to the depth of some of the cuttings to be employed this effect or elevated levels of noise could be a problem in these locations.

In addressing ground borne vibration mention is made of the variation in effect that can arise as a result of the underlying geology. Whilst the report is by nature general in its terms it is felt that this point is significant and should have been addressed in more detail with reference being made to specific rather than general local conditions.

Another significant omission is an appraisal of noise impacts on non residential receptors as the affect of noise on the ability for individuals to work productively and effectively should not be under estimated.

In predicting noise levels that are likely to be generated by the HS2 rolling stock reference is made to quantitative noise measurements obtained from a survey of operation of TGV rolling stock. These trains typically operate at speeds up to 300 km/hr yet the aspiration for HS2 is for trains to operate at 360 km/hr or faster. The report does concede that data for aerodynamic noise from trains travelling at 360 km/hr or faster is not currently available and as a consequence modifications to the Calculation of Rail Noise Methodology cannot be made at this time. This shortcoming does call in to question any use of an unmodified model for predicting noise levels.

Noise from the operation of the high speed railway originates from a number of sources:

- Mechanical noise from motors, fans and ancillary equipment
- Rolling noise from wheels
- Aerodynamic noise from airflow
- Catenary noise from the power pick up from the overhead lines.

It is considered that lowering the height of the line may assist further around Mixbury/Finmere, with perhaps the use of a “green” (cut-and-cover) tunnel to avoid the deep cuttings. This would have the added advantage of lowering the viaduct over the Great Ouse River. Particular concern is also expressed about the noise impacts at Newton Purcell. As the line is elevated relative to the nearest properties, noise barriers would be the only technical solution, but it is not possible to assess their effectiveness on the basis of the information currently provided.

The operating hours of 5am to midnight give the Council cause for concern. Both early hours operation and evening/night operation will be at times when the background noise level is low and the consequent impact of the noise generated by the trains will be higher and more harmful to the quiet enjoyment of nearby houses. It is therefore suggested that the operating hours should be shortened.

Noise nuisance is also a function of the frequency of the noise events – the number of trains per hour and per day. The 18 trains per hour in each direction which is proposed at peak hours i.e. 36 trains (less than 2 minutes between each noise event potentially) is considered excessive and unreasonable to endure for the occupiers of nearby properties.

#### Specific Noise issues

Chapter	Section	Heading	Comment
1		Introduction	No comment
2		Newton Purcell to Brackley	
	2.1	Overview of the Area	No comment.
	2.2	Description of proposed scheme	No comment.
	2.3	Construction of the proposed scheme	No comments
	2.4	Operation of the proposed scheme.	Some information needs to be given with respect to likely frequency/duration of inspection and maintenance works and likely noise impacts.
	2.6	Route section	See comment on 2.2 above.

		main alternatives.	
4		Air quality	<p>No comments. But noted that estimates of background data have been obtained from Defra for 2011 and future years (2017 and 2026), and reference has also been made to CDC's air quality data. Main impact will be from construction activities, which are covered by the CoCP.</p> <p>The assessment and screening criteria used to assess the impact of the scheme on air quality are not clear. What criteria have been used to see whether further assessment criteria is required and what guidance has this been taken from? This is not stated in this report and should be clarified with additional details on how the conclusions were reached.</p>
8		Land Quality	<p>Section No comments 8.5.3 makes reference to contaminated land but should be extended to include "land affected by contamination".</p> <p>Section 8.5.3 makes reference to measures outlined in the draft CoCP to be implemented to manage the effects of land affected by contamination. One of the general provisions reported in section 11.1.2 of the draft CoCP is the potential to affect aquifers but there is no mention of other sensitive receptors and these should be included. It is noted that these are referred to later in the draft CoCP.</p> <p>It is also not clear where there are any areas of public open space or public access within the scope of the construction area which will need to be included as human receptors in pollutant linkages. This should be noted and included in the</p>

			<p>risk assessment as necessary to ensure the appropriate screening criteria are utilised, particularly if fill materials will be left exposed.</p> <p>The testing of soils for redistribution detailed in the CoCP is welcomed but it is not clear how and when this will be undertaken e.g. at the end of the construction phase to demonstrate the soils are suitable for use? Or earlier as part of the land quality risk assessment process. This should be clarified and how this is proposed to be presented to demonstrate the land is suitable for use.</p>
11		Sound, noise & vibration.	
	11.4	Environmental Baseline	Needs to be defined with measurement data having regard to comments on the SMR as detailed in the comments to Chapter 5 of Volume 1 (see above).
	11.5	Construction	Noted that further work is being undertaken to confirm significant construction noise and vibration effects, including any temporary effects from construction traffic, and mitigation measures that may be needed.
	11.6	Operation	<p>The basis for the operational train noise assessment criteria needs to be explained as detailed in the comments to Section 5 of Volume 1 (see above).</p> <p>The potential for significant noise effects is dependant on the baseline data and the change in sound level brought about by the Proposed Scheme (paragraph 11.6.5). However, with the limited information provided with regard to</p>

			<p>baseline data it is not possible to determine the likely impacts at receptors in terms of the criteria specified in 14.3.26 of the SMR.</p> <p>An explanation/information needs to be provided as to how the criteria used in assessing whether an effect is potentially significant in accordance with the criteria specified in 14.3.31 of the SMR will be applied.</p> <p>No significant effects have been identified for Public Rights of Way (paragraph 11.6.8)</p> <p>The significance of an impact at all properties should be assessed and reported in the final ES regardless of the number and grouping of receptors affected. The decision on whether or not to consider mitigation for isolated or small groups of receptors then needs to be explained and reported in the final ES, in terms of cost benefit analysis and sustainability, and not just discounted.</p> <p>Noted that further assessment work is being undertaken to confirm operational sound and vibration significant effects that will include further baseline monitoring and the consideration of addition mitigation. This should all be detailed in the final ES and having regard to the comments above.</p>
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### 3.6 Water resources and flood risk assessment

Detailed design, but no real information. There is no justification of tunnel impacts on groundwater or de-watering on archaeology.

CDC is concerned that the business case and earlier consultation documentation gave minimal regard to the challenge of potential flood risk and this still remains insufficiently dealt with.

CDC believes that a number of issues must be considered in more detail including:

- A full flood risk assessment of the river crossings required and the diversions that may be appropriate.
- The impacts on aquifers and in the Cherwell District case vulnerable flood risk areas.
- Impacts on rivers, streams and ponds and in particular an assessment of historic and environmentally.
- Compliance with the Water Framework Directive and the need to maintain high water quality.
- The potential for use/need for demountable flood defences and their cost impacts.

CDC has particular concerns about the need for the Water Framework Directive to be respected.

Cherwell District is a high water quality area by virtue of being located at the top of the river catchment area. We note that under Article 4.7 of the Water Framework Directive there should be no diminution of that high water standard whereby development cannot reduce the quality of an areas water from 'high' to 'good' without meeting the provisions of the article, which is in the 2003 UK Act that transposed the EU Directive into UK law.

CDC has seen no evidence of how this challenge has been addressed.

Whilst the ES maps the flood plains (Padbury Brook north of Godington, the River Great Ouse north of Mixbury/Fulwell, and its small tributary running from Fulwell towards Mixbury) and comments briefly on the aquifer situation the documentation is short on detail information and impact assessment. This will need to follow in the Environmental Statement if the application is to proceed. However, with particular regard to the protection of water quality this makes assessment at this time difficult. This part of Cherwell, together with the adjacent areas of Aylesbury Vale and South Northamptonshire is a high water quality area by virtue of its position at the top of the river catchment area.

Article 4.7 of the Water Framework Directive states that there can be no diminution of that high water standard from high to good as a result of development without meeting the provisions of that Article.

CDC has seen no evidence of how this challenge has been addressed.

### **3.7 Community**

The impact of the new railway upon residential amenity is greater than the imposition of noise nuisance at whatever level it is experienced. It is also the

affect upon the tranquility of a rural location, or the interruption of a rural landscape by modern transportation infrastructure. This impact affects communities/properties such as:

- Godington – A remote village accessed off of a dead end lane. The village which contains 15-20 properties, is tranquil and unaffected by road noise. It will in the future, if this proposal goes ahead, have significant train noise albeit that the trains will not be visible.
- Newton Purcell – A small village astride the A4421 the noise/disturbance and division by a road carrying relatively high volumes of HGV and other traffic transiting from the A34/M40 to Milton Keynes and the M1. The imposition of frequent train noise is an unreasonable extra burden.
- Warren Farm/The Oaks Farm – A secluded group of former farm buildings and working farm north of the A421. The proposed line charges between them in low cutting. The noise, visibility of the overhead lines/tops of trains and the accommodation works to ensure that the private access road is maintained will have a significant affect upon the whole group, especially The Oaks Farm which will be very close to the line.
- Mixbury – A Conservation Area, which is predominately an old estate village. Despite the relatively close proximity of the A43 and A421 roads the village is relatively tranquil. The train noise which will be apparent will detract from this heritage asset and the residential amenity of villages.
- Fulwell – A remote hamlet in a secluded and tranquil location. Concern is expressed that sudden noise events will result from the proposed track configuration near Mixbury, and longer noise occurrences from the River Great Ouse viaducts which are both up-wind of the hamlet.

Community Integrity – This is an issue where a community is sub-divided by transport infrastructure. It is considered that this is a significant concern in two locations. Firstly, at Newton Purcell -the few properties to the north of the proposed railway line will be segregated from the remainder of the village if the existing route under the Great Central Railway is to be blocked and a long and circuitous journey by foot or vehicle is necessary to get from these properties to the Church, public house, or other houses. This is unfortunate and at the very least consideration should be given to providing a footpath connection under the line.

The second location of concern is at Warren Farm/The Oaks Farm north of the A421. These isolated properties form a small integrated grouping. The railway will split them apart, and unless the accommodation works for the access is well done they will feel dislocated from one another, and the Warren Farm set of properties will be further removed from the main road

### 3.8 Impacts on Local Conservation and Heritage

The Draft ES offers very limited information on this issue.

Historic significance must inform the strategic choices about route alignment. We need a clear recognition of historically sensitive areas. We expect to see a deeper process of character assessment to identify significance and to ensure mitigation is appropriate and sufficient, but where this cannot be secured that compensation is of a scale proportionate to the loss.

The Draft ES overview itself contains very little information regarding the potential impacts on any heritage assets and is actually more of a scoping report setting out what the final EIA will contain. However the Community Forum Area reports do contain an assessment of the potential impact of this scheme.

In general this is acceptable however there are two omissions that will need to be highlighted in the final document.

Section 6.4.7 Non-designated assets: The area from Mixbury to the Brackley has seen little formal archaeological investigation and therefore there is the potential for previously unknown archaeological features and deposits to be present which would be disturbed by this development.

The Area report should therefore highlight the potential for previously unknown buried archaeological remains along the proposed route.

Understanding and defining a heritage asset involves more than simply recording the appearance of that asset and drawing a line around it on a map.

The *character* of a historic place is the sum of all its attributes. These include: its relationship with people, now and through time; its visual aspects; and the features, materials, and spaces associated with its history, including its original configuration and subsequent losses and changes.

The *context* of a historic place embraces any relationship between it and other places, which are relevant to its heritage values. These relationships can be cultural, intellectual, spatial or functional and apply irrespective of distance, extending well beyond what might be considered a place's setting. As well as a place's relationship with its immediate physical surroundings, context can include the relationship of one historic asset to other assets of the same period, or serving the same function, or designed by the same architect, no matter where they are situated.

Placing a slightly different construction on the term 'context', it can also be seen that all new developments have a context that includes the character of the historic place within which it is located and the settings of adjacent heritage assets. It also includes taking account of other attributes including the relationship of the asset with their surroundings and their setting.



The desirability of protecting the settings of important heritage assets is well established in UK statute and in national policy guidance. Sections 16(2) and 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* refer to setting with Section 66(1) stating that:

*“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*

The importance attached to setting is also recognised by the Government’s Planning Policy Statements with the general requirement to enhance and protect the historic environment, landscape, and townscape character, being set out in *Planning Policy Statement 1: Delivering Sustainable Development* (ODPM 2005).

National planning policy on development affecting the setting of heritage assets follows this and is set out in detail in *Planning Policy Statement 5: Planning for the Historic Environment* (PPS5). Policy HE9 of that document confirms that the significance of a designated heritage asset can be harmed or lost through development within its setting and sets out the basis on which local planning authorities should weigh the public benefit of a proposal against the harm to an asset’s significance, including through development within its setting.

The importance of protecting the setting of heritage assets is also recognised internationally. For example, in the Xi’an Declaration (ICOMOS 2005), which recognises the importance of protecting the settings of heritage structures, sites or areas, and in the Washington Charter (ICOMOS, 1987), which underlines how important it is that new development reflects the historic character and functions of urban areas, the relationship between buildings and green spaces, and the relationship of the town to its surrounding setting.

More locally Article 3 of the European Union Environmental Impact Assessment Directive (85/337/EEC as amended by 97/11/EC and 2003/35/EC) requires the appropriate identification, description and assessment of the direct and indirect effects of projects on - *inter alia* - landscape, material assets and cultural heritage.

Article 4 of the Directive stipulates that where consideration of cases is being undertaken to determine whether Annex II projects should be subject to an environmental assessment, selection criteria (Annex III) should have due regard to the environmental sensitivity of ‘landscapes of historical, cultural or archaeological significance’.

Appendix E to the Directive includes the following subjects to be considered in scoping and preparing an Environmental Statement:

- Effects of the development on the architectural and historic heritage, archaeological features, and other human artefacts, e.g. through pollutants, visual intrusion, vibration.
- Visual effects of the development on the surrounding area, visitor and resident populations and landscape.

The information that has been considered so far as part of the HS2 consultation and business case is limited in this regard by being concerned with pollutant impacts and does not appear to fully grasp the significance of the heritage assets and the issues surrounding their conservation.

The character and setting of historic places are clearly of importance with setting being defined in Annex 2 of *Planning Policy Statement 5: Planning for the Historic Environment* (PPS5) as:

*“...the surroundings in which an asset is experienced. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.”*

Setting is generally more extensive than curtilage, and its perceived extent may change as an asset and its surroundings evolve or as understanding of the asset improves. Setting embraces all of the surroundings (land, sea, structures, features and skyline) from which the asset can be experienced or that can be experienced from the asset. Setting does not have a fixed boundary: construction of a distant but high building, a development generating noise, odour, vibration or dust over a wide area, or a new understanding of a relationship between neighbouring places may extend what might previously have been understood to comprise its setting.

The setting of a heritage asset is also likely to include a variety of views of, across, or including that asset. In this regard HS2 raises particular challenges for a District with many Conservation Areas and Listed buildings where setting is as significant as the form of the building or buildings themselves.

Setting relates not only to buildings but also to areas and whole settlements. With paragraph 1.5 of *Planning Policy Guidance 2: Green belts* (DETR 2001) making it clear that historic settlements are regarded as having a setting.

This can be clearly seen in relation to the settlements of Cherwell District where individual assets of various types and designation interrelate to create interesting locations and places of significance. It is in such locations that additional values arise from seeing the assets as a group where the significance of the whole is greater than the sum of its parts. These are often the cumulative result of a long history of development and the gradual accrual of aesthetic and communal values.

The route of the proposed HS2 will undoubtedly have an impact on the setting of a number of heritage assets both within and beyond the district of Cherwell

District. This impact is unlikely to be positive and a greater understanding of the impact of the route on the district heritage asset is needed before the proposals progress.

### **3.8.1 Conservation and heritage impacts on Cherwell District**

The consultation underplays the significance of local designations of Conservation Areas. There are a number of local heritage sites that stand to be affected by the implementation of the route of HS2 in Cherwell District.

The historic aspects of the environment are a key part of the quality of places. But conservation and heritage is not just about nationally registered heritage sites. Conservation Areas are a substantial part of the character of Cherwell District and give it the form that we see today. Respecting the place of Conservation Areas will require a substantial package of mitigation.

There has been no obvious effort made by HS2 to maintain the local character of the conservation areas affected in the District.

CDC is concerned at the potential for major blight effects from the line and associated infrastructure on historic buildings and their wider context. One lesson from HS1 was the importance of understanding proximity, alignment and visual impact. The cumulative impact of development and the impact of development is a major concern for CDC and especially in those areas where there is an apparent hotspot of sensitivity.

Heritage issues concern listed buildings (detail on characterisations and their relative importance), historic fields and archaeology. We are concerned at the impact on setting that can make a listed building 'unviable' and so may require moving. Archaeology needs to be integrated into the development and construction programme which is not now an optional extra following the publication of the new Government Planning guidance set out in the revised PPS5, as discussed earlier. These considerations must begin early in the scheme when service diversions are planned to commence.

CDC is seriously concerned about the cumulative impact of the proposed HS2 scheme on a number of sensitive conservation and heritage landscapes, villages and buildings.

The Cherwell District Conservation Strategy is a fundamental first step to 'preserving what is special about the district' and ensuring that its exceptional heritage is recognised, valued, enhanced, explained and made accessible to as many people as possible. It sets out the Council's responsibilities and aspirations for the historic environment within the district, the resources that are available to it and a programme for how it intends to undertake this task over the next five years.

The key objective for the strategy is to protect what is special in Cherwell District's historic built environment by preventing loss, managing change effectively, promoting understanding and contributing to sustainable

development. The strategy also reflects a range of national, regional and local policies affecting our heritage and is a framework for Cherwell District Council for how it will manage the historic environment of the district whilst allowing the growth and for the vitality of our towns and villages to be strengthened.

Historic character must inform the strategic choices about route alignment. We need a clear recognition of historically sensitive areas. We expect to see a deeper process of character assessment to identify significance and to ensure mitigation is appropriate and sufficient, but where this cannot be secured that compensation is of a scale proportionate to the loss.

As a generality the ES significantly underplays the significance of local designation such as conservation areas. Grade II buildings are recorded, but in our opinion an assessment of their significance should be made and so should an assessment of the impact of the proposal upon them.

The issues of concern are:

- Mixbury Conservation Area should have been recognised as a heritage asset.
- Mixbury also has a Grade II\* listed building and the Beaumont Castle Scheduled Monument. It is assumed that English Heritage have been asked for their comments upon the setting of the Scheduled Ancient Monument.
- There are two Grade II listed building in Godington, 8 in Newton Purcell and 4 in Mixbury which should be taken into account.

### **3.5 Impacts on the Local Economy**

The line of the proposed HS2 route stands to impact on the rural economy of the north east of Cherwell District.

The rural economy of Cherwell District is substantial and includes village shops, rural businesses and business units, farming, equestrian and market garden businesses.

CDC is working to maintain rural communities that are sustainable, vibrant and thriving. We aim to strengthen our village economies to help make them more sustainable. Through the implementation of our Economic Development Strategy we are promoting tourism into our villages through our Tourism Guide and the promotion of walking, cycling and equestrian activities to draw people to the villages increasing the footfall for village based enterprises and to maintain the current high levels of rural employment.

CDC have sought through our planning and conservation policies to retain village confines and preserve landscape setting as well as maintaining and extending the coverage of existing conservation area designations, protection of listed buildings, historic houses, parks and gardens, scheduled ancient monuments and landscape designations as they all have the potential to form a part of a new green tourism approach for the District. All this stands to be put at risk by the proposed HS2 route.

The 'preferred route option' for HS2 raises substantial policy implications for development in the open countryside.

The rural economy is about more than just those employed in farming and includes home based businesses, secondary employment and associated rural industries in our market towns.

The direct impact from HS2 on land based businesses; both farming and equestrian are expected to include:

- Separated fields.
- Separated fixed machinery.
- Loss of farm land for production and secondary food processing.
- The potential for the loss of access routes along bridle paths and lanes.
- In the case of equestrian businesses the impact of visual and noise intrusions affecting sensitive and valuable horses.
- A substantial impact from blight and the need for early compensation and avoiding lengthy payments.

No assessments have been included of the socio-economic impact. Some businesses will be lost. It is not acceptable that is addressed by off-setting jobs and is therefore not significant (i.e. replace 1 technical consultancy jobs with 1 groundworker). The jobs that are created, how local they will be, i.e. will the contractors just be bringing in lots of workers along the line as it is built?

The line of the proposed HS2 route stands to impact substantially on the rural economy of the west of Cherwell District.

The rural economy of Cherwell District is substantial and includes village shops, rural businesses and business units, farming, equestrian and market garden businesses.

It is unacceptable to state that the significant socio-economic affects are currently being assessed and will only be reported in the final ES.

In short, it is impossible to make a full judgement on the anticipated impact until the final ES is produced, assuming that the later document will go into considerably more detail.

In much the same way as a motorway it is possible that a new railway line may cut off one part of a farmer's land from the rest of his land or his farmstead. It has not been possible to establish whether this type of impact is likely, but it is known that in some locations the farmers make use of the former railway to transit between parts of their holdings. It may be necessary to consider if further accommodation bridges or underpasses are necessary to ensure the continuation of those farm enterprises without detriment to their viability. Such bridges may of course add to the visual harm of the railway by introducing yet more transport infrastructure into open landscape.

There are storage activities being undertaken on the old station site at Newton Purcell and the proposed alignment and the overbridge for the A4421 seems to eliminate this as a business enterprise.

The proximity of the line to the farmhouse at The Oaks Farm seems to call into question its viability as a dwelling. It is believed that this is the only house associated with this farm business. If this enterprise cannot function without a dwelling it may be necessary to fundamentally change the farming enterprise, or to consider the construction of a replacement dwelling further from the line.

The economic benefits of the scheme for the District are likely to be insignificant locally.

It is anticipated that there will be a progressive shift of the economic geography to the area surrounding the location of the proposed stations which over time may undermine the economic advantages the District has in terms of major transport links due to its access to the M1, M40 and the A422.

There are set to be a significant set of local economic impacts from the preferred route option of HS2, from disruption during the lengthy construction phase and the direct impacts of the route on businesses close to the line.

A more precise economic impact analysis of HS2 on local businesses is required.

### **3.9.1 Impact of Development on Open Countryside**

There are long established national policy objectives for the consideration of development in rural areas, as now set out in the National Planning Policy Framework ( for example paras 109, 114, 118).

The the chosen route for HS2 is likely to have a negative impact as the construction and appearance of the railway with its associated facilities and service paraphernalia will detract from the qualities of the landscape which make this district special. This has been set out at Section 3.4 above

### **3.10 Traffic and Transport**

No traffic assessment is included and there is no tangible detail or baseline. .

CDC is encouraged that the impact on the footpath or bridleway network has been minimised, but the impact on the highways network of the proposed scheme looks substantial.

A number of strategic highways and local roads will need to be bridged Sites that are split will require new road access to the road network. Of particular importance will be the crossing over the A4421 near Newton Purcell (and the disruption during construction).

We also wish to ensure that the design of any bridges is to a higher standard than that delivered on the HS1 project, to be of a less visually intrusive design than were provided for HS1. Landscape sensitivity is a major issue for the District. CDC is encouraged that Engineers have confirmed that coloured concrete infrastructure is being considered.

Careful blending of tones and use of locally sourced facings could significantly reduce the blight caused by standard white concrete architecture which, as the local planning authority, we will not accept under any circumstances.

Whilst it is clear that the trunk and major roads network, in particular the A43, A421, and A4421 and access to the M40 will be impacted by the project, the lack of transport assessments or clarity about how spoil is removed and ballast is imported to the construction sites is unclear and in turn unhelpful.

While there is no specific section relating to PRow issues we are pleased to note that in CFA Report 14 – [Newton Purcell to Brackley] the impacts of the scheme are considered in relation to a number of key areas: construction, community, noise, sound and vibration, visual assessment and traffic & transport. There is also a table outlining the length of the proposed diversions [2.3.26 pg.22 – Chapter 13] and statements regarding the use of temporary diversions during construction under 12.5.2 pg. 85 [Chapter 13]. Mitigation and reducing the impact during and post construction is considered alongside more ‘major’ issues e.g. road closures and as a consequence is fully integrated in the scheme plan, rather than an ‘add on’ which can then impact on other aspects of the scheme delivery or ignored altogether.

Progressing from south to north the following highway crossings are affected by the proposals:

- a) Bridlepath north of Godington – currently passes under Great Central line by underbridge – would need to be accommodated under the new viaduct.
- b) A4421 Newton Purcell Road currently passes under Great Central line with redundant bridges still in place. Proposal appears to be to leave underbridge but stop through traffic under new line (?). New overbridge with lengthy approach embankments and diversion of line of A4421 to west proposed.
- c) Bridlepath from Home Farm Shelswell to Finmere crosses line of old railway. No accommodation works shown. Bridge would be required.
- d) Bridlepath from Widmore Farm to Finmere crosses line of old railway. No accommodation works shown. Bridge would be required.
- e) A421 near Warren Farm. Relatively recent diversion of road south of old bridge point on embankment. Old bridge works remain. New bridge proposed still further south. Unclear what happens to old bridge works.

f) Footpath from Tibbetts Farm to Warren Farm alongside (north) of former railway line. Will need accommodation works associated with (g) below.

g) Roadway from Mixbury Lodge to Fulwell. Current overbridge over dismantled railway will need to be replaced.

h) Bridlepaths north from Beaumont Lodge and north east from Mixbury Lodge meet and continue to Westbury. The meeting point will be at a deep cutting point on new line. Will need overbridge.

It is considered important to ensure that all existing footpaths and bridlepaths are properly accommodated during construction of, and after the opening of, any new railway line. The Council recalls that during the M40 construction (another government promoted scheme) a large number of footpaths were truncated or had significant diversions made to them. These were never replaced satisfactorily. Objections are raised if assurances are not forthcoming that this will not be repeated as a function of this scheme

Of particular concern are the proposals relating to the routeing of the A4421 across the proposed railway at Newton Purcell. Rather than take the road under the railway as currently the proposal is to divert the road over the line further to the west. No explanation has been given as to why it is not possible to continue with an underbridge. Because of the height of the line relative to surrounding land levels the proposed bridge has to be approached via lengthy and high embankments. These would be harmful to the character and appearance of the landscape. The embankments will also have a significant impact upon the amenity of the two houses on the western side of the A4421 at this point. Indeed it must be questioned whether these will be viable houses after this construction, particularly that one to the south of the railway line, Station House, which will be dominated by the new railway and road infrastructure and suffer high noise levels. The raising of the road will also have the effect of raising the road noise source and may have an effect upon the amenity of the houses in the vicinity. The plans available do not make it plain whether the existing roadway under the railway will remain open.

The amenity of rural footpaths and bridleways will be fundamentally affected by the proposal. The footpath north of Godington has a particularly remote and tranquil feel to it. This will be lost completely. Similarly the two footpaths/bridleways north and east of Mixbury, which form part of a well used dog-walking loop, will have an entirely different character once the railway is constructed. They will no longer be a source of tranquil remote recreation, but will instead be subjected to the frequent passage of trains travelling at maximum speed. Again similar expressions of concern should be expressed about the footpaths which cross or are close to the line between Mixbury and Newton Purcell.

### **3.11 Impacts on Utilities and Services**



A large proportion of the route is at or below current ground level and has the potential to be a major disturbance to the water table and its natural environment.

Large areas of land adjacent to the route will also need significant re-engineering of both the natural and man-made water courses. This re-routing and associated penalty costs will also run into many millions and risk damaging the delicate eco-systems during construction. These natural systems may not return to their pre-interference state for many years, if at all.

The extent of the disruption to utilities (gas, water, electric and fibre-optic) has not been identified. Reinstatement of the existing utilities should not be underestimated and can be expected to exceed tens of £1000's per route mile (£M's for the entire route).

## 5. Response to the Draft Code of Construction

### Impact during construction

CDC is concerned with ensuring that the impact during construction is minimised and that contractors do not introduce changes we have not agreed to.

CDC will play close attention to the breadth of 'permissive provisions' and deemed consents to ensure all impacts are anticipated and planned for. CDC notes the high standards of design and construction impact minimisation achieved during the construction of the London Cross Rail scheme and expect a similar sensitive approach to be taken were the HS2 scheme to be approved.

The Council have proposed that the Cherwell Local Plan (currently at Pre-submission stage) includes provisions for considering the HS2 proposal, as follows

#### ***Policy SLE 5: High Speed Rail 2 - London to Birmingham***

*The design and construction of the High Speed 2 Rail Link must minimise adverse impacts on the environment, the local economy and local communities and maximise any benefits that arise from the proposal.*

*The implementation of HS2 will also be expected to:*

- Deliver high quality design to protect communities and the environment from noise and visual intrusion*
- Manage the construction to minimise the impact on communities and the environment*
- Adopt sustainable procurement and construction methods*
- Minimise adverse social and economic impacts, by maintaining accessibility and avoiding the severance of communities and agricultural holdings*
- Ensure that community and other benefits are fully realised.*

If the decision is taken to proceed with HS2 Cherwell District Council will expect any impacts on the District to take account of all the above elements as an absolute minimum requirement.

Our concerns centre on:

- The potential size of noise panels and intrusive concrete screening to baffle noise and not delivering the noise reduction sought.

- The overhead cabling generating additional noise..
- The use of cuttings to reduce noise, which in an area such as Cherwell District with a geological structure that is primarily clay will lead to shallow sided cuttings and a greater noise effect than occurs with steep sided cuttings where the noise is funnelled upwards.
- The impact of vibration from the route. (We are aware that vibration has been an issue for residential properties at Bluebell Hill on the HS1 route in Kent, where the line sits in a deep tunnel in chalk)

The experience of the HS1 route through Kent illustrates that the nature of noise attenuation matters both for how noise is reduced and for how intrusive the scheme is visually.



Other noise issues concern a) Construction noise & vibration and b) Operational noise & vibration.

The impacts include:

- Noise from fixed installations
- Line Maintenance
- Reradiated noise from tunnels

We expect mitigation to consider:

- Route alignments
- Location of planned tunnels and additional ones
- Location, depth and cut of cuttings

- Location of barriers and sound insulation
- Potential for relocation during construction

Cuttings are the cheapest option for developers but maximise environmental impact.

Cut and Cover is a compromise between a cutting and tunnel. The “Cut and Cover” approach is suggested in the Route Engineering report for some communities along the route. The experience of HS1 has shown that cut and cover options can be an effective compromise between cost and community concerns, but raises substantial issues of the level of disruption to be generated during construction.



CDC wish to ensure that the impact during construction is minimised and that contractors do not introduce changes we have not agreed to.

CDC will play close attention to the breadth of ‘permissive provisions’ and deemed consents to ensure all impacts are anticipated and planned for. CDC notes the high standards of design and construction impact minimisation achieved during the construction of the London Cross Rail scheme and expect a similar sensitive approach to be taken were the HS2 scheme to be approved.

If the final parliamentary decision is taken to proceed with HS2, Cherwell District Council will expect any impacts on the District to take account of all the above elements as an absolute minimum requirement.

## **6. Conclusion**

Cherwell District Council is extremely concerned that the Draft Environmental Statement is just one-tenth of the size of the anticipated final ES (approximately 5000 and 50,000 pages respectively). Further, that the majority of the critical baseline data, on which to assess actual impacts is omitted from the Draft. It is therefore extremely difficult to comment on the anticipated end result without this foundation of baseline data.

To add to these facts, there will not be an opportunity to respond to the final document other than through petitioning, an action which is simply not an option for the vast majority of those affected.

If the scheme is confirmed by Parliament, it needs to become an exemplar scheme worthy of the nation, particularly as it is the latest transport infrastructure project in UK history. As it stands it will fundamentally & permanently alter communities to the detriment and needs to be radically redesigned.

As a result no confidence can be placed in the results at this point in time and Cherwell District Council questions the value of the draft ES and consultation.

## **10. Contacts**

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8th July 2013

## Executive

### District-wide programme of Article 4 Directions to protect Heritage Interest.

2 September 2013

#### Report of Head of Strategic Planning and the Economy

##### PURPOSE OF REPORT

To consider the introduction of a District wide programme of Article 4 Directions to preserve the Character and Appearance of Areas with Heritage Significance.

This report is public

##### Recommendations

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The Executive is recommended:

- (1) To approve the process of rolling-out a programme of Article 4 Directions.

##### Executive Summary

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###### Introduction

- 1.1 The Town & Country Planning Act (General Permitted Development) Order 1995 (GPDO) sets out the options ('rights') for certain minor development, including some alterations, extensions and improvements to domestic buildings to be carried out without the need for planning permission. Such work is known as 'permitted development'.
- 1.2 Within certain areas, including conservation areas and areas of outstanding natural beauty, these permitted development rights are automatically reduced so that certain work requires planning permission. However, they are not removed altogether and a significant amount of development can still be carried out without the need for planning permission.
- 1.3 Experience has shown that the accumulation of minor works can have a significant impact on the character and appearance of conservation areas and other areas of heritage significance in the district.
- 1.4 Local Planning Authorities have the option of making a direction under Article 4 of the GPDO to reduce permitted development rights. The effect of an



Article 4 Direction is not that development within the particular category of development cannot be carried out, but that it is no longer automatically permitted by Article 3 of the General Development Order.

- 1.5 The result of the Direction is that any works covered by it will now require planning permission and the submission of a formal planning application. No fee is payable for planning applications required solely as a result of this Direction. There would be the usual right of appeal against any refusal of permission or the imposition of conditions. Article 4 Directions are there to manage the detrimental effect of the many small changes to unlisted buildings.
- 1.6 The intention of an Article 4 Direction is to ensure that any significant changes are subject to planning control, thus allowing for public comment on the proposals and for the local authority to assess their impact on the character and appearance of the conservation area or other areas that have heritage significance.

### **Background Information**

- 1.7 Cherwell District Council has a responsibility under the National Planning Policy Framework (NPPF) to maintain and manage change to the built heritage in a way that sustains and, where appropriate, enhances its significance. Significance being the value of the built heritage to this and future generations because of its inherent interest. That interest may be archaeological, architectural, artistic or historic.
- 1.8 The significance and integrity of an area is derived from the contributions made by all aspects of the heritage - buildings, structures, boundaries and spaces – to the whole. Buildings that contribute to this significance can be listed or non-designated, vernacular or terrace properties within rural and urban settlements. Significance derives not only from the physical presence of a structure/ historic asset, but also from the integrity of its appearance and its setting.
- 1.9 In particular Paragraph 126 of the NPPF points out that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Account should be taken of:
  - The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; and
  - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 1.10 Paragraph 132 of the NPPF affirms that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 1.11 Paragraph 137 of the NPPF observes that Local Planning Authorities should look for opportunities to enhance or better reveal the significance of the heritage. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.



- 1.12 The effectiveness of Article 4 Directions in curbing loss of historic character and appearance within conservation areas is outlined by English Heritage (*Guidance on making Article 4 Directions*, 2010; *Understanding Place: Conservation Area Designation, Appraisal and Management*, 2011). Government guidance has also been issued (<https://www.gov.uk/government/publications/replacement-appendix-d-to-department-of-the-environment-circular-09-95>).
- 1.13 Research by the English Historic Towns Forum (2009) (<http://www.historictownsforum.org/node/318>) has shown that 81% of local planning authorities have Article 4 directions for one or more of their conservation areas.
- 1.14 In the light of the guidance available Oxford Archaeology undertook an extensive survey of the whole district in 2012 on behalf of Cherwell District Council, to assess the potential for Article 4 Directions. A list of identified buildings whose contribution to the collective character and appearance of the areas of heritage value in which they are located could be better protected has been drawn up.

### **Operational Details and Impact**

- 1.15 The aim of Article 4 Directions is to ensure the significance of an area or heritage asset is not eroded by piecemeal change which in itself does not require consent. Directions for the most part are tailored to an area with identified significance. A conservation area is '*an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*'. It therefore follows logically that the serving of Article 4 Directions within conservation areas can directly contribute to the preservation of local features and characteristics.
- 1.16 Article 4 Directions should be targeted at preserving the character and appearance of a particular locality (either within or outside a conservation area) and in most instances will solely cover proposed works to the front/highway elevation of a building. Article 4 Directions are not retrospective.
- 1.17 Examples of the types of work that can be covered by a direction are set out below (although within conservation areas some of these works are already subject to control). Directions apply only to dwelling houses, as flats, commercial premises, shops and offices do not have the permitted development rights associated with dwelling houses. An Article 4 Direction, therefore, will bring certain controls on residential houses into line with those other properties.
- Alterations to windows that will affect the historical significance of the building;
  - Alterations to doors that will affect the historical significance of the building;
  - Alterations to roofs including the replacement of natural stone flags or slate with concrete tile;
  - Alterations of roofing alignment and insertion of dormers and rooflights;

- The erection of renewable technology including solar panels;
  - Installation of TV aerials or satellite dishes;
  - The cladding, painting, rendering or re-rendering of properties;
  - The erection of porches;
  - The inappropriate replacement of original rainwater goods, or the addition of external drainage etc.;
  - The erection or alteration of fascia boards;
  - The alteration, erection, rendering or removal of chimneys;
  - The erection, alteration, rendering or removal of boundary walls, fences or railings and gates;
  - Creation or alteration of hard standing areas.
- 1.18 The hypothetical example of the application of an Article 4 Direction would be a non-listed but traditional stone cottage (identified as a heritage asset) in a village high street in close proximity to listed buildings. The village is also designated a conservation area. An Article 4 Direction to control window replacement, erection of satellite dishes and solar panels on the front elevation of the building would invite a planning application for such work. Such an application would be open to public comment and would provide an opportunity for the Local Planning Authority to negotiate a solution that would both enable the household to access the modern technology whilst preserving the integrity and rural appearance of the village high street and the setting of the listed buildings.
- 1.19 There will be additional workload created, but experience of other local planning authorities has been that the programme of directions should be rolled out where those areas which need greatest protection and/or will incur the least workload first.
- 1.20 Article 4 Directions are not new to the district; Balscote, Kidlington, Mollington and Wroxton all have Article 4 Directions. In the case of Wroxton this direction is extensive requiring all works, whether improvements or extensions, to require planning permission.

### **Implementation Options**

- 1.21 If we assume that a programme of Article 4 Directions is to be implemented then a successful strategy for the rolling out of this programme is required. There are two options:
- A gradual programme of implementation is adopted, with groups of settlements being identified with a sequence of implementation dates; or
  - A district-wide directive for identified buildings is authorised on a single date.
- 1.22 The NPPF (Paragraph 200) specifies that Article 4 Directions should be specific to ensure the protection of the 'wellbeing' of the local environment and that Directions require justification. Therefore a gradual roll-out strategy

with public consultation is preferred.

- 1.23 By engaging the local public, the Design and Conservation team can ensure that:
- The importance of this implementation can be made on a settlement-by-settlement basis.
  - The NPPF is complied with.
  - It reinforces relationships and communication with local communities and amenity societies.
  - It provides a mechanism where the Article 4 Direction programme can be successfully implemented district-wide within a given period of time (in this case two years).

#### **Roll Out Scheme – Initially**

- 1.24 The settlements within the district have been allocated to one of four categories. The criterion for inclusion within any one group is the level of anticipated additional applications that would result as a result of any Direction.
- 1.25 See Annex A for the proposed list of settlements and the types of Direction anticipated.
- 1.26 The Design and Conservation Team plans to start the roll out of the scheme with a brief presentation to Parish Councils and Local Members to ensure that the process is fully understood and bought into. Further engagement with local communities, branches of interest groups and local historical societies and may be undertaken if required.

#### **Roll Out Scheme – Long Term**

- 1.27 The proposal is to sequentially implement Directions for identified heritage assets within groups of settlements. Settlements have been categorised into one of four categories; 1, 2, 3 and 4.
- Category 1 settlements are generally the smaller settlements with limited developmental pressure.
  - Category 2 settlements are the larger settlements or those with anticipated more development pressure.
  - Category 3 settlements are urban conurbations or those settlements with greater heritage pressure.
  - Category 4 settlements currently do not have conservation area designation although they still have heritage value.
- 1.28 In line with the procedure adopted by South Northamptonshire District Council it is anticipated that an Article 4 Direction would be only imposed following consultation period of, usually, 28 days and with at least 12 months notice of it coming into force. It is proposed that following the consultation period the Head of Strategic Planning and the Economy is delegated to sign off the

relevant Directions, in consultation with the Lead Member. The proposal is Directions for all category 1 villages to be implemented by the end of 2014. Directions for category 2, 3 and 4 settlements will be implemented by the end of 2015.

- 1.29 Once implemented, the information on the Directions will be made available through the Cherwell District Council website, on our GIS system and on the Cherwell Maps.
- 1.30 After the initial roll out, the Directions programme will be reviewed and updated on a regular basis. This review will form part of the conservation area assessment process for those directions located within conservation area and quinquennially for all others.

### **Conclusion**

- 1.31 The National Planning Policy Framework (NPPF) requires local authorities to ensure that local heritage is protected. This is done by understanding local heritage assets and managing change to ensure that the significance is not harmed. The criteria for Article 4 Directions are therefore straight-forward and transparent to aid both Cherwell District Council and the local community in managing local heritage assets appropriately thereby ensuring that their significance is not harmed.

### **Key Issues for Consideration/Reasons for Decision and Options**

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- 2.1 To approve the rolling out of an Article 4 Directions programme.

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

- |                   |   |
|-------------------|---|
| <b>Option One</b> | To accept the programme of Article 4 Directions with phased implementation. |
| <b>Option Two</b> | To decline the programme of Article 4 Directions as described.              |

### **Consultations**

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There has been consultation with other Local Planning Authorities to ascertain how other authorities have implemented similar programmes.

### **Implications**

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- |                   |   |
|-------------------|---|
| <b>Financial:</b> | The cost of preparing and consulting on this document is being met from existing resources.<br><br>Comments checked by Karen Curtin. Head of Finance and Procurement. 0300-003-01606. |
| <b>Legal:</b>     | The proposal ensures that an obligation from the National Planning Policy Framework is met.<br><br>Comments checked by Nigel Bell. Team Leader –                                      |

Planning and Litigation 01295 221687.

**Risk Management:** Lack of heritage guidance undermines the reputation of the Council as the Planning Authority for Cherwell District seeking high design and conservation standards.

Comments checked by Claire Taylor. Corporate Performance Manager 01295 221563.

#### **Wards Affected**

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All

#### **Corporate Plan Themes**

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Corporate Theme 6: Protect and enhance the local environment

#### **Lead Member**

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Councillor Michael Gibbard  
Lead Member for Planning

#### **Document Information**

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<b>Annex No</b>	<b>Title</b>
Annex A	List of conservation area and other related areas together with potential Article 4 Directions.
<b>Background Papers</b>	
None	
<b>Report Author</b>	Rose Todd, Senior Conservation Officer
<b>Contact Information</b>	01295 221846 <a href="mailto:rose.todd@btinternet.com">rose.todd@btinternet.com</a>

**Annex A. List of conservation area and other related areas together with potential Article 4 Directions.**

<b>Conservation Area</b>	<b>Type of Article 4 Direction to be considered</b>	<b>Buildings (* 'Identified' indicates buildings identified within the Oxford Archaeology survey)</b>	<b>Introduction phase</b>
Adderbury	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2
Ardley	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Ardley House</li> <li>• Local list</li> </ul>	1
Balscote	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Former Methodist Chapel</li> </ul>	1
Banbury	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	3

	<ul style="list-style-type: none"> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Grimsbury (Banbury)	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	3
Barford st John	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Local list</li> </ul>	1
Barford St Michael	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Begbroke	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2

	<ul style="list-style-type: none"> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Bicester	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	3
Bletchington	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2
Bloxham	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2
Bodicote	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Fairholme House Church Street</li> <li>• Methodist Chapel East Street</li> </ul>	2



	<ul style="list-style-type: none"> <li>technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Bucknell	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	• Identified	4
Caulcott	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	• Identified	4
Charlton-on-Otmoor	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	• Identified	1
Chesterton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external</li> </ul>	• Identified	2

	drainage <ul style="list-style-type: none"> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Claydon	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Clifton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	4
Cottisford	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Cropredy	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2

Deddington	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Meter boxes</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Drayton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2
Duns Tew	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Epwell (AONB)	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1

Fewcott	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Finmere	<ul style="list-style-type: none"> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Fringford	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Fritwell	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Great Bourton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4

	<ul style="list-style-type: none"> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Hampton Gay, Shipton-on-Cherwell & Thrupp	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Hampton Poyle	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Hanwell	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Hardwick	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4

	<ul style="list-style-type: none"> <li>technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Hethe	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Hook Norton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Horley	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Hornton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1

	<ul style="list-style-type: none"> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Horton cum Studley	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Islip	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2
Juniper Hill	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Kidlington: church Street, High Street, The Rookery, Crown Road + Langford Lane Wharf	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	2

	<ul style="list-style-type: none"> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Kirtlington	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
Launton	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	4
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Middleton Stoney	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	4
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Newton Purcell	<ul style="list-style-type: none"> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	• Identified	4
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Oddington	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Oxford Canal	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Conservation Area Appraisal</li> <li>• Local list</li> </ul>	1

Piddington	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
RAF Bicester	<ul style="list-style-type: none"> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Conservation Area Appraisal/ Register of Heritage Assets</li> </ul>	1
RAF Upper Heyford	<ul style="list-style-type: none"> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Conservation Area Appraisal</li> <li>• Register of Heritage Assets</li> </ul>	1
Rousham (inc Lower Heyford + Upper Heyford)	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
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	<ul style="list-style-type: none"> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Shutford	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	4
Sibford Ferris	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
Sibford Gower + Burdrop	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> </ul>	1
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	<ul style="list-style-type: none"> <li>technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> <li>•</li> </ul>		
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Tadmarton (Upper & Lower)	<ul style="list-style-type: none"> <li>• Boundaries</li> <li>• Chimneys</li> <li>• Doors</li> <li>• Rooflights</li> <li>• Rendering</li> <li>• Renewable technology including solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>	<ul style="list-style-type: none"> <li>• Identified</li> <li>• Local list</li> </ul>	1
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	<ul style="list-style-type: none"> <li>solar</li> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
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	<ul style="list-style-type: none"> <li>• RWG + external drainage</li> <li>• Satellite dishes</li> <li>• Windows</li> </ul>		
Wroxton	<ul style="list-style-type: none"> <li>•</li> </ul>		completed
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## Executive

### Funding provision for enforcement action in connection with Work-in-default and with bringing empty homes back into use.

2 September 2013

### Report of Head of Regeneration and Housing

#### PURPOSE OF REPORT

To seek support in principle for the establishment, through the annual budget setting process, of a capital budget against which the Housing and Regeneration Service can draw when taking enforcement action to bring empty homes back into use, or when needing to undertake Works-in-Default following the failure of a notice recipient to comply with an enforcement notice requiring remedial works.

This report is public

#### Recommendations

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The Executive is recommended:

- (1) To support the establishment of a capital budget, through the annual budget setting process for 2014-15, and in successive years, that will enable enforcement powers delegated to the Head of Regeneration to be utilised effectively, and without the need for the necessary funding to be sought separately in each particular case.

#### Executive Summary

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##### Introduction

- 1.1 The Council's Constitution has delegated to the Head of Regeneration and Housing authority to:
  - *Exercise powers with respect to bringing private sector empty dwellings back into use; and*
  - *Exercise all powers under the Housing Act 2004*
- 1.2 Enforcement action to 1) bring empty homes back into use through the use of Empty Dwelling Management Orders and 2) undertake Works-in-default in cases where a notice recipient has failed to carry out specified remedial action, is only possible if the necessary funding for that action is available.
- 1.3 No such budget currently exist, which means that the Head of Regeneration of Housing is required to seek (ultimately recoverable) funding in each particular case, even though responsibility for making those enforcement

decisions is delegated to him. This situation not only delays enforcement action but casts doubt over its use, since the Head Regeneration and Housing cannot use his delegated powers effectively.

- 1.4 In order to facilitate effective enforcement, this report seeks to establish the principle that a capital budget needs to be put in place and that it should be set each year, at an appropriate level, through the annual budget setting process.
- 1.5 It is anticipated that a budget of £80k-£100k will be required to allow the expected level of enforcement activity.
- 1.6 The budget would not be set with particular cases in mind, but would be used to support enforcement action as and when cases arose, and in accordance with the Head of Regeneration and Housing's delegated authority.
- 1.6 If unspent in any particular year, the budget would be returned as an under-spend and then reset for the following year through the budget setting process.
- 1.7 Capital used for empty dwelling enforcement (ie the making of Empty Dwelling Management Orders) and for carrying out Work-in-default is recoverable in full<sup>1</sup>, so the capital budget would receive periodic income (although this is unlikely to take place in the same year as the particular expenditure) and may therefore be able to contribute funds back in due course.

### **Proposal**

- 1.8 That a capital budget should be established to finance housing enforcement action; specifically the use of Empty Dwelling Management Orders (EDMOs) and Work-in-default, and that it should be set on an annual basis through the budget setting process.

### **Conclusions**

- 1.9 The Council is under statutory duties to ensure that housing standards are satisfactory and is required to take enforcement action in specified situations. The use of enforcement notices is underpinned by the Council's power to carry out the required remedial work in default of the notice recipient, and to recover its costs from him or her. This is called Work-in-default.
- 1.10 The Council also wants and expects to see long-term empty homes restored to use and is prepared to underpin that message through the use of its enforcement powers, particularly Empty Dwelling Management Orders.
- 1.11 In order to be effective the Council's enforcement action depends upon a clear and consistent message from the Council that it will see enforcement action through to a proper conclusion.
- 1.12 The need for enforcement funding to be sought on a case-by-case basis

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<sup>1</sup> In the case of EDMOs the Council takes control and management (but not ownership) of the property for up to 7 years and can use the rental income it receives to recover its costs directly. When work-in-default is carried out the sum owed to the council is made a charge on the property and recovered, with interest, at the time of next sale or transfer.

compromises its effectiveness; whereas the establishment and availability of a dedicated capital budget will improve decision making and efficiency.

## **Background Information**

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### **Empty property enforcement**

- 2.1 In February 2012, following consideration of a report from the Head of Regeneration and Housing, the Lead Member for Housing approved four principles<sup>2</sup> as the basis for the Council's approach to securing re-use of empty property. The fourth of those principles was that the Council would be prepared to take enforcement action to secure re-use of long-term empty homes where a business case could be established. The Head of Regeneration and Housing, in consultation with the Lead Member for Housing, was made responsible for determining whether or not a business case for enforcement intervention could be made.
- 2.2 The Council's Private Sector Housing Team is applying the Council's Principles as the basis of a proactive work programme and is seeking to engage with the owners of longer-term empty property. This work was most recently reported to Overview and Scrutiny Committee on 12 March 2013.
- 2.3 If informal measures fail to persuade or encourage an owner to re-use an empty home, there are 2 possible enforcement routes available to the Council: Compulsory Purchase using the powers provided by the Housing Act 1985 (section 17); or the use of an Empty Dwelling Management Order under the Housing Act 2004, which empowers the Council to take charge of a property and to repair and let it for a period of up to 7 years (ownership is not changed). Neither course of action has yet been employed by the Council in relation to empty dwellings but a number of long-term empty properties have been identified and EDMO action is being evaluated.
- 2.4 Compulsory Purchase is a process by means of which the Council takes ownership of a property and compensates the owner at market-value. Appeal provisions exist in relation to both the Compulsory Purchase Order (CPO) itself (which generates a public enquiry) and in relation to the compensation payable. Decisions regarding Compulsory Purchase are reserved to Full-Council. It is not intended that the proposed budget will be used in connection with CPO action.

### **Work-in-default**

- 2.5 In order to ensure that enforcement involving remedial notices<sup>3</sup> is effective, the Council is given the power to undertake the work itself and to recover its costs (with interest) if the notice recipient fails to take the required action. This is an important power because it allows the Council to ensure that its notices are concluded. The possibility that Work-in-default may be required is an implicit assumption each time a notice is served, even though it only proves necessary in a few cases. Once the time period allowed for completion of the required works has passed, the Council needs to take

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<sup>2</sup> The four principles are: 1) The Council wants empty homes to be used; 2) The Council will encourage and facilitate their re-use (eg by providing advice, grants and loans); 3) The Council will take action to resolve specific issues caused by empty homes (where powers permit) and 4) The Council will take action to secure re-use of empty homes where a business case exists.

<sup>3</sup> ie notices requiring their recipient to undertake works

prompt action both for the sake of its credibility and also to ensure that health-risks inherent in unsatisfactory housing are resolved before harm or further harm is caused.

### **Key Issues for Consideration/Reasons for Decision and Options**

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- 3.1 Members' concern about the waste represented by long-term empty homes, and their desire to get them back into use is underpinned and ultimately dependent upon the Council's preparedness to take enforcement action in appropriate cases. It is effectively a last resort, but one that will not only get specific properties back into use, but also demonstrate very clearly to other owners of empty property that the Council is serious about reducing the number of empty home in the district. Without recourse to enforcement, where appropriate, the Council could appear toothless.
- 3.2 The Council is responsible for taking action to address unsatisfactory housing conditions and uses a variety of enforcement notices to achieve that. In cases where those notices are ignored the Council needs to be able to undertake Work-in default to ensure compliance.
- 3.3 The Head of Regeneration and Housing is authorised to take empty-dwelling enforcement action (EDMOs), to serve notices to remedy unsatisfactory housing and to undertake Work-in-default action arising, but requires funding to be available it that is to happen.
- 3.4 The most efficient and effective means of providing the necessary funding is by establishing a specific budget and having funds in place at the beginning of each year.

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

- |                   |  |
|-------------------|--|
| <b>Option One</b> | Support the principle that a capital budget should be established so as to facilitate and enable effective housing enforcement action; and also support the principle that this budget should be determined, on an annual basis, through the budget setting process. |
| <b>Option Two</b> | Decline to support this approach and require the Head of Regeneration and Housing to seek funding, on a case by case basis, by means of reports to the Executive (as is currently the situation).  |

## Consultations

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None

## Implications

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- Financial:** Since this report seeks support in principle, it raises no financial implications. The proposed budget can be considered at the budget setting stage for 2014-15
- Comments checked by Karen Curtin, Head of Finance and Procurement 01295 221634
- Legal:** There are no legal implications associated with this report or in connection with the proposed budget should it be established.
- Comments checked by Richard Hawtin, Team Leader Property and Contracts 01295 221695

## Wards Affected

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Implications for all Wards.

## Corporate Plan Themes

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Cherwell: A district of opportunity  
Cherwell: An accessible, value for money Council

## Lead Member

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**Councillor Pickford**  
**Lead Member for Housing**

## Document Information

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Appendix No	Title
None	
Background Papers	
None	
Report Author	Tim Mills, Private Sector Housing Manager
Contact Information	01295 221655 Tim.mills@Cherwell-dc.gov.uk

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## Executive

### South West Bicester Sports Village Progress Update

2 September 2013

### Report of Head of Community Services

#### PURPOSE OF REPORT

To give Members a progress report on the Bicester Sports Village project.

This report is Public
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#### Recommendations

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The Executive is recommended:

- (1) To note the progress on the construction of Phase 1 (grass pitches, cycle track and landscaping) and the progress on the procurement process for Phase 2 (design and construction of a pavilion and car park)

#### Executive Summary

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- 1.1 At the Executive meeting in June Members considered an update report on the South West Bicester Sports Village project and requested officers to provide progress reports to future meetings.
- 1.2 Details of progress are set out below. In summary the grass pitch works for phase 1 are now complete with cycle track works about to commence. Phase 2 and 3 procurement is in progress with timetable for award of design contract for both phases and award of construction contract for phase 2 in September. Members have already resolved that Authority be delegated to the Council's Procurement Steering Group, in consultation with the Deputy Leader, to award the contract for phase 2 of the project and the project management arrangements for phase 2 and 3, subject to the costs not exceeding approved capital estimates.
- 1.3 Work on future management arrangements is being considered by the Project Board and Project updates made available to local clubs is to be undertaken through the website.
- 1.4 Members of Bicester Town Council who sit on the Project Board have stated their commitment to supporting the Sports Village with regard to any future revenue implications.

- 1.5 Construction of Phase 1 is on course for completion by November 2013. Phase 2 procurement and appointment of Contractor for phases 2 and 3 design work and the construction of phase 2 is scheduled for September 2013. The design and planning consent work will commence in the autumn with construction of phase 2 starting next summer.

## **Background Information**

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### **Progress on Phase 1 (Grass Pitch Construction)**

- 2.1 The good weather over recent weeks has enabled the completion of the construction of the pitch platforms, drainage system and seeding of pitches for Phase 1. In the next two months the cycle track will be constructed and the landscaping works completed. Maintenance of the Phase 1 area will be carried out over the next two years in readiness for the pitches being available for play in September 2015.
- 2.2 Issues in connection with the project are captured in the Project Issues log and reviewed by the Project Board.

### **Procurement of Phase 2 and 3 design work; and construction of Phase 2 (Pavilion and Car Park)**

- 2.3 At the time of writing this report, the Procurement process for the appointment of the contractor for this work is progressing well. Design work for Phase 2 and 3 has been packaged together but only Phase Two works are fully funded at this stage.
- 2.4 The invitation to tender (ITT) using the London and South East (LSEC) framework was issued on the 12 June and five companies responded. Three of these companies progressed through the first stage evaluation which was based on their project understanding, pre-construction resource and on their construction resource. They were then invited to submit a Stage 2 response.

The closing date for Stage 2 responses was 6 August and focuses on

- 1) Team working,
- 2) Procurement best practice,
- 3) Design led support,
- 4) Performance,
- 5) Management of quality, and
- 6) Financial.

Evaluation of Stage 2 submissions is currently taking place.

The timetable is working towards the Procurement Steering Group, in consultation with the Deputy Leader, awarding a contract on 11 September 2013 with the contract start date (pre-construction) scheduled for 23 September.

Development and negotiation of the construction contracts with the successful tenderer will commence from 23 September and will involve exploring Best Practice Options, Including:

- a) where key roles responsibilities and risks lay;
- b) the contract form that offers the best practice solution;

- c) construction performance & standards;
- d) construction pricing & charging methods;
- e) insurance arrangements, performance bonds/surety, risk share & associated commercial values;
- f) agreeing key clauses and terms and conditions;
- g) finalising the contract package prior to any construction work commencing.

**Operational management arrangements and revenue funding.**

- 2.5 The Project Board will also be considering the operational management arrangements for the Sports Village including establishing a charitable entity that can receive a number of financial benefits including relief of non domestic rates and vat. External guidance on this is being sought.

Alongside this work and the design work for Phases 2 and 3 will be a financial modelling exercise to get more certainty on any revenue implications which will, in turn, inform further discussions with our partners. Progress in this area will be reported further in the next bi-monthly update report.

- 2.6 Bicester Town Council representatives on the Project Board recognise their role in addressing any revenue implications of the sports village and have suggested a number of options for consideration. These options will be explored further in the next three months when more accurate financial and operational information becomes available.

**Key Issues for Consideration/Reasons for Decision and Options**

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- 3.1 This is a Project Board update report. There are no Key Issues or decisions required at this stage. Project Issues are captured on the Issues log and reviewed by the Project Board.

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

**Option One**                      The Project has been approved and is progressing in accordance with these approvals. There are no other Options being considered.

**Consultations**

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**Project Board**                      The Project Board has representation from the Council, Bicester Town Council and Oxfordshire County Council. Consultation events have also taken place with Bicester sports clubs.

## Implications

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**Financial:** Phase 1 and Phase 2 are fully funded. Phase 3 is not funded at this stage and further work is required to secure external grant support.

Comments checked by Denise Taylor, Corporate Accountant, 01295 221982

**Legal:** Officers shall have regard to the Council's Comprehensive Procurement Rules (which reflect current procurement law and practice, and which, in particular, permit procurement from a framework of the type described in this report) in the conduct of procurement processes leading to awards of contract for the construction of the Phase 2 works and for consultancy support to help determine suitable delivery vehicles for management of the new asset,

Comments checked by Richard Hawtin, Team Leader – Property and Contracts  
01295 221695

**Risk Management:** There are no risks arising from this report but it should be noted that funding for Phase 3 is not yet identified.

Comments checked by Claire Taylor, Corporate Performance Manager, 0300 0030113

## Wards Affected

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**All Bicester Wards and surrounding rural areas.**

## Corporate Plan Themes

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### **A Safe, Healthy and Thriving District.**

Providing the Bicester Multi-Sports Village would enable residents of Bicester and surrounding areas including children, young people and adults to take part in greater opportunities for meaningful, structured regular sport and physical activity. This would give each individual the health related benefits of a physically active lifestyle and is consistent with Eco Bicester – One Shared Vision.

### **A District of Opportunity**

The Bicester Multi-sports Village would provide a training facility for sports clubs to train and compete in their chosen sport. This would give players a participatory opportunity and give coaches and volunteers the opportunity to gain nationally recognised qualifications. If the full scheme was progressed the pavilion would also provide a much needed conference, function and meeting venue for Bicester increasing the facilities on offer to all organisations and companies.

**Lead Member**

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Councillor George Reynolds  
Deputy Leader

**Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
None	
<b>Report Author</b>	Philip Rolls, Recreation and Health Improvement Manager
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## Executive

### Performance Management Framework 2013/14 First Quarter Performance Report

2 September 2013

### Report of the Head of Transformation and Corporate Performance Manager

#### PURPOSE OF REPORT

This report covers the Council's performance for the period 01 April to 30 June 2013 as measured through the Performance Management Framework.

This report is public
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#### Recommendations

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The Executive is recommended:

- (1) To note the many achievements referred to in paragraph 1.3.
- (2) To identify any performance related matters for review or consideration in future reports identified in paragraph 1.4
- (3) To note progress on issues raised in the Quarter four performance report highlighted in paragraph 1.5

#### Executive Summary

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##### Introduction

- 1.1 This is a report of the Council's performance in the first quarter of 2013/14 measured through the performance management framework. The report covers key areas of performance, these are: performance against the Council's 17 public pledges and 2013/14 business plan.

The report also contains performance information around the Corporate Equalities Plan and the Major Programmes.

To measure performance we use a 'traffic light' system where Green\* is exceeding the target, Green is 100% of the target met, Amber 90% and above, and Red below 90% and detailed performance indicators with commentary is presented in the appendices to this report.

As part of the 2013/14 Business planning process all targets have been reviewed focussing on key priorities, where targets don't directly contribute they are no longer reported on.

- 1.2 Although this is primarily a report of corporate performance, the Council's performance management framework also includes monitoring at the directorate level against service plans and strategies. The majority of operational performance issues are dealt with at service and directorate level. However significant service successes and issues are reported upwards and where appropriate included in this report.

### **Proposals**

- 1.3 The Executive is asked to note the significant progress made in delivering the Council's 4 strategic objectives. Particular highlights include:

#### **Cherwell: A District of Opportunity**

- Processing of major applications within 13 weeks has significantly improved to 68.75% this quarter, compared to 25% at the end of Quarter 4, exceeding the target of 50%.
- The number of households living in temporary accommodation has reduced to well below target. 34 have been placed in temporary accommodation with an expected target of 41. Work is further progressing with partners (Registered Social Landlords) to ensure delays in 'move-ons' and 'turn arounds' is kept to a minimum.

#### **A Cleaner Greener Cherwell**

- The amount of waste recycled this quarter has improved to 58% compared to the last quarter of 55%, the target for this year is to maintain above 57%. The Street cleansing team have completed a 'Litter Blitz' week with the community of Hardwick. This involves road shows, swap shops, collection of large bulky items for free and more importantly engaging with the community and educating about recycling.
- EcoTown work is due to start on site at the initial housing development at Northwest Bicester in September. A2 Dominion will begin construction of the spine road to serve the development. The construction of the first homes is expected to begin in early 2014.

#### **A Safe, Healthy and Thriving District**

- The new sports pitches at South West Bicester are making progress, the contractor has completed the sports pitch construction including the drainage, next stage is to seed the pitch. The cycle track will then be constructed in August/September.
- Supporting the local health sector in building a new community hospital in Bicester has progressed; construction is underway of the new facility.

#### **An Accessible Value for Money Council**

- Improvements to the website have started with a new online form systems being implemented; this will allow the customer more options and a customer friendly online form to report issues. This will also extend to include more of the Councils services online.



- 1.4 The performance management framework allows Councillors to monitor the progress made in delivering our objectives and to take action when performance is not satisfactory, risks to performance are identified or new issues arise.

The report also contains direction of travel to highlight areas prior to them becoming an issue. There are a number of such items identified in this report and we recommend responsible officers should report on the latest position, implications, and the action they are taking in the next quarterly performance report. These are:

#### **Cherwell: A District of Opportunity**

- Processing of Minor Applications within 8 weeks is reporting as Red, this is 51.72% compared with 73.74% last quarter. The target is 65%. Processing of Other Applications within 8 weeks is reporting as Amber, this is 76.56% compared to 86.28% last quarter, the target is 80%. This is due to the focus concentrating on the submission and process of Major applications which takes longer to complete. Priority action is being enforced by seconding the Development Management Staff; this together with new appointments to the team will ensure maintaining throughput of applications and ensuring they are manageable moving forward.

#### **A Cleaner Greener Cherwell**

- Reducing the amount of waste sent to landfill is reporting as Red, 6566 tonnages against the target of 5900. The landfill tonnages are ahead of expectation. The waste and recycling team are working on reducing this for the next quarter.
- The number of Flytips is reporting as Amber, across the District there have been 100 flytips in quarter 1, only 4 flytips over target which is 96. We are experiencing an increase in either single item or small flytips in garage areas. A joint approach with the housing associations to tackle the issue is underway, this includes education of areas and also signage to discourage the flytipping.

#### **A Safe Healthy and Thriving District**

- Reducing domestic burglary incidents by 2% is reporting as Amber, Cherwell has received 50 reports of Burglary compared to 44 reports. This slight increase at this time of year is a common trend however, joint working with Thames Valley Police through the Joint Agency and Tasking Co-ordination (JATAC) meeting is underway to promote securing homes and sheds during the holiday period.
- Maintaining current levels of visits/usage to district leisure centres is reporting as Amber, 295,570 visits compared with 309,900 at Quarter 1 in 2012/2013. This is due to the teaching swimming pool being closed in Bicester which is having an adverse effect. Spiceball and Kidlington levels have increased and slightly exceed the target.

#### **An Accessible Value for Money Council**

- Implementing and embedding shared back office systems and services to secure efficiencies is reporting as Amber, this was also Amber at the end of

the last quarter. Work is progressing in this area with the Human Resources Business Case having been approved and the 3 way ICT business case is also being developed.

- The percentage of housing benefit recovered, including outstanding is reporting as Red, 15.82% has been recovered compared with Quarter one 2012/2013 of 12.56%. The team are looking into this area to ensure targets are achievable.
- Invoices being paid within 30 days is reporting as Amber, 96.05% have been paid within 30 days against a target of 98%. This reduction in performance is due to missing information on the invoices which is delaying the process. Proactive steps have been taken with regular communication of requiring all information, this has been sent to all staff via email.

The Overview and Scrutiny Committee also reviews performance on a quarterly basis and where appropriate makes recommendations for improvement. This quarter the Committee reviewed planning performance, specifically improvement seen in major applications determination and the impact this has had on delivery in the rest of the development control service. The Overview and Scrutiny Committee are keeping this issue on their work plan and will make further reports to Executive as appropriate.

1.5 Matters raised in the last Quarter's performance report with progress in Quarter one. The RAGG\* is included in the below with an indication of whether the issue has been rectified or is on-going.

Table below illustrates progress against the last quarter's performance reports.

Issues raised in the Quarter 4 Report	Progress update
Number of households living in temporary accommodation	This was reporting as Red and is now reporting as Green*. The number of households in temporary accommodation was reduced by the end of June 2013 as planned.
Deliver 500 new homes including through planned major housing projects.	This was reporting as Red and is now reporting as Amber. This has been achieved by the delivery at Kingsmere (South West Bicester) and the former DLO Caversfield site.
Percentage of Conservation Areas with published Management Plans	This was reporting as Red and is now reporting as Green. Consultation for Cropredy and North Newington Area Appraisals are now over and the team are working to finalise. The target has been revised.
Processing of major applications within 13 weeks.	This was reporting as Red and is now reporting as Green achieving 68.75% over the target of 50%.

## Conclusion

- 1.6 In this report we show that at the first quarter of 2013/14 the Council continues to make strong progress on delivering its ambitions to improve the services delivered to the public and against key projects and priorities.

The report highlights a small number of areas which the Council needs to keep under review to ensure targets are met. It also demonstrates the Council's proactive performance management of issues raised and the role of Overview and Scrutiny in supporting performance review.

## Background Information

### 2.1 Overview of Performance

Paragraphs 2.1 – 2.5 provide a summary of the Council's performance against its comprehensive performance and risk framework. The detailed performance indicators and commentary against each of these are contained within appendices A to D.

The tables below provide a summary against the pledges and business plan.

### 2.2 Table - Performance Pledges Summary

The table below outlines the 17 pledges which were included in the 2013/14 Council Tax Leaflet and sent to every household in Cherwell. Of these the performance so far is; 1 Green\*, 10 Green, 6 Amber and 0 Red. These pledges directly reflect the Council's four strategic priorities and public priorities.

Full details can be reviewed within Appendix A

Performance Framework	Performance Red, Amber Green				
	Red	Amber	Green	Green*	
Corporate Plan: Pledges	0	6	10	1	17
<b>TOTALS</b>	<b>0</b>	<b>6</b>	<b>10</b>	<b>1</b>	<b>17</b>

### 2.3 Table - Performance Business Plan Summary

Performance Framework	Performance Red, Amber Green					
	Red	Amber	Green	Green*	No Data	
Business Plan : Excluding Pledges	4	14	51	5	1	75
Corporate Equalities Plan	0	0	13	0	0	13

Performance Framework	Performance Red, Amber Green					
	Red	Amber	Green	Green*	No Data	
Major Programmes	0	1	4	0	0	5
<b>TOTALS</b>	<b>4</b>	<b>15</b>	<b>68</b>	<b>5</b>	<b>1</b>	<b>93</b>

## 2.4 Major Programmes

The 'major programmes' template is attached as appendix C. This new template reflects the Council's ambitious improvement programme around place based regeneration and development and service transformation to deliver improvement and efficiency.

It should also be noted that the template covers both Cherwell and South Northamptonshire programmes, reflecting the shared nature of the agenda. There is one area reporting as Amber relating to Cherwell detailed below

ICT Shared Services - The ICT Shared Services programme is reporting as Amber which is the same as the last quarter. The systems harmonisation phase is now in the planning stage, the amber status reflects concern around the ability to resource business as usual, harmonisation and major IT change projects.

## 2.5 Corporate Equalities Plan

The corporate equalities plan is a cross-council plan that aims to improve customer access, tackle inequality and disadvantage, build strong communities and improve community engagement. It also ensures that the Council is compliant with all equalities legislation.

During the last year there have been a number of changes to the legislation and the Council's plans and policies reflect this. As legislation changes Cherwell District Council equalities policies are reviewed. Details in Appendix D – All reporting Green

### Key Issues for Consideration/Reasons for Decision and Options

3.1 This report presents the Council's performance against its corporate scorecard for the first quarter of 2013/14. It includes an overview of successes, areas for improvement and emerging issues to be considered.

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

#### Option One

1. To note the many achievements referred to in paragraph 1.3.
2. To identify any performance related matters for review or consideration in future reports identified in

paragraph 1.4

3. To note progress on issues raised in the Quarter four performance report highlighted in paragraph 1.5

**Option Two**

To identify any additional issues for further consideration or review.

**Consultations**

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No specific consultation on this report is required. However, it should be noted that several indicators are based on public consultation or customer feedback.

As part of the process of performance review Overview and Scrutiny Committee have reviewed the performance information for this quarter.

**Implications**

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**Financial:**

Financial Effects – The resource 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 and Financial Strategy and the annual Service and Financial Planning process.

Efficiency Savings – There are none arising directly from this report.

Comments checked by Sarah Best, on behalf of Head of Finance, 0300 0030106

**Legal:**

There are no legal issues arising from this report.

Comments checked by James Doble on behalf of the Monitoring Officer, 0300 0030107

**Risk Management:**

The purpose of the Performance Management Framework is to enable the Council to deliver its strategic objectives. All managers are required to identify and manage the risks associated with achieving this. All risks are logged on the Risk Register and reported quarterly to the Audit Committee.

Comments checked by Claire Taylor, Corporate Performance Manager.

**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.

Comments checked by Louise Tustian, Senior Improvement and Performance Officer.

## Wards Affected

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All

## Corporate Plan Themes

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The Performance Management Framework covers all of the Council's Strategic Priorities

## Executive Lead Member

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Councillor Nicholas Turner  
Lead Member for Performance and Customer

## Document Information

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Appendix No	Title
Appendix A	Performance Pledges
Appendix B	Corporate Business Plan
Appendix C	Major Programmes
Appendix D	Equalities
Background Papers	
None	
Report Author	Louise Tustian, Senior Performance & Improvement Officer
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**Cherwell District Council Business Plan : 2013/2014  
Corporate Pledges : Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
District of Opportunity				
Continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training	G	G	↔	<p>Promoting apprenticeships:</p> <ul style="list-style-type: none"> <li>- Leading by example, the 6 Business &amp; Administration Apprentices employed by Cherwell District Council have all progressed well since starting in January 2013. All have passed their NVQ2 tests and are completing coursework clearly associated with making them work-ready.</li> <li>Indeed, one Apprentice progressed so well that she has already gained a trainee accountancy post at a local engineering company - a direct contribution to the development of the local economy and private sector jobs (as was the case with a CDC apprentice in 2012 who works in a neighbouring engineering business).</li> <li>- 'Making sense of apprenticeships' events for businesses were held, including one at the Colin Sanders Innovation Centre. A CDC apprentice attended with an HR colleague to help promote the Oxfordshire Apprenticeships scheme.</li> <li>Inspiring entrepreneurial young people:</li> <li>Continued Chairmanship by CDC of the North Oxfordshire Young Enterprise Award scheme, arranging events to engage school pupils with employers to encourage entrepreneurialism.</li> </ul> <p>Engaging local representatives:</p> <p>The newly elected County Councillors were briefed on Brighter Futures in Banbury programme on 19 June, enabling a fuller understanding of the links between skills &amp; employment issues and other deprivation factors, and the support services available.</p>
	G Actual 113 Target 100	G* Actual 34 Target 27	n/a	<p>This includes delivery from Bromford Housing Group on the Kingsmere development in Bicester and the Council's Build! @ programme in Banbury</p>
Deliver 150 affordable homes in the district and support opportunities for self build and developing self build skills				

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Support opportunities for self build & developing self build skills	G	G	↗	<p>Buildstore have secured a 'lead lender' for the Build programme with a wider panel now developing. An 'on line portal' is being established to enable prospective Build applicants to self assess mortgage options and credit rating. The tender exercise for demolition contractors is underway and we are scoping the specification for ground works.</p> <p>Work is underway to procure a 'preferred builders merchant' through the Procurement for Housing Framework which will provide a local merchant and base to receive materials.</p> <p>A report on the scope of insurance needed for CDC as an 'enabling developer' of self build housing has been completed to inform the procurement of insurance.</p> <p>ACE Training (based in Kidlington) have secured funding to deliver Level 1 and 2 Courses in Brickwork and site carpentry which is to be made available to people on CDC's Housing register who wish to participate in Build! @</p>
Complete the local plan as the foundation for economic growth in the district	A	A	↗	The need to consult on focused changes delayed consideration of the Local Plan by full Council. Environmental Impact now due Autumn 2013
Continue to strengthen leisure & retail facilities in Bicester and Banbury Town Centres	G	G	↗	Work is progressing to bring forward Spiceball and Bolton Road. The refurbishment of Orchard Way is underway as is the feasibility work on the Woodgreen site
A Cleaner, Greener District				
Maintain a household recycling rate of above 57%	A Actual : 55% Target : 60%	G Actual 58% Target 57%	↗	Recycling tonnage in first quarter a little down on expectation. Garden waste tonnage is strong.
Improve local residents' satisfaction with street & environmental cleanliness continuing our successful programme of neighbourhood litter blitzes	G Satisfaction Rate: 69%	G	↗	Good satisfaction levels awaiting results from Customer Satisfaction Survey 2013. A new programme of neighbourhood litter blitzes commenced in June at Hardwick, Banbury.



Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Continue to reduce the Council's carbon footprint by further improving the energy efficiency of our buildings and vehicles	G	A	↕	Reduction of Council's carbon footprint - procurement of biomass boiler for Bicester Leisure Centre has been delayed. However, solar panels have overproduced in the first quarter. Quarter 1 performance data is not available until end of August.
Continue to give Cherwell residents the opportunity to take advantage of low cost insulation by working with partners to set up a "green deal provider"	G	A	↕	Green Deal Together (GDT) is not yet operational so there is no data to report at this stage. Confirmation as a Green Deal Provider is expected in the next couple of weeks and, from that point it is expected that it will take approximately 8 weeks for GDT to become operational. (Report available if required)
Start work on site for the initial housing development at Northwest Bicester	G	G	↗	A2 Dominion to start work on site in September 2013 beginning with the construction of the spine road to serve the development. Construction of the first homes is expected to begin in early 2014.
A Safe, Healthy & Thriving District				
Continue working with partners to provide support to the most vulnerable individuals & families in the district, building on the Brighter Futures in Banbury Programme	G	G	↗	2012/13 Brighter Futures Annual Report considered by Executive and Overview & Scrutiny Committee. Good multi agency engagement and integration with the Thriving Families initiative and Homestart. 2013/14 Brighter Futures priorities established and actions underway. Theme leader arrangements in place for all six themes. Connecting Communities events agreed.
Support the local health sector in building a new community hospital in Bicester	G	G	↗	Commencement of construction of a new community hospital underway
Support the local community & Oxford University Hospital Trust to retain and develop health services at the Horton General Hospital	A	A	↗	Removal of emergency abdominal surgery from the Horton to Oxford on clinical safety grounds giving rise to local concern. Proposal longer terms is linked to increased outpatient appointments, elective surgery and diagnostic services at the Horton which will be the subject of a formal Oxfordshire Clinical Commissioning Group consultation later in 2013/14.
Complete the layout of the sports pitches at the South West Bicester Sports Village and finalise plans for the Pavilion	G	G	↗	Contractor has completed the sports pitch construction, including drainage, and is about to seed the pitches. The cycle track will be constructed during August/September

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Support the upgrade of sports facilities across the District using the Olympic Legacy Fund	n/a	G	n/a	Work has taken place on the Stratfield Brake sports ground through rejuvenation of pitches and planned work on the pavilion. Work is being planned on replacing the all weather pitch at Kidlington and Gosford sports centre with Parkwood and the Academy
Work with local police & licence holders to ensure our town centres remain safe & vibrant in the evenings	A	G	↔	No issues reported in first quarter. Early Morning restriction orders unlikely to be imposed or requested as Police Commander watching Northampton Town to see how similar plans there develop. Latest suggests Northampton drop plans.
An Accessible Value for Money Council				
Secure cashable savings of at least £500,000 to help meet the medium term financial deficit & continue to identify non cashable savings in procurement	G	A	↓	Work is underway to secure these efficiencies through our joint working programme and preparation of the 2014/15 budget. The Medium Term Financial Strategy is being refreshed as a consequence of the comprehensive spending review
Improve levels of customer satisfaction focusing on our ASB, Environmental Crime & Car Parking Services	G	A	↓	The survey results are expected in August 2013.
Continue to improve our website, the ease of accessing our services and paying for services online	G	G	↔	Our online forms package is being migrated to a hosted online platform which enables added functionality e.g. workflow, With this workflow, it will be able to deliver more complex forms across the Council and have the ability to deliver more services online.

**Cherwell District Council Business Plan : 2013/2014**  
**A District of Opportunity : Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Work with partners to tackle disadvantage in the District				
Support vulnerable residents through focussing on homelessness prevention and housing advice at current levels of performance	G	G	↔	Since April 2013, 320 new Advice and Prevention cases have been open, this is comparable with previous years. Focus remains on prevention options, offering advice and assistance, home visits and negotiation with family or landlords in the first instance to resolve housing issues to keep the numbers having to present as homeless to a minimum and the numbers low in temporary accommodation.
Number of households living in temporary accommodation	R Actual 43 Target 33	G* Actual 34 Target 41	↑	The number of households in temporary accommodation was reduced by the end of June 2013 as planned. Those with accepted duties have been encouraged to be more realistic about their prospects for social housing and been applying our powers to make suitable offers of accommodation to those who are unwilling to fully engaging with options available to them. We are hopeful that the delays in re-letting times will be addressed by our partner Registered Social Landlords (RSL) which delayed move-ons and turn rounds in Temporary Accommodation and that their new structures will ensure continued good working relationships
Housing advice: repeat homelessness cases	G Q4 Actual 0 Target 1	G Actual 0 Target 1	↔	The definition of repeat homelessness is defined by the Department of Communities and Local Government (CLG). It is a household that has been accepted as homeless and their statutory duty discharged, who then return to make a new application with a new duty accepted within a 2 year period. Cherwell has not received any applications meeting this definition in this quarter. Under the Localism Act 2012 the definition has been reviewed to include those households whose statutory duty is discharged through the powers of the Local Authority to discharge duty to private sector tenancies. The Council will be required to pick up the cases again if they re-present and are homeless through no fault of their own within 2 years even if at that time they are no longer in priority need.
Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	G Actual 5.59 Target 11	G Actual 5.43 Target 11	↑	Performance continues to be ahead of target due to the significant volume of changes processed through ATLAS. Performance targets are currently being reviewed.
Average time for new Housing Benefit / Council Tax Benefit Claims (days)	G Q4 12/13 Actual 17.19 Target 18.00	G Actual 15.24 Target 18.00	↑	Processing of new claims has recovered quickly as Capita caught up on work after annual billing. It should be noted that the figures for 2013-14 relate to HB processing only, whilst in previous years it related to both HB and CTB processing.

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Average time to process change in circumstances (days)	G Actual 5.59 Target 11.00	G Actual 4.83 Target 11.00	↑	Processing of changes of circumstances continues to be well ahead of target due to the impact of ATLAS. This is not expected to change.
Provide Job Club Services across the District	G	G	↔	16 general Job Clubs were held during Quarter 1: 7 in Banbury (132 people helped); 7 in Bicester (111 people helped) and 2 in Kidlington (4 people helped) In addition, through the Brighter Futures in Banbury programme, 2 'Careers & Opportunity Gateway' clubs were held in April attracting 10 managers/professionals, and 11 Going for Gold clubs which attracted 172 job seekers. This brings the total number of job clubs held during 2013/14 to 29 with 427 job seekers attending. A Talent Match tool to help jobseekers obtain skills for work, and for employers to promote what skills they are seeking, was launched on 13 June. <a href="http://develop.oxtalentmatch.co.uk/">http://develop.oxtalentmatch.co.uk/</a> Further awareness of the job club services was provided via the Cherwell Disability Forum on 6 June, helping people with disabilities to enter training and work
Deliver the Brighter Futures in Banbury programme	G	G	↔	2012/13 Annual Report considered by Executive and Overview and Scrutiny Committee. Good multi agency engagement. 2013/14 priorities established and actions underway. Theme leader arrangements in place for all six themes. Connecting Communities events agreed
Balance economic development and housing growth				
Deliver 500 new homes including through planned major housing projects.	R Year End Actual 351 Target 500	A Actual : 121 Target : 125	↑ on Q1 12/13	A reasonable Q1 return in current market conditions helped by delivery at Kingsmere (SW Bicester) and the former DLO Caversfield site. This compares well to Quarter 1 2012/13 when only 44 homes were achieved against target of 125.

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
<p>Promote local economic growth through business advice, support, inward investment and the Local Enterprise Partnerships (LEPs)</p>	G	G	↑	<p>During Quarter 1:</p> <ul style="list-style-type: none"> <li>- 37 residents of Cherwell were provided with one-to-one business start-up advice through Oxfordshire Business Enterprises (OBE) service hosted by CDC.</li> <li>- having nominated the senior adviser of OBE for the Queen's Award for Enterprise Promotion, CDC learned that John Vernon had been successful in gaining this highest accolade on behalf of the service available to all of Oxfordshire's residents.</li> <li>- Satisfaction levels were around 99% with considerable appreciation being demonstrated by residents writing in to offer thanks.</li> <li>- 9 detailed business enquiries were handled which could provide valuable investment in sites and jobs in Cherwell. Other inward investment enquiries from overseas were dealt with in partnership with the Local Enterprise Partnerships and UKTI's service.</li> <li>- The Banbury Innovation Awards ceremony 2013, part sponsored and assisted by CDC, was held to celebrate successful local small innovative companies and to encourage further vitality within the local economy. <a href="http://www.banburyinnovationaward.co.uk/index.php">http://www.banburyinnovationaward.co.uk/index.php</a></li> <li>- The Cherwell Business Awards ceremony was also held in April, again part sponsored and enabled by CDC, attracting over 100 business people to an event felt by delegates to be a very worthwhile event. <a href="http://www.cherwellbusinessawards.co.uk/">http://www.cherwellbusinessawards.co.uk/</a></li> <li>- Further contribution to the development of both Local Enterprise Partnerships covering Cherwell: the South East Midlands LEP and Oxfordshire LEP.</li> <li>- Support was provided to two local businesses bidding for Government's Regional Growth Fund. Whilst unsuccessful this time, the development bids will be useful in future. A further bid by CDC to enable self-build housing in Bicester was also supported and is set to develop further.</li> <li>- business leaders from across Cherwell were encouraged to attend the annual 'Venturefest' event to promote innovation amongst Oxfordshire's businesses.</li> </ul>
<p>Contribute to creation/safeguarding of 200 jobs</p>	G	<p>G Actual 26 Target 25</p>	↔	<p>26 Jobs were safeguarded/created during Quarter 1:  20 at the Driving Test Centre, Banbury, following a search for alternative premises via the CHIP service over the past 2 years. In addition to the direct jobs, the retention of this service in Banbury is of considerable importance in training future drivers to be able to support their working lives throughout 'Banburyshire'.  6 jobs safeguarded for Oxon through Semico, following relocation from Charlbury to Banbury.</p>

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Facilitate on-going development of Cherwell Community Land Trust (CLT)	n/a	G	n/a	The Cherwell Community Land Trust (CLT) Annual General Meeting takes place in September 2013 with a view to extend membership. The Cherwell CLT is holding a number of Community Engagement events and work to register as a 'Registered Provider' with the Homes & Communities Agency (HCA) is underway.
Develop a robust and locally determined planning framework				
Prepare an Infrastructure Plan for CDC & prepare for introduction of Community Infrastructure Levy	A	A	↔	Infrastructure Plan nearing completion. The Community Infrastructure Levy (CIL) is not being introduced until 2015. Preparation for the CIL will follow Local Plan
Secure implementation of new policy for Developer contributions	A	A	↔	New Policy is not yet complete. The Local Plan work will inform the new Policy.
Protect and enhance the quality of the built environment by completion of Conservation Area Reviews and strong design guidance for all new developments	A	A	↔	<p>The team continue to deliver high quality advice on Heritage Management to the general public, developers and other organisations across the District, providing pre app advice and specific consultation on listed buildings and planning applications within Conservation Areas and other locations with specific heritage issues.</p> <p>While many of the proposals are relatively small scale in nature, they are important in preventing an incremental erosion of the quality of our built heritage. Substantial heritage advice is also being provided on larger sites such as Upper Heyford and RAF Bicester to support the successful and high quality development of these areas. The team is also working to:</p> <ul style="list-style-type: none"> <li>- Develop a register of Local Heritage Assets</li> <li>- Establish a strategy for the use of Article 4's across the District</li> <li>- Develop a management agreement with the Canals and Rivers Trust for the Oxford Canal</li> <li>- Oversee the Ancient Routeway study</li> </ul>
Percentage of Conservation Areas with published Management Plans	R Actual 62% Target 72.00%	G Actual 62% Target 59.32%	↑	The consultation for Cropredy and North Newington Conservation Area Appraisals is now over and the team are working to finalise these appraisals. We are currently in the consultation period for Barford St John and Barford St Michael. The team therefore plans to have completed four more conservation areas with management plans in the next 4 - 6 weeks. The conservation area appraisals for Steeple Aston and South Newington are well under way and we will plan to consult on these in September. Target has been revised for 2013/14

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Prepare design guidance for major developments	G	G	↔	Substantial design advice has been given to address design quality and master planning issues on strategic sites across the District. The resources have been very stretched at times, with a number of major applications coming forward at one time. Substantial input has been given on major housing sites in Banbury at: Southam Road, Hanwell Fields, Bankside, Bretch Hill, West of Warwick Road as well as at SW Bicester, NW Bicester, Upper Heyford, Wykham Farm and Deddington and various sites at Bloxham. Other Strategic Sites include Spiceball, Woodgreen and RAF Bicester
Processing of major applications within 13 weeks	R Actual 25.00% Target 60.00%	G* Actual 68.75% Revised Target 50.00%	↑	Given the current difficult economic climate and the need to deliver growth the management approach continues to be to ensure sound planning outcomes. With low numbers of major applications, the percentage of applications processed becomes quite a volatile measure and this also makes it difficult to achieve. Despite that and following the introduction of improvement measures, a figure of 69% has been achieved and this represents significant progress, compared with previous performance
Processing of minor applications within 8 weeks	G Actual 73.74% Target 65.00%	R Actual 51.72% Target 65.00%	↓	Delays in registration are due to a number of factors, including major applications now taking precedence, a general increase in the number of major applications, which are more complex and take longer to register and recent changes in legislation and working practices.
Processing of other applications within 8 weeks	G Actual 86.28% Target 80.00%	A Actual 76.56% Target 80.00%	↓	Staff vacancies and holidays have also contributed to the current level of application registration backlog which is approximately 2/3 weeks. Priority action is being taken to clear the backlog by seconding Development Management staff, this together with new appointment to the team will ensure maintaining throughput of applications will be manageable moving forward
Planning appeals allowed against refusal decision	G Actual 30.00% Target 30.00%	R Actual 33.33% Target 30.00%	↓	The performance measure is volatile as it is based on low overall appeal numbers and therefore each decision can impact on the performance measure for appeals. There is no evidence of poor performance, though this continues to be carefully monitored. It should be noted that, compared with the government's stated threshold for the quality of a local planning authority's performance (i.e. no more than 20 per cent of an authority's decisions on applications for major development should be overturned at appeal) the current performance is 0 % (No major appeals this quarter)



Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Supply of ready to develop housing sites	A Actual 90.60% Target 100%	A Actual 90.60% Target 100%	⇨	The supply of ready to develop housing sites is directly affected by the local housing market and national economic conditions. Although a '5 year' supply cannot presently be demonstrated, supply is increasing and will continue to rise as new sites are brought forward from the new Local Plan. Government Policy now requires at least a 5% buffer to be added to the 5 year requirement. The effect of this is to lower the return to 86.3%
% houses developed on previously developed land	G Actual 45.00% Target 25.00%	G* Actual 49.60% Target 25.00%	⇧	A total of 121 net homes built in Quarter 1, 60 were built on previously developed land - which equates to 49.6%
Work to improve the quality and vibrancy of our town centres and urban areas				
Progress Bicester Town Centre commercial development	G	G	⇨	Project for Block A Retail Units were handed over to CDC on the 1st July 2013 as Practically Complete. Snagging will be progressed to our complete satisfaction.
Progress Bicester Community Building Plans	G	G	⇨	The procurement exercise is almost complete for appointment of main contractor to provide a Design and Build project for the detailed design and construction of the building. This will then enable the final programme of works to be completed.
Complete a Masterplan for Bicester	G	G	⇨	Masterplan on track and the Draft has been considered by Council. Adoption has to follow completion of the Local Plan.
Make progress on the Canal Side Regeneration, Spiceball & the redevelopment of the Bolton Road area in Banbury	G	G	⇨	Draft Supplementary Planning Draft is now complete. A viability assessment is underway by Montagu Evans to advise on planning of site delivery



**Cherwell District Council Business Plan : 2013/2014  
A Cleaner Greener District : Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Provide excellent waste collection and recycling services, working to reduce the amount of waste produced and to increase recycling across the district				
Reduce the amount of waste sent to landfill	A (FY) Actual 25,500 Target 23,500	R Actual : 6566 Target : 5900	↓	Landfill tonnages are ahead of expectation although we are working to reduce these. Up on Quarter 1 2012/13 of 5950
Maintain the current high levels of customer satisfaction with our recycling & waste collection services	G Satisfaction 80%	G Satisfaction 80%	↕	Satisfaction levels good awaiting for details from Customer Satisfaction Survey 2013
Work to ensure our streets, town centres, open spaces and residential areas are clean, well maintained and safe				
Work with local communities to continue programme of neighbourhood litter blitzes	G	G	↕	A new programme of neighbourhood litter blitzes commenced in June at Hardwick, Banbury. Further Blitzes to take place during the year in Kidlington, Kingsend Bicester, and Bretch Hill and Grimsbury in Banbury
Number of flytips : change to maintain level of flytips in the District? Last years outturn this years target	G Actual 100 Target 108	A Actual 100 Target 96	↓	We are currently experiencing an increase in either single item or small fly tips in garage areas. These sites are often remote and easily used for dumping. We are working with the housing associations to tackle this problem. One initiative is to erect a sign in the area to discourage potential offenders.
Work to reduce our impact on the natural environment, limit use of natural resources ^ support others in the district to do the same				
Work with partners to improve the energy efficiency of homes & enable more residents to achieve affordable energy bills	G	G	↕	Aim: promote energy efficiency and give advice to residents. Results for Quarter 1:- Talked to 3000 residents as part of the three big compost give aways in May (4/5/11 May), 150 residents as part of the Bicester Big Lunch and 400 residents as part of the Banbury & District Show. Articles appeared in Cherwell Link
Work with partners to support development of Eco-Bicester as a national exemplar, creating a vibrant place where people choose to live, to work & spend their leisure time in sustainable ways				
Ensure opportunities for local people to participate in the Eco-Bicester programme	G	G	↕	A consultation strategy for the North West Bicester proposals is being prepared. The Eco Bicester website continues to be updated and the Eco Bicester newsletter circulated. Other projects such as the Bicester Green Deal provide the opportunity for residents to get involved.
Work with partners to progress the delivery of the Masterplan for Bicester	G	G	↕	The Eco Bicester Strategic Delivery Board and Project Team continues to work with partners including the Environment Agency, Homes and Communities

**Cherwell District Council Business Plan : 2013/2014**  
**A Safe Healthy and Thriving District : Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Work with partners to support the development of safe and thriving local communities and neighbourhoods				
Continue to provide wide range of recreational activities/opportunities for young people across district	G	G	↕	Activator programme being delivered across the District
Work with partners to maintain already low levels of crime in the district and ensure people feel safe in their communities and town centres	G	G	↕	All areas of reported crime relevant indicate target is likely to be met, vehicle crime and burglary rates falling
Reduce all crime incidents reported by 1% (per 1000 Popn)	G Actual: 13.46 Target: 14.29	G Actual: 13.17 Target: 13.26	↕	Following an initial spike, acquisitive crime rates are falling back to norm. No national indications of crime rising across country, similar family group remains consistent therefore unlikely to see an increase at this time
Reduce domestic burglary incidents reported by 2% (per 1000 Popn.)	G Actual: 0.31 Target: 0.36	A Actual: 0.34 Target: 0.30	↕	Burglary rate is slightly higher than this time last year. Cherwell has received 6 more reports of Burglary in a dwelling. This however is a normal trend at the first quarter. Increased crime prevention publicity has been issued in the Cherwell area around keeping properties safe and secure during the summer months. Street Wardens have also knocked on doors if properties/sheds/cars have been left in-secure.
Number of anti-social behaviour incidents involving high and medium risk victims	G Actual: 4 Target: 7	G Actual: 6 Target: 7	↕	There were 5 medium risk rated cases on hand at the beginning of the month.3 new medium risk rated cases were received and 2 closed. There were 6 cases on hand at the end of the month.
Reduce chronic ASB cases	G	G	↕	No new persistent or resistant cases added. Case A Possession granted at court. Tenant must now leave or be evicted by bailiffs; Case B Warrant executed. Sound equipment seized; Case C No activity from complainant
% nuisance cases responded to within the prescribed period (a maximum of 48 hours)	G Actual: 97.67% Target: 96%	G Actual: 97% Target: 96%	↕	The reports module indicates 69 service requests received with only 2 falling outside the target time for a response. However this figure does not reconcile with the output form Uniform itself which puts service requests received at 146
% nuisance cases resolved within 8 weeks	G	G Actual: 100% Target: 96%	↕	69 cases closed during the period all within the 8 week time frame

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Metal theft incidents	G	G	⇕	During Q1 we have processed 1 application for registration as a Scrap Metal Dealer (SMD) made under section 1. We have 2 applications under section 1 and 3 pending. Additional information has been requested for the applicants. On 21 May 2013 the Team participated in Operation Jalopy, a stop check operation involving TVP, the EA, Northants and West Mercia police. This operation was part of a national scrap metal day of action. 2 intelligence reports have been generated regarding SMDs in Cherwell. As a result of information supplied by a member of the team an unregistered SMD was stopped by police. The vehicle being used was seized and crushed as it was un-insured and the users reported for SMD offences. Excellent working relations have been established with TVP officers who are part of Op Precious and preparations are underway for the introduction of the SMDA 2013
% of residents when asked feel safe being home alone after dark	G	G	⇕	Awaiting results of this year's survey. Currently Operation Jazz covering Bicester, Banbury & Kidlington concentrating on late night noise and nuisance
% of residents when asked feel safe walking alone in town centres after dark	G	G	⇕	Occupational Safety Seminar held with 30+ local Businesses Primary Authority (PA) work continues with Sainsburys . Kate Harris PA Officer, won PA officer of the year award at the Better Regulation Delivery Office / Trading Standards Institute (BRDO/TSI) conference Work with Nationwide Caterers Association (NCASS) on Primary Authority Continues
Number of risk based food premises inspections completed	G Actual: 187 Target 178	G* Actual: 140 Target 119	⇕	Good performance in first quarter due to planning for leave and sickness (planned operation)
Support the local community, voluntary and not for profit sectors to play an active role in the district				
Work with local voluntary sector to provide advisory services for the local community	G	G	⇕	Citizens Advice Bureau (CAB) is funded by the Council to provide debt and money advice to all residents of Cherwell. They have 3 contact points in Banbury, Bicester and Kidlington. They offer triage to screen anyone seeking help and advice to determine which service can meet their needs. They provide a regular quarterly report on the take-up of their service. This report will be made available to all by the end of the next quarter.

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Support volunteering across the district	G	G	↕	Volunteer Connect contract is delivering volunteer opportunities. First quarter monitoring has taken place and is satisfactory.
Provide good quality recreation and leisure opportunities in the district				
Maintain current levels high level of visits / usage to district leisure centres following the successful 2012 Olympic & Paralympics	G Q1 12/13 Actual 309,900 Target 284,407	A Actual 295,570 Target 309,900	↕ on Q1 12/13	First quarter total 295,570 which are down 14,330 on 2012. Spiceball Leisure Centre and Kidlington Leisure Centre have slightly exceeded target, however Bicester Leisure Centre play and teach pool closure continues to adversely affect this centres throughput
Maintain current levels of visits/usage to Woodgreen Leisure Centre, North Oxfordshire Academy and Cooper School	G Q1 12/13 Actual 22,018 Target 19,348	G* Actual 30,841 Target 22,018	↕ on Q1 12/13	First quarter position up 8,823 on same period in 2012, due to increased dry side usage at Woodgreen Leisure Centre and events at North Oxfordshire Academy and Cooper School, Bicester.
Establish an Independent Trust to secure the long term future of Banbury Museum and maintain access for the community	G	G	↕	Progressing well. The schedule has been revised, the transfer to Trust date has been put back from 1 July to October
Support improvement of local health facilities, services and standards across the district				
Work to promote active & independent lifestyles amongst older people	G	G	↕	The local area forums were well attended by Older People Group representatives and an agenda has been developed for the District Forum in September.
Work with partners to deliver 40 active lifestyle sessions monthly for older people	G	G	↕	Active lifestyle sessions being delivered by Age UK through a funding agreement.

**Cherwell District Council Business Plan : 2013/2014  
Accessible Value for Money Council : Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Provide value for money and a financially sound organisation, minimising the impact of smaller council budgets on frontline and priority services				
Continue to implement and embed an effective approach to address the financial impact of Government welfare reform	G	G	↑	Medium Term Financial Strategy (MTFS) being refreshed to consider implications of Local Government Resources Review including New Homes Bonus and Business Rates
Continue to plan for the implications of the Local Government Resources Review specifically the changes to localisation of business rates and council tax benefit	G	G	↑	Specific monitoring of Council Tax Rates Scheme and Business Rates set up and reporting to Budget Planning Committee
Ensure the Council's budget is matched to strategic priorities demonstrating and promoting the Council's commitment to value for money and effective service delivery including making more effective use of technology	G	G	↑	On track - 2014/15 budget process commencing with MTFS refresh, work programme of the Budget Planning Committee and Executive Planning Session in September 2013.
Percentage variance on Revenue budget expenditure against profile (+2% / -5%)	G	G	↑	In May early projections identify that spend is in line with the budget. In June early projections identify a small underspend to budget but is on track.
Percentage variance on Capital budget expenditure against profile (+2% / -5%)	G	G	↑	In May early projections are that there will be some slippage requested from 2013/14 into 2014/15. In June the majority of the variance is being requested to be carried forward to 2014/15 after a thorough review of the capital profiling of projects for quarter 1.
Sickness absence Average days sickness absence per FTE	G	G	↑	Sickness absence rate for Q1 was 00.75 - improvement over same period in 2012/13 of 1.26 00.66 Average Days Short Term Sickness Absence per employee FTE 00.09 Average Days Long Term Sickness Absence per employee FTE

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Work with partners to reduce Council costs				
Continue to implement and embed shared back office systems & services to secure efficiencies	A	A	↗	Work in progress - Human Resources Business Case approved for implementation and 3 way ICT business case being developed
Continue to develop and embed the shared ICT service specifically in relation to phase two of the programme (system standardisation and harmonisation)	G	G	↗	The shared ICT service has achieved yet another externally accredited industry best practice standard -- Business Continuity Management - ISO 22301.
Explore further opportunities with partners to share or provide services, reducing costs and maximising income	G	A	↘	In progress - quotes for services being provided to third parties
Demonstrate that we can be trusted to act properly for you by being transparent about our costs and performance				
Improve the information available to the public about our costs and performance, and promote understanding, accountability and opportunity	G	G	↗	Publication of data has continued. The annual report is available on the council's website and financial information is also published.
Consult with local residents in a cost effective manner to ensure the Council has a good understanding of local priorities	G	A	↘	The survey has been commissioned, however response rates are down. Corrective action has been undertaken with the suppliers to boost the response rate. It may result in some small delays to the final report publication.
% Council Tax collected (cumulative)	A Q1 12/13 Actual 29.82 Target 30.25	A Actual 29.96 Target 30.25	↗ on Q1 12/13	Comparable with Quarter 1 2012/13
% NNDR collected	G Q1 12/13 Actual 32.91 Target 31.50	G Actual: 32.64 Target: 31.50	↗ on Q1 12/13	Comparable with Quarter 1 2012/14
% HB Recovered: Overpayment	G Actual 84.35 Target 78.00	G Actual 81.15 Target 78.00	↗	Targets are currently being reviewed but in the meantime 2012/13 targets will be used to calculate outturn

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
% HB Recovered: including outstanding (cumulative)	A Actual 37.51 Target 40.00	G Actual 15.82 Target 11.00	↑	Performance is up on 2012/13 Quarter 1 performance of 12.76% against target of 11 2012/13 Targets are currently being reviewed
% HB O'Pay: Written Off (cumulative)	G Actual 2.52 Target 5.00	G Actual 1.19 Target 1.50	↔	Down on 2012/13 Quarter 1 performance of 0.37% Targets are currently being reviewed for 2013/14
Invoices paid within 30 days	G Actual 98.32 Target 98.30	A Actual 96.05 Target 98.00	↓	Some invoices are still being received either without a purchase order number or a purchase order being raised in the first instance. This is delaying the payment of the particular invoice until a valid purchase order has been raised and authorised. Note: Target reduced
Deliver a council tax increase in 2014/15 which is below inflation	G	n/a	n/a	Not due to report until Quarter 3 2013/14
Car parking revenue	G Q1 12/13 Actual £381,445 Target £354,149	G Actual £411,115 Target £377,559	↑ on Q1 12/13	Income up by 9% on profiled budget

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Work to ensure we provide good customer service through the delivery of high quality and accessible services				
<p>Improve levels of satisfaction with and access to information provided by the Council</p>	G	G	↑	<p>The customer services team are working hard to ensure customers visiting the website can obtain requested information within three mouse clicks. All new and relevant information should be uploaded to the website quickly and accurately. To include planning documents, news releases and information relating to meetings i.e. agendas/ minutes. Ensure all hyperlinks on CDC website are working. Respond to all customer queries, complaints and applications within the allocated timeframe.</p> <p>The communications team is working to maintain strong relationships with internal departments so any positive/ negative issues can be flagged up in advance. We are also working with the media to ensure all deadlines are met and the council always issues a satisfactory response when requested. We are proactive by promoting council success stories through the media and social media. Continue growing followers on Facebook and Twitter by engaging directly with the public and uploading relevant information. We are making use of social media as an alternative means of communicating with the public, working in partnership with more traditional methods such as customer service and website. We aim to respond to all social media enquiries as quickly as possible. A representative from the team will attend public events where relevant and promote council services. The communications team will be rolling out a satisfaction surveys and respond to feedback accordingly.</p> <p>Cherwell Link remains an informative and balanced publication which is delivered to a high standard.</p>
<p>Reduce costs by increasing customer use of online services rather than accessing services at Council offices</p>	G	G	↑	<p>A project is under way to automate two of the highest volume services - waste requests and council tax enquiries.</p>



**CHERWELL DISTRICT COUNCIL PROGRAMMES : 2013/2014**  
**Q1 June 2013**

Programme	Q4 2012/13	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
<b>Place Programme</b>				
Eco Town Bicester	G	G	↕	The exemplar planning permission is the first eco-town planning permission to be granted nationally. A business case for the business centre is currently in development.
Bicester Town Centre	G	G	↕	The new development will be officially opened early next month
Banbury Brighter Futures	G	G	↕	The annual report has been completed and as part of this work each theme lead has set priorities for the coming year. Currently no risks or issues have been highlighted. Performance data collection for the end of quarter 1 will take place during July and the theme leads will meet to review performance on 02/08/13.
<b>Transformation Programme</b>				
ICT Shared Services	A	A	↕	Standardisation phase complete and formally closed. Harmonisation phase now in the planning stage, Amber status reflects concern around ability to resource business as usual, harmonisation, and major projects such as SNC organisational change.
Service Transformation	G	G	↕	The programme is beginning to pull together a number of projects directed at service transformation, including electronic document and records management. A programme outline is in development to ensure clear focus.

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**Cherwell District Council Equalities : 2013/2014**  
**Q1 June 2013**

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Theme 1 : Fair Access and Customer Satisfaction				
To provide accessible and meaningful consultation events throughout the Cherwell community	G	G	↑	<p>Connecting the Community Wall event was held in April and was very well attended by many local residents, particularly elderly and ethnic minorities. Work has started for the next event in August.</p> <p>The disability Forum took place in June, the key themes for which were employment including voluntary opportunities and Welfare Reform. It was well attended with over 60 participants and resulted in very positive feedback. Planning for the Faith Forum scheduled for September is underway.</p> <p>A review of the Quality &amp; Access Panel is scheduled for Quarter 2 when discussions will include membership, frequency and subject of consultations</p>
Monitor specific objectives related to older people held within the Rec & Health Plan Implementation and roll out of specific Older People's Strategies	G	G	↑	<p>Provided support to two older people groups which were having difficulties with recruiting new members and with finding volunteers to help run the group.</p>
To review the delivery of our Services	G	G	↑	<p>Complaints received alleging or referring to discrimination April = 1    May = 1    June = 0</p> <p>APRIL : The complainant alleged that the complaint was related to discrimination as she was asked for information that had not been required by a previous District she had lived in. She also felt others in her situation would not be asked for the same information. The response confirmed that authorities may use differing criteria but that the requirements at CDC were the same for any applicant in her situation. - Discrimination allegations not upheld</p> <p>MAY: The complainant alleged that the complaint was related to discrimination in that a particular officer had held up his planning application having already led a campaign against all applications that he had made over a two year period. The response confirmed the actual reason for delay (backlog of work due to high volume of applications and staff shortages) and refuted the allegations against the officer as the officer had not been involved with the particular case. - Discrimination allegations not upheld.</p>

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Monitor amount & nature of complaints received	G	G	↑	Complaints received alleging or referring to discrimination April = 1 May = 1 June = 0 APRIL : The complainant alleged that the complaint was related to discrimination as she was asked for information that had not been required by a previous District she had lived in. She also felt others in her situation would not be asked for the same information. The response confirmed that authorities may use differing criteria but that the requirements at CDC were the same for any applicant in her situation. - Discrimination allegations not upheld MAY: The complainant alleged that the complaint was related to discrimination in that a particular officer had held up his planning application having already led a campaign against all applications that he had made over a two year period. The response confirmed the actual reason for delay (backlog of work due to high volume of applications and staff shortages) and refuted the allegations against the officer as the officer had not been involved with the particular case. - Discrimination allegations not upheld
Undertake a range of Housing Customer Service Satisfaction measures	G	G	↑	New customer satisfaction measures are to be implemented in Housing and will be available at the end of the next quarter.
<b>Theme 2 : Tackling Inequality and Deprivation</b>				
Continue to break the cycle of deprivation within the district (Brighter Futures in Banbury Programme)	G	G	↑	2012/13 Brighter Futures Annual Report considered by Executive and Overview & Scrutiny Committee. (Good multi agency engagement and integration with the Thriving Families initiative and Homestart. 2013/14 Brighter Futures priorities established and actions underway. Theme leader arrangements in place for all six themes. Connecting Communities events agreed
<b>Theme 3 : Building Strong and Cohesive Communities</b>				
Improve opportunities for different groups within communities to work together and build strong community relations	G	G	↑	Connecting the Community Wall event was held in April and was very well attended by many local residents, particularly elderly and ethnic minorities. Work has started for the next event in August.
Joint working with Thames Valley Police to highlight and reduce any community tension and build trust in local services.	G	G	↑	Independent Advisory Group events continue. The Cherwell meeting has merged with the West Oxfordshire group and has held its inaugural meeting. Attendance from the traveller communities has improved but representation from the Asian communities was missing. Issues around the Asian community being subject to targeted burglaries were discussed. The Cherwell Safer Community Partnership plan has been refreshed until 2017
Continue to increase Cherwell's knowledge and understanding of the wider community to ensure we fulfil all residents' needs within our services	G	G	↑	Go Active reports to Partnership is very positive, the Partnership to fund this year. Due to competing priorities delivery of the rural strategy is no longer proactively pursued or monitored. However, several workstreams of the Countryside & Communities section do contribute to aims identified in the strategy

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
<b>Theme 4 : Positive Engagement and Understanding</b>				
Work with local schools, colleges & sixth forms to engage with the districts younger generation	G	G	↑	Good progress made during quarter 1:- Cherwell Youth Website is regularly updated to provide current information for young people. Also using other social media such as Facebook and Twitter. Providing support to the young people represented on the Youth Parliament. Each Secondary school now has someone elected. Activities taking place leading up to the Local Democracy week in October. Oxfordshire County Council Children & Young People's Action Plan for the north west area of the County is in place and being delivered by the partnership.
Explore and establish links with minority representation/community groups to help	G	G	↑	This quarter has seen CDC link with TOPAZ. A group for LGBT people between the age of 13-25. TOPAZ have a group specific to Banbury ran from the HUB. CDC now have a link to the TOPAZ website under CDC Equality Page and posters available/displayed and also with Customer Services
Raise CDC employees and Partners' awareness of diversity within our community	G	G	↑	Continued communications throughout the first quarter of the year for Stop Hate UK which includes posters/letters available at events, write up in Cherwell Link and an article included within the Annual Satisfaction Survey. Recent events Offenders re-integration into local life and Gypsy and travellers were very successful with very positive feedback from partners. Additional events on Welfare reform held in April were attended by over 200 people and helped partners and CDC staff to understand recent changes to the benefits and how it will impact local communities. Currently work is undertaken to setup following events later on this year.
<b>Theme 5 : Demonstrating our Commitment to Equality</b>				
Ensure CDC meets all government requirements	G	G	↑	The following can all be found on Cherwell District Councils website:- Equality Action Plan EIA Rolling Plan Completed EIAs Quarterly Equality Scorecard Workforce Profile Quarterly Performance Reports An Equal Pay Audit will be undertaken once Incremental Pay Appeals have been completed in August 2013.
Review CDC performance against Achieving criteria to maintain/improve standards	G	G	↑	At the end of the last financial year, the Corporate Policy Officer, along with the Equality Steering Group undertook a review of the Councils Self Assessment. The Self Assessments confirms that the Council maintains a performance level of 'Achieving' under the Equality Framework for Local Government. This exercise will take place again in quarter 4 of this year.
Ensure staff and services promote and embed equality into their work	G	G	↑	At the end of the last financial year all staff, including the depot and Cleaning staff had attended the Fair & Aware Equality Training. All new Starters have completed the E-Learning module as part of their induction process. This year the Equality Steering Group will be looking internally at different service areas highlighting areas of good practice and weakness.

Objective/Measure Definition	Q4 2012/13 if applicable	Quarter 1 30/06/2013	Direction of Travel	Comments on Performance
Maximise output from the Equality & Diversity Steering Group	G	G	↑	The Equality Steering Group has now gained new membership many members left the Council at the end of the last financial year. The last meeting is was agreed by all members that this working group should continue, meet when necessary and return it's focus to service areas.

## Executive

### Quarter 1 2013/14 Finance and Procurement Report

2 September 2013

### Report of Head of Finance and Procurement

#### PURPOSE OF REPORT

This report summarises the Council's Revenue and Capital performance for the first 3 months of the financial year 2013/14 and projections for the full 2013/14 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 2013/14 budget process currently underway.

To receive information on treasury management performance and compliance with treasury management policy during 2013/14 as required by the Treasury Management Code of Practice.

This report is public
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#### Recommendations

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The Executive is recommended:

- 1) To note the projected revenue & capital position at June 2013.
- 2) To note the quarter 1 (Q1) performance against the 2013/14 investment strategy and the financial returns from the two funds.
- 3) To note the contents and the progress against the Corporate Procurement Action Plan (detailed in Appendix 1) and the Procurement savings achieved at June 2013 (detailed in Appendix 2).

#### Executive Summary

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##### Introduction

- 1.1 In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is reported monthly to the Joint Management Team and formally to the Executive on a quarterly basis. This report includes the position at Q1.
- 1.2 The revenue and capital expenditure in Q1 has been subject to a detailed review by Officers and reported monthly to management as part of the corporate dashboard.

- 1.3 The CIPFA Code of Practice on Treasury Management which this Council has adopted requires a regular budget monitoring report - this full report will be taken to Accounts Audit and Risk Committee on the 18<sup>th</sup> September 2013.

### Conclusion

- 1.4 Due to the downturn in the economy, impact of the credit crunch on Council services and the volatility of the financial markets, the Council is keeping a watching brief on any challenges that they may need to face which may result in a redirection of budgets.
- 1.5 The variances on the revenue and capital projections are within the Council's stated tolerances of +2% / -5%.
- 1.6 The Council has a General Fund Revenue reserve to meet any budgetary surplus or deficit.
- 1.7 At the end of Q1, interest received is projected to be on target. It is worth noting that the revenue budget for 2013/14 has been prepared utilising only £150,000 of investment income; however, total Investment income within 2013/14 is budgeted as £550,000. The balance of £400,000 will be used to replenish reserves after transferring interest received in respect of Eco Town funds to the Eco Town pot.

### Background Information

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#### Revenue Projected Outturn 2013/14

- 2.1 At quarter one, we are projecting a small underspend at the year end of £89,000.

DIRECTORATE	TOTAL		
	ANNUAL BUDGET £000's	PROJECTED OUTTURN £000's	VARIANCE TO ANNUAL PROJECTION
Community & Environment	8,015	7,934	(81)
Resources	2,660	2,652	(8)
Development	3,833	3,833	0
Chief Executive	794	794	0
Services Executive Matters	(1,567)	(1,567)	0
<b>(SURPLUS)/DEFICIT SERVICES</b>	<b>13,735</b>	<b>13,646</b>	<b>(89)</b>

Investment Income above amount built into revenue budget:	(400)
Transfer to reserves - MTFS principle of not relying on investment income	400
<b>Q1 Net Revenue Projected (underspend) 2013/14</b>	<b>(89)</b>



2.2 Community and Environment shows a projected underspend of £81,000.

This primarily relates to vacant posts within the service. There are two vacant warden posts in Safer Communities that will not be filled this year. There are two vacant posts that will be filled during the year within Arts, Tourism and Health. In the Q2 report we will review vacancies and update interim costs and overtime to improve our projections.

2.3 Resources shows a projected underspend of £8,000.

There are some small variances throughout the service and an increase in search income due to an increase in the volume of searches requested. The service will look at income estimation in Q2.

2.4 Development is projected to be on budget at Q1

However, due to the current economic climate and the increasing numbers of voids in Castle Quay, there has been a shortfall in income in quarter 1 which will result in a year end under recovery. This projection will be included at Q2.

#### Capital Projection 2013/14

2.5 Total capital spend to June 2013 including commitments, is showing significant credit value due to a few large accruals from 2012/13 for which the invoices have not yet been received. These are being chased and expected to be called upon in Q2/Q3. The estimated variance at year end is £1.7m of which £1.6m is being requested to be carried forward to 2014/15 after a thorough review of the capital profiling of projects for quarter 1. The variance after the re-profiling is £98,000 which is 0.6% of the total budget and within tolerances.

<b>JUNE 2013 PROJECTIONS</b>	<b>Full-Year Budget 2013/14 £000's</b>	<b>Projected Out-turn 2013/14 £000's</b>	<b>Projection Variance 2013/14 £000's</b>
<b>DIRECTORATES</b>			
Community & Environment	4,037	2,349	(1,688)
Resources	418	418	0
Development	13,482	13,482	0
<b>Capital Total</b>	<b>17,937</b>	<b>16,249</b>	<b>(1,688)</b>
<b>Identified slippage</b>			<b>1,590</b>
<b>Variance after slippage</b>			<b>98</b>

2.6 The Capital Budget for 2013/14 can be analysed as follows:-

<b>Capital Budget 2013/14</b>	<b>£000's</b>
Approved Capital programme for 2013/14	7,131
Prior years approved schemes (primarily Cherwell Community Led Programme)	2,353
Slippage from 2012/13 Programme	8,453
	<b>17,937</b>

## **Treasury Management Performance Q1 2013/14**

### **Update on Cherwell's Treasury Performance**

2.7 The Treasury Management Strategy for 2013/14, which includes the Annual Investment Strategy, was approved by the Council on 25 February 2013. It sets out the Council's investment priorities as being:

- Security of Capital; Liquidity; and Yield

2.8 The Council will also aim to achieve the optimum return (yield) on investments commensurate with proper levels of security and liquidity. In the current economic climate it is considered appropriate to keep investments short term to cover short term cash flow needs but also to seek out value available in significantly higher rates in periods up to 12 months with highly credit rated financial institutions, using Sector's suggested creditworthiness approach, including sovereign credit rating and Credit Default Swap (CDS) overlay information provided by Sector: this applies in particular to nationalised and semi nationalised UK banks.

2.9 During the quarter ended 30th June, Sector highlight the following:

- Indicators suggested that the economy accelerated;
- Stronger household spending, both on and off the high street;
- Inflation remained stubbornly above the Monetary Policy Committee (MPC)'s 2% target;
- The MPC remained in a state of limbo ahead of Mark Carney's arrival
- 10-year gilt yields rose above 2.5% and the FTSE 100 fell below 6,100;
- The Federal Reserve discussed tapering the pace of asset purchases under Quantitative Easing 3 (QE3).

2.10 Investment rates available in the market have continued at historically low levels. The average level of funds available for investment purposes was £69.5m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the Capital Programme and ECO Bicester.

2.11 As highlighted in the executive summary, it is worth noting that the revenue budget for 2013/14 has been prepared utilising only £150,000 of investment income; however, total investment income within 2013/14 is budgeted as £550,000. The balance of £400,000 will be used to replenish reserves after

transferring interest received in respect of Eco Town funds to the Eco Town pot.

**Investment performance for quarter ended 30 June 2013 was:**

<b>Fund</b>	<b>Amount at 30th June 2013</b>	<b>Interest Budget</b>	<b>Actual Interest</b>	<b>Variance</b>	<b>Rate of return %</b>
Investec	£11,840,069	£14,375	(£9,194)	(£23,569)	(0.8%)
In House	£57,735,505	£123,258	£178,969	£55,711	1.24%
<b>Total</b>	<b>£69,575,574</b>	<b>£137,633</b>	<b>£169,775</b>	<b>£32,142</b>	<b>0.98%</b>

2.12 At this point in the year we are currently projecting to be on target. The variance shown above has arisen through the timing of interest received. Although there is currently a negative balance against budget on the funds managed by Investec, this has arisen through the global drop in government bond prices in anticipation of an eventual rise in official interest rates.

2.13 UK government bonds were not immune to this and unfortunately the price at 30th June 2013 had fallen from the initial average purchase price; therefore, showing an unrealised loss at quarter end. Given that since this quarter end position the new governor of the Bank of England has communicated to the markets that UK rates are on hold for longer there is an expectation that gilt process will rise again accordingly. We are therefore confident that the current negative balance will reverse itself in quarter 2. By the 31<sup>st</sup> July 2013 the position had already moved positively by £16,000.

**Icelandic Investments**

2.14 There is currently no further update in respect of funds remaining within Iceland. As reported previously, out of the £6.5m original capital investment £5.7m has been returned to the Council. The remaining capital balance of £729,000 along with associated interest relating to the investment is still held within Iceland and is accruing interest on an annual basis.

2.15 We continue to work with the LGA and Bevan Brittan on the potential for transfer to the UK.

**Procurement Action Plan and Record of Savings 2013/14**

2.16 Progress against the Council's procurement action plan is detailed under Appendix 1 with a record of savings achieved to June 2013 detailed under Appendix 2.

2.17 The team have delivered cashable savings to date of £38,649 against an annual target of £75,000. Non-cashable savings of £24,568 have also been achieved.

2.18 There are a number of capital projects under way, including the bringing together of two construction projects in Bicester: the Community Building and the South West Bicester Sports Village Pavilion. Under a single tender exercise, we will drive out savings and provide opportunities for the local supply chain. The team are also working on tenders via regional and national frameworks for the supply of electricity and liquid fuels along with reviewing

options for single solutions across both Councils for financial management and hosted payment systems.

- 2.19 Work with Stratford-on-Avon is underway with tender exercises in progress for cash collection and external printing and specifications are currently being drawn up for building cleaning and bailiff services.

### **Key Issues for Consideration/Reasons for Decision and Options**

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- 3.1 This report illustrates the Council's performance against the 2013/14 Financial Targets for Revenue, Capital, Treasury and Procurement Monitoring.

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 considers any actions arising.

**Option Two** To approve or reject the recommendations above or request that Officers provide additional information.

### **Consultations**

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The revenue and capital position has been subject to regular review by the Corporate Management Team.

The investment and procurement strategies have been subject to regular review with Members and the Corporate Management Team.

### **Implications**

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**Financial:** Financial Effects – The financial effects are as outlined in the report.

Efficiency Savings – There are no efficiency savings arising directly from this report however the budget 2013/14 was based on a number of efficiencies. In addition we made a public promise of £500k savings which are being actively pursued as part of the 2013/14 budget setting process.

Comments checked by Nicola Jackson, Corporate Finance Manager 01295 221731.

**Legal:** There are no legal implications. Presentation of this report is in line with the CIPFA Code of Practice.

Comments checked by Kevin Lane, Head of Law and Governance 0300 0030 107.

**Risk Management:** The position to date highlights the relevance of maintaining a minimum level of reserves and budget contingency to absorb the financial impact of changes during the year.

Comments checked by Claire Taylor, Performance Manager 01295 221563.

**Wards Affected**

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All

**Corporate Plan Themes**

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An Accessible and Value for Money Council

**Executive Portfolio**

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**Councillor Ken Attack**  
**Lead Member for Financial Management**

**Document Information**

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<b>Appendix No</b>	<b>Title</b>
Appendix 1	Record of progress Against Procurement action Plan 2013/14
Appendix 2	Procurement Savings Achieved April to June 2013
<b>Background Papers</b>	
None	
<b>Report Author</b>	Karen Curtin, Head of Finance & Procurement Nicola Jackson, Corporate Finance Manger Viv Hichens, Corporate Procurement Manager
<b>Contact Information</b>	01295 221551 <a href="mailto:karen.curtin@cherwellandsouthnorthants.gov.uk">karen.curtin@cherwellandsouthnorthants.gov.uk</a>

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**Joint Procurement Action Plan 2013/14  
Q1 Update – Appendix 1**

<b>8.1 Embedding Good Governance and Best Practice</b>		
<b>Action</b>	<b>Status</b>	<b>Narrative</b>
<ul style="list-style-type: none"> <li>• Regular engagement with officers at Directorate Management Team, Service Management Team, operational team levels:               <ul style="list-style-type: none"> <li>○ Procurement Manager and Senior Procurement Officers to have regular slot across three tiers of meetings;</li> <li>○ Each directorate to have a senior member of the team assigned:                   <ul style="list-style-type: none"> <li>– Resources – Corporate Procurement Manager</li> <li>– Community and Environment – Senior Procurement Officer (SNC)</li> <li>– Development – Senior Procurement Officer (CDC)</li> </ul> </li> </ul> </li> </ul>	Onward going	<p>Slots being booked for quarterly attendance.</p> <p>Greater focus on Officers being included on key working groups such as Financial Management System Working Group, SNC Waste Project Board, SNC Organisational Change and Relocation Working Group, CDC Accommodation Board and SW Bicester Sports Village Board</p>
<ul style="list-style-type: none"> <li>• Regular updates and reminders via:               <ul style="list-style-type: none"> <li>○ Intranet – ‘Did you know?’ sections, etc</li> <li>○ In Brief – need to know information</li> <li>○ Team briefings</li> </ul> </li> </ul>	Onward going	<p>Intranet and In Brief being used for updates on Contract Procedure Rules and who to contact for information.</p>
<ul style="list-style-type: none"> <li>• Use of divisional coordinators as a corporate means of enabling a two-way communication between procurement and the service areas               <ul style="list-style-type: none"> <li>○ Quarterly briefing to Divisional Coordinators</li> <li>○ Ad hoc issue raising by Divisional Coordinators and feeding of information from Procurement.</li> </ul> </li> </ul>	Onward going	<p>Effective consultation with service support staff over mobile phone review contributing towards £7k of savings for SNC and £9k for CDC.</p> <p>Divisional Coordinators at SNC being consulted over postal review with proposed change in premium and second class services.</p>

## Joint Procurement Action Plan 2013/14

8.2 Value for Money and Transparency		
Action	Status	Narrative
<ul style="list-style-type: none"> <li>• Deliver significant cost and efficiency savings; Cherwell District Council - £75,000 target and South Northamptonshire £50,000 target.</li> </ul>	Q1 target exceeded	SNC - £26,796 - i.e 54% at end of first quarter CDC - £38,649 - i.e. 51% at end of first quarter
<ul style="list-style-type: none"> <li>• Meet 50% of the departmental salary cost (£100k – i.e. £50k SNC &amp; £50k CDC) via delivery of capital projects and work for other public sector partners.</li> </ul>	Final figures to be agreed	CDC - £20,000 identified (construction projects for Bicester Community Building and SW Bicester Sports Village) SNC – seeking £25,000 for Moat Lane.
<ul style="list-style-type: none"> <li>• Monitor off contract and expenditure approved without an order:                             <ul style="list-style-type: none"> <li>○ Promoting benefits of correct purchasing sequence;</li> <li>○ Challenging habitual offenders by escalating within Finance.</li> </ul> </li> </ul>	Onward going	SNC monitored via processing of POs – only 2% expenditure without POs & all off contract expenditure challenged at point of issue. CDC monitored via spend analysis and implementation of no PO no payment policy. Off contract spend below 5%. Spend without POs currently running at 53% in Q1
<ul style="list-style-type: none"> <li>• Ensure clear visibility and procedures for all procurement exercises with data published on corporate websites.</li> </ul>	Onward going	Opportunities advertised via Source Northamptonshire, websites and South East Business Portal.



## Joint Procurement Action Plan 2013/14

8.3 Local Business and SME Engagement		
Action	Status	Narrative
<ul style="list-style-type: none"> <li>• Allocate on the forward plan which projects will involve a market engagement exercise with a focus on SMEs.</li> </ul>	Onward going	Planning bidder engagement events for: <ul style="list-style-type: none"> <li>• AV fit out for Moat Lane and Bodicote House</li> <li>• FM services for Pioneer Square, Bicester</li> <li>• Supply of vehicle spare parts.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure corporate websites make it easier for local businesses to trade with us:                             <ul style="list-style-type: none"> <li>○ Develop use of engagement forums for all relevant projects</li> <li>○ Seek and record feedback from local businesses</li> </ul> </li> </ul>	Onward going	Updates made to 'Selling to the Council' pages with links to sourcing opportunities across the region – Source Northamptonshire and South East Business Portal.
<ul style="list-style-type: none"> <li>• Provide links to both corporate websites on FSB, Chambers of Commerce and other local business link websites;</li> </ul>	Onward going	Following up with latest forward plan.
<ul style="list-style-type: none"> <li>• Attend appropriate breakfast and other meetings.</li> </ul>	Onward going	Looking at dates for September.
<ul style="list-style-type: none"> <li>• Participate in business engagement exercises undertaken by the Economic Development teams at both councils.</li> </ul>	Onward going	Initial discussions with Adrian Colwell to be followed up on.
<ul style="list-style-type: none"> <li>• Track expenditures with local businesses and SME's.</li> </ul>	Put back to 2014	To be included in upgrade of Financial Management System.

## Joint Procurement Action Plan 2013/14

8.4 Collaboration		
Action	Status	Narrative
<ul style="list-style-type: none"> <li>• Provide a clear forward plan for working between SNC and CDC                             <ul style="list-style-type: none"> <li>○ Monitor outcomes – not just in terms of savings</li> <li>○ Undertake lessons learnt exercise for procurement and service areas after each project</li> </ul> </li> </ul>	Onward going	Forward plan for 2013/14 in place. Lessons learnt exercises undertaken for mobiles (responsibility of monitoring passed to budget holders) and waste project (seeking discounts for onward going supply of wheelie bins and boxes).
<ul style="list-style-type: none"> <li>• Provide a clear five-year work plan with Stratford                             <ul style="list-style-type: none"> <li>○ Assign officers for each project in 2013/14</li> <li>○ Monitor outcomes – not just in terms of savings</li> <li>○ Undertake lessons learnt exercise for procurement and service areas after each project</li> </ul> </li> </ul>	Onward going	Plan for 2013/14 agreed for: <ul style="list-style-type: none"> <li>• Building cleaning</li> <li>• Cash collection</li> <li>• Debt recovery</li> <li>• Printing</li> <li>• Agency staff</li> </ul>
<ul style="list-style-type: none"> <li>• Review opportunities and evidence follow up with:                             <ul style="list-style-type: none"> <li>○ Strategic Procurement Partnership for Oxfordshire</li> <li>○ Northamptonshire Procurement Forum</li> <li>○ East Midlands Cities and Districts Procurement Forum (Northamptonshire, Nottinghamshire, Derbyshire, Lincolnshire, Cambridgeshire)</li> <li>○ Milton Keynes, Oxfordshire and Buckinghamshire Procurement Partnership</li> </ul> </li> </ul>	Onward going	Looking to undertake joint contract management project with SPPO. Seeking e-tendering opportunities and lessons learnt from hybrid postal services with East Midlands Cities and Districts Procurement Forum.
<ul style="list-style-type: none"> <li>• Review opportunities with Warwickshire and Buckinghamshire authorities</li> </ul>	Onward going	To progress Q3.

**Joint Procurement Action Plan 2013/14**

<b>8.5 Selling Services</b>		
<b>Action</b>	<b>Status</b>	<b>Narrative</b>
<ul style="list-style-type: none"> <li>• Identify:               <ul style="list-style-type: none"> <li>○ Contracts to be sold</li> <li>○ Approaches to be sold</li> <li>○ Ideas to be sold</li> </ul> </li> <li>• Create action plan with clear objectives</li> </ul>	<p>Onward going</p>          <p>Q3</p>	<p>Internal Audit contract has been reviewed by NBC and Northamptonshire Police – still to receive confirmation.</p>          <p>Looking to identify interested parties for Internal Audit, Dry Recycling, Council Tax Single Person Discount Review contracts and public notice cost reductions.</p>

<b>8.6 Transformation</b>		
<b>Action</b>	<b>Status</b>	<b>Narrative</b>
<ul style="list-style-type: none"> <li>• Assess level of procurement support required for the following programmes:               <ul style="list-style-type: none"> <li>○ Moat Lane Relocation</li> <li>○ Silverstone</li> <li>○ Brackley Swimming project</li> <li>○ Build! Programme (Affordable Housing across Cherwell)</li> <li>○ Bicester Civic Building</li> <li>○ Canalside and Spiceball Regeneration</li> <li>○ South West Bicester Sports Village</li> <li>○ Postal Services Review</li> </ul> </li> <li>• Agree payment methodology with service areas where appropriate</li> <li>• Report back on outcomes and successes</li> </ul>	<p>Onward going</p>	<ul style="list-style-type: none"> <li>• Moat Lane Relocation – tbc</li> <li>• Silverstone – nil</li> <li>• Brackley Swimming project – tbc</li> <li>• Build! Programme (Affordable Housing across Cherwell) – 30 days</li> <li>• Bicester Community Building – 45 days</li> <li>• Canalside and Spiceball Regeneration – 14 days</li> <li>• South West Bicester Sports Village – 45 days</li> <li>• Postal Services Review – 10 days</li> </ul>

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**Joint Procurement Action Plan 2013/14**

<b>8.7 Contract Management</b>		
<b>Action</b>	<b>Status</b>	<b>Narrative</b>
<ul style="list-style-type: none"> <li>• Convene a contract management steering group</li>   <li>• Agree objectives along lines of:                             <ul style="list-style-type: none"> <li>○ Clear contract management methodologies</li> <li>○ Examples of best practice</li> <li>○ Reference guide of 'do's' and 'don'ts'</li> <li>○ Review adoption of hosted corporate contract management system</li> </ul> </li> </ul>	<p>To be put back to Q3</p> <p>To be put back to Q4</p>	<p>Initial discussion over sharing resources with Oxford City and the Strategic Procurement Partnership for Oxfordshire.</p>

<b>8.8 Sustainability</b>		
<b>Action</b>	<b>Status</b>	<b>Narrative</b>
<ul style="list-style-type: none"> <li>• Determine which projects for the year provide the best focus for sustainability considerations</li> </ul>	<p>Onward going</p>	<p>Already considered:</p> <ul style="list-style-type: none"> <li>• SNC waste project – particularly vehicle purchasing</li> <li>• MFDs at SNC – reduction in colour printing</li> <li>• CDC – scrap metal processing from abandoned vehicles</li> <li>• Low energy hand dryers – implemented by FM Officer at SNC and green funding grant being sought at CDC.</li> </ul> <p>To be considered:</p> <ul style="list-style-type: none"> <li>• Bicester construction projects</li> <li>• Electricity re-tender</li> <li>• Building cleaning services</li> <li>• Building materials</li> <li>• Biodiesel and gas oil supply</li> <li>• Cash collection services</li> </ul> <p>Seeking input from Energy Officer at CDC with targets and recording data.</p>

Appendix 2

Service Area	Contract Description	Cashable with budget reduction	Non-cashable
Various	P Cards		£24,568
Finance & Procurement	Internal Audit	£6,930	
Urban & Rural	Pay & Display Parking Tickets	£2,680	
Environmental Services	Scrap Metal Processing from Abandoned Vehicles and Other Sources	£4,240	
ICT	Mobiles	£9,000	
Regeneration & Estates	Mobile Security, Alarm Response & Keyholding	£10,000	
Democratic Services	Election printing	£5,524	
ICT	Multi Functional Devices (MFD) A4 Paper	£275	
	<b>Total YTD</b>	<b>£38,649</b>	<b>£24,568</b>

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