

Meeting of Council

Monday 19 December 2016

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 19 December 2016 at 6.30 pm, and you are hereby summoned to attend.



**Sue Smith
Chief Executive**

**Friday 9 December
2016**

AGENDA

1 Apologies for Absence

2 Declarations of Interest

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

3 Communications

To receive communications from the Chairman and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

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

5 Urgent Business

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

6 Minutes of Council (Pages 1 - 14)

To confirm as a correct record the Minutes of the meeting of Council held on 17 October 2016 and the Special Meeting held on 8 November 2016.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council on 17 October 2016, one decision has been taken by the Executive which was not included in the 28 day notice on the following item:

- Banbury Business Improvement District (BID)

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the constitution. A written response to the question will be circulated at the meeting.

- b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided members will be entitled to a follow up or supplementary question.

- c) Questions to Committee Chairmen on the minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

9 Motions

To debate the following motions which have been submitted with advance notice, in accordance with the constitution.

Parking at the John Radcliffe (JR) Hospital in Oxford

Council notes the recent media coverage and casework of Councillors concerning the pressures on parking at the John Radcliffe (JR) Hospital in Oxford. Council finds the present situation unacceptable and is dismayed at the knock-on effect this is having on those who need to visit the JR. Council further notes that these pressures have already been, and will be further exasperated by the centralisation of services from local hospitals, such as maternity services from the Horton Hospital in Banbury to the JR. Cherwell District Council demands that no further services are centralised from any local hospitals across the county due to the distressing parking circumstances. Council further calls on the County Council the Health Overview Scrutiny Committee and the Clinical Commissioning Group to take this into account in their deliberations and outcomes.

Proposer: Councillor Kieron Mallon

Oxfordshire Unitary Council

This Council believes that Cherwell District Council has an excellent record of serving the residents of North Oxfordshire. The Council notes that Buckinghamshire County Council has written to the Secretary of State looking to dissolve Bucks Districts in favour of a County Unitary. The Council therefore RESOLVES to instruct the Chief Executive to write to the Secretary of State and the Permanent Secretary at DCLG making it clear that Cherwell District Council would not support a move to an Oxfordshire Unitary Council.

The letter can however indicate a willingness to consider a change in the status of the Oxfordshire Growth Board into a Combined Authority (with an elected Mayor if that is required by Government) so long as this can be linked to a meaningful “devolution deal” that has clear benefits for the District.

The letter should go on to detail the joint arrangements between Cherwell and South Northants, the benefits achieved, and the complexities and costs of unravelling them.

Proposer: Councillor Barry Wood

Seconder: Councillor George Reynolds

Council Business Reports

10 'Making'(Adoption) of the Bloxham Neighbourhood Plan (Pages 15 - 94)

Report of Head of Strategic Planning and the Economy

Purpose of report

The purpose of this report is to propose the Council ‘makes’ (adopts) the Bloxham Neighbourhood Plan following a recommendation to make the Neighbourhood Plan by the Executive at its meeting on 5 December 2016.

Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of the 3 November 2016 where 97% of those who voted were in favour of the Bloxham Neighbourhood Plan which is above the required 50%.
- 1.2 To resolve that Cherwell District Council as the local planning authority 'make' the Bloxham Neighbourhood Plan so that it is part of the statutory Development Plan for the District.
- 1.3 To approve the issuing and publication of a decision statement stating that Cherwell District Council has resolved to make the Bloxham Neighbourhood Plan.
- 1.4 To delegate to the Head of Strategic Planning and the Economy the correction of any spelling, grammatical or typographical errors, and the undertaking of any minor presentational improvements, prior to the Plan being published by Council.

11 Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD) (Pages 95 - 100)

**** Please note that due to the size of the documents, the appendices to this report will be published as a supplement to the main agenda pack ****

Report of Head of Strategic Planning and the Economy

Purpose of report

To propose the Council adopts the Banbury Vision & Masterplan Supplementary Planning Document (SPD) following a recommendation to adopt the Banbury Vision & Masterplan by the Executive at its meeting on 5 December 2016.

Recommendations

The meeting is recommended:

- 1.1 To adopt the Banbury Vision and Masterplan (at Appendix 1) at the meeting of the Full Council on 19 December 2016.
- 1.2 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and if necessary to make any further minor changes to the Masterplan before it is published.

12 Kidlington Framework Masterplan (Pages 101 - 110)

**** Please note that due to the size of the documents, the appendices to this report will be published as a supplement to the main agenda pack ****

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek adoption of the Kidlington Framework Masterplan.

Recommendations

- 1.1 That the Council adopts the Kidlington Framework Masterplan as a Supplementary Planning Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 subject to any necessary minor and presentational changes authority for which is delegated to the Head of Strategic Planning and the Economy.
- 1.2 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement.

13 Re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Pages 111 - 160)

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031 in accordance with a Court Order and an associated addendum to the Local Plan Inspector's Report.

Recommendations

- 1.1 That the Council notes the Court Judgment, Court Order and addendum to the Local Plan Inspector's report presented at Appendices 2, 3 and 4 to this report.
- 1.2 That the Council adopts Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Part 1) as presented at Appendix 5 to this report in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.
- 1.3 That, upon adoption by the Council, Policy Bicester 13 be inserted as modified into the published Cherwell Local Plan 2011-2031 (Part 1).

14 Council Tax Reduction Scheme 2017-2018 and Council Tax Discounts 2017-2018 (Pages 161 - 172)

Report of Chief Finance Officer

Purpose of report

To provide members with an update on the consultation process that has taken place on the proposals for a Council Tax Reduction Scheme for 2017-2018 and to seek approval for a Council Tax Reduction Scheme for the year 2017-2018 on the recommendation of the Executive and Budget Planning Committee.

To provide members with an update of Council Tax discounts and seek approval for the Council Tax discounts for the year 2017-18.

Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2017 to 31 March 2018 as set out in the report and implement the scheme with effect from 1 April 2017.
- 1.2 To grant delegated authority to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2017 in consultation with the Lead Member for Financial Management.
- 1.3 To review the proposed level of Council Tax discounts for 2017-2018 and to approve the following:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

15 Community Governance Review Update (Pages 173 - 180)

Report of Chief Executive

Purpose of report

To provide an update on the Community Governance Review (CGR) to be undertaken and to request that an amended Terms of Reference document be approved.

Recommendations

The meeting is recommended:

- 1.1 To approve the amended Terms of Reference for the Community Governance Review (appendix 1)
- 1.2 To delegate authority to the Chief Executive to amend the timetable for the Review, if required

16 Calendar of Meetings 2017-2018 and Draft Calendar of Meetings 2018-2019 (Pages 181 - 194)

Report of Head of Law and Governance

Purpose of report

Council is asked to consider the calendars of meetings for the municipal year 2017/18 and draft calendars for the municipal year 2018/19.

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2017/18 (Appendix 1) and the draft calendar of meetings for the municipal year 2018/19 (Appendix 2).
- 1.2 To approve the joint committees calendar of meetings for the municipal year 2017/18 (Appendix 3) and the draft joint committees calendar of meetings for the municipal year 2018/19 (Appendix 4), subject to similar agreement by South Northamptonshire Council.

17 Amendments to Committee Membership

Council is asked to note the following amendments to Committee membership made by the Conservative Group:

Joint Commissioning Committee

Remove Councillor Nicholas Turner, add Councillor Mike Kerford-Byrnes

Joint Councils Employee Engagement Committee

Remove Councillor Nicholas Turner, add Councillor Mike Kerford-Byrnes

18 Exclusion of the Press and Public

The Chairman, will if necessary, move the exclusion of the press and public if members have indicated (under the relevant agenda item) they wish to ask a question on any matter arising from an exempt minute.

In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their decision members should also be mindful of the advice of Council Officers.

Should members decide not to discuss the issue in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs of Schedule 12A of that Act, as set out in the Minute Book.”

19 Questions on Exempt Minutes

Members of Council will ask questions on exempt minutes, if any.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

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

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

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

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

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 17 October 2016 at 6.30 pm

Present: Councillor Chris Heath (Chairman)
Councillor Maurice Billington (Vice-Chairman)

Councillor David Anderson
Councillor Ken Attack
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor Mike Bishop
Councillor Hugo Brown
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Nick Cotter
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Shaida Hussain
Councillor Mike Kerford-Byrnes
Councillor Jolanta Lis
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Alastair Milne-Home
Councillor Nigel Morris
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor G A Reynolds
Councillor Barry Richards
Councillor Les Sibley
Councillor Nigel Simpson
Councillor Jason Slaymaker
Councillor Nicholas Turner
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor Simon Holland
Councillor David Hughes
Councillor Tony Ilott
Councillor Neil Prestidge
Councillor Sandra Rhodes
Councillor Dan Sames

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Karen Curtin, Commercial Director
Ian Davies, Director of Operational Delivery
Paul Sutton, Chief Finance Officer / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

38 **Declarations of Interest**

14. Constitution - Proposed Amendments.
Sue Smith, Declaration, as the report referred to the Chief Executive's appraisal process.

39 **Communications**

The Chairman made the following announcements:

Former Councillor Nigel Randall

The Chairman thanked former Councillor Nigel Randall, who had recently resigned as a district councillor for the Adderbury, Bloxham and Bodicote ward, for his service to the district during his time as a councillor.

Cllr Andrew McHugh

The Chairman welcomed Councillor McHugh to his first Council meeting following the recent by-election.

Chairman's Engagements

A copy of the events attended by the Chairman or the Vice-Chairman was published as a supplement to the main agenda pack.

Briefing on the Primary Authority Scheme

The Chairman advised Council that as Members had expressed an interest in receiving a briefing on the Primary Authority scheme, a session had been arranged for Monday 24 October at 6pm, in the Council Chamber, with Chartered Environmental Health Practitioner Kate Harris. This briefing would explain the basis of what Primary Authority is and how it works. The benefits to businesses, regulators and our councils will be explained.

Parliamentary Boundary Review

The Chairman referred to agenda item 12 regarding the consultation on the Parliamentary Boundary review. The consultation was being run by the Boundary Commission for England which was holding a public hearing in the Council Chambers, Oxford Town Hall on Monday 24 October (10am – 8pm) and Tuesday 25 October (9am – 5pm). Further information, including booking information, could be found on the Boundary Commission website

Agenda Item 13, Remuneration for Councillors Appointed as Non-Executive Directors on Graven Hill Companies

The Chairman advised Members that this item, which had been listed “to follow” on your agenda had now been deferred.

Poppy Appeal

The Chairman showed Members a giant poppy which would be displayed on the front of Bodicote House. Members were asked to make a donation which would be passed on to the British Legion.

Post

The Chairman reminded Members to collect any post from their pigeon holes.

40 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

41 Urgent Business

There were no items of urgent business.

42 Minutes of Council

The minutes of the meeting held on Council held on 18 July 2016 and the Minutes of the Special Meeting of Council held on 18 July 2016 were agreed as correct records and signed by the Chairman.

43 Minutes

a) Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 18 July 2016, one Executive decision had been taken by the Executive which was not included in the 28 day notice on “Local Government Reform in Oxfordshire – Update”.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

44

Thames Valley Police - Address by Chief Constable

The Chairman welcomed the Police and Crime Commissioner for Thames Valley, Anthony Stansfeld, the Chief Constable of Thames Valley Police, Francis Habgood, and the Cherwell Local Area Commander Superintendent, Kath Lowe, to the meeting.

The Police and Crime Commissioner and Chief Constable Habgood addressed the meeting regarding policing in Thames Valley. A number of Members asked questions and answers were duly provided.

The Chairman thanked the Police and Crime Commissioner, the Chief Constable and Superintendent Lowe.

45

Questions

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Cherwell District Council position on fracking: Councillor Sean Woodcock

Flytipping: Councillor Surinder Dhesi

Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan: Councillor Nick Cotter

Resettlement of refugee families from Syria in the Cherwell district: Councillor Nick Cotter

Communication between Members and Officers: Councillor Hugo Brown
Cherwell District Council representative on the Oxfordshire Health Overview and Scrutiny Committee: Councillor Hannah Banfield

Cherwell District Council and Banbury Town Council work to support Banbury town centre: Councillor Kieron Mallon

Overpayment of National Non-domestic Rates (NNDR) to Department for Communities and Local Government: Councillor Barry Richards

Lead Member for Finance: Councillor George Reynolds

c) Questions to Committee Chairmen on the minutes

One question to Committee Chairman on the minutes of meetings was asked.

Councillor George Reynolds asked a question of Councillor Nick Mawer, Chairman of the Budget Planning Committee relating to Minute 26, Quarter 1

2016-17 – Revenue and Capital Budget Monitoring Report, of the 30 August 2016 meeting of the Budget Planning Committee whereby the Committee had commented on items currently in the Capital Programme.

The Chairman of the Budget Planning Committee duly responded.

46 **Motions**

There were no motions.

47 **Result of Adderbury, Bloxham and Bodicote Ward By-Election**

The Chief Executive submitted a report to advise Council of the result of the Adderbury, Bloxham and Bodicote by-election held on 22 September 2016, to note changes to membership of Committees as requested by the Conservative Group and to appoint a representative to the Oxfordshire Health Overview and Scrutiny Committee.

Resolved

- (1) That the results of the Adderbury, Bloxham and Bodicote by-election held on 22 September 2016 be noted.
- (2) That the constitution of the Council following the by-election: 38 (79%) Conservatives, 8 (17%) Labour and 2 (4%) Independent councillors, be noted.
- (3) That the following amendments to Committee membership as requested by the Conservative Group following the by-election be noted:

Accounts, Audit and Risk Committee

Add: Councillor Nick Mawer

Budget Planning Committee

Add: Councillor Andrew McHugh

Overview and Scrutiny Committee

Remove: Councillor Nick Mawer

Add: Councillor Andrew McHugh

Planning Committee

Add: Councillor Ian Corkin

Substitutes

Remove: Councillor Ian Corkin

Add: Councillor Andrew McHugh

- (4) That authority be delegated to the Head of Law and Governance, in consultation with the Leader of the Council, to appoint a representative to the Oxfordshire Health Overview and Scrutiny Committee.

48 **Community Governance Review 2016 and Parliamentary Boundary Review Consultation**

The Chief Executive submitted a report to provide details of a Community Governance Review (CGR) to be undertaken, to request appointment of Members to a Working Group for the CGR and to respond to the Parliamentary Boundary Review consultation.

Resolved

- (1) That the Terms of Reference for the Community Governance Review (annex to the Minutes as set out in the Minute Book) be agreed.
- (2) That authority be delegated to the Head of Law and Governance, in consultation with Group Leaders, to appoint two Members per Political Group to a Working Group to consider the Community Governance Review and the Parliamentary Boundary Review.
- (3) That authority be delegated to the Chief Executive to finalise Cherwell District Council's response to the Parliamentary Boundary Review, in consultation with the Working Group

49 **Remuneration for Councillors Appointed as Non-Executive Directors on Graven Hill Companies**

As reported under the Chairman's announcements, consideration of this item had been deferred.

50 **Constitution - Proposed Amendments**

The Head of Law and Governance submitted a report to consider and adopt proposed amendments to the constitution. A similar report was being considered by South Northamptonshire Council on 19 October 2016.

Resolved

- (1) That the terms of reference of the Joint Commissioning Committee be amended to include the following functions:

The role and responsibilities of the Joint Commissioning Committee with regard to Statutory Officer disciplinary action is to:

- Deal with minor instances of unsatisfactory conduct at an early stage.
- Ensure that the Statutory Officer clearly understands the standards of conduct expected of him/her.
- Carry out, or make arrangements for, an investigation when any breach of discipline is alleged.
- Ensure that the Statutory Officer subject to investigation is kept up-to-date with progress.

- Decide, in the most serious cases whether or not to suspend or (where the Statutory Officer has already been suspended by the Head of Paid Service or Monitoring Officer under their delegated powers) to continue the suspension of the Statutory Officer, in accordance with the Statutory Officer disciplinary policy.
 - Report to Full Council (of the employing authority) in respect of a recommendation to dismiss, having convened a Panel comprising Independent Persons in accordance with the Officer Employment Procedure Rules.
- (2) That the Monitoring Officer be given the delegated authority to suspend a Statutory Officer in addition to the Head of Paid Service.
- (3) That the Head of Paid Service and Monitoring Officer be given delegated authority to agree settlement agreements and financial settlements for Statutory Officers in consultation with the Leader of the employing Council.
- (4) That all references to the Joint Appraisal Sub-Committee be deleted from the constitution.
- (5) That the existing scheme of delegation to Directors and Heads of Service be amended to enable them to appoint employees to existing posts at the minimum level within the salary band with discretion to appoint to anywhere within the salary band for the post provided this is within approved budgets.
- (6) That the Head of Law and Governance be requested to amend and update the Constitution in light of the above resolutions and be given delegated authority to make any consequential amendments to the constitution.
- (7) That the membership and quorum for the Joint Councils Employee Engagement Committee be amended as follows:
- Amend the employee representation to 2 representatives from Cherwell's recognised trade union, 1 representative from South Northamptonshire's recognised trade union and 3 members appointed by the Employee Council
 - Members of the Joint Employee Council are able to substitute for the trade union representatives if they cannot find a substitute from their trade union
 - Amend the quorum for the meeting to 2 representatives from the Council side, (1 from Cherwell and 1 from SNC) and 2 Employee representatives (be they from the recognised unions and/or the Joint Employee Council)

The Head of Law and Governance and Assistant Director – Transformational Governance submitted a report to consider and adopt the updated protocol on roles and conflicts of Interest and Ethical Walls procedure.

Resolved

- (1) That, having given due consideration, the updated Protocol on the Respective Roles of Members and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure (annexes to the Minutes as set out in the Minute Book), subject to a similar decision being taken by South Northamptonshire Council, be adopted.

52

Indemnities for Members and Officers

The Head of Law and Governance and Assistant Director- Transformational Governance submitted a report to consider and adopt a Joint Indemnities Policy for Members and officers.

Resolved

- (1) That, pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004 (“the Order”) an indemnity to Members and to officers of the Council in the terms set out in the annex to the Minutes (as set out in the Minute Book) be adopted.
- (2) That it be agreed that the Chief Finance Officer secures insurance to cover the liability under the indemnity in the event that such cover is available and subject to him being satisfied that such action would be financially prudent.
- (3) That it be agreed that the appointment of a Member to a position with an organisation which comes within the indemnity shall be treated as an appointment to a role which is deemed to part of the role of an elected member for the purposes of the CDC Members’ Code of Conduct.
- (4) That it be agreed that it be deemed that appointments of Members and officers to organisations (including those where the Council nominates and the organisation formally appoints) be deemed as “advancing the interest of the Council” for the purposes the Terms of Indemnity.

53

Changes to the Arrangements for Appointment of External Auditors

The Chief Finance Officer submitted a report which summarised the changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

Resolved

- (1) That the recommendation of the Accounts Audit and Risk Committee to support the Local Government Association (LGA) in setting up a national Sector Led Body by indicating intention to “opt-in” be agreed.

54 **Notification of Urgent Action In relation to the Contract Award for the demolition of the Bolton Road Car Park**

The Chief Executive submitted a report to notify Full Council of urgent action she had taken in relation to the contract award for the demolition of the Bolton Road Car Park.

Resolved

- (1) That the urgent action taken by the Chief Executive to allocate capital receipts of £325,000 for the capital scheme for the Contract Award for the demolition of the Bolton Road Car Park be noted.

55 **Exclusion of the Press and Public**

There being no questions on the exempt minutes, it was not necessary to exclude the press and public.

56 **Questions on Exempt Minutes**

There were no questions on exempt minutes.

The meeting ended at 8.25 pm

Chairman:

Date:

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Cherwell District Council

Special Council

Minutes of a special meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 8 November 2016 at 6.30 pm

Present: Councillor Maurice Billington (Vice-Chairman, in the Chair)

Councillor David Anderson
Councillor Ken Attack
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Claire Bell
Councillor Mike Bishop
Councillor Mark Cherry
Councillor Ian Corkin
Councillor Nick Cotter
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Sean Gaul
Councillor Carmen Griffiths
Councillor David Hughes
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Jolanta Lis
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Alastair Milne-Home
Councillor Nigel Morris
Councillor Richard Mould
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Barry Richards
Councillor Les Sibley
Councillor Nigel Simpson
Councillor Jason Slaymaker
Councillor Nicholas Turner
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Apologies
for
absence: Councillor Chris Heath
Councillor Hugo Brown
Councillor Colin Clarke
Councillor Timothy Hallchurch MBE
Councillor Simon Holland

Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Sandra Rhodes
Councillor Dan Sames

Officers: Sue Smith, Chief Executive
Paul Sutton, Chief Finance Officer / Section 151 Officer
Kevin Lane, Head of Law and Governance / Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

57 **Declarations of Interest**

Members declared interests in the following agenda items:

5. Remuneration for Councillors Appointed as Non-Executive Directors on Graven Hill Companies.

Councillor David Hughes, Declaration, as a Non Executive Director on Graven Hill Village Holding Company Limited and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Declaration, as a Non Executive Director on Graven Hill Village Development Company Limited and would leave the meeting for the duration of the item.

Councillor Nigel Morris, Declaration, as a Non Executive Director on Graven Hill Village Holding Company Limited and on Graven Hill Village Development Company Limited and would leave the meeting for the duration of the item.

58 **Communications**

At the request of the Chairman, the Leader made the following announcements:

Silverstone Heritage Centre

The Leader advised that the report had been published as a supplement to the main agenda and amended recommendations had been tabled.

The report was public but the appendices were exempt. Therefore if any Member had questions on the appendices, the meeting would move into private session but would vote in public.

Members' Allowances Annual Review

The Leader reported that Members who hadn't yet returned the Members' Allowances Annual Review questionnaire had one on their seats and they were requested to complete and put in the tray by the door when they left.

Post

The Leader reminded Members to collect any post from their pigeon holes.

59 **Urgent Business**

There were no items of urgent business.

60 **Remuneration for Councillors Appointed as Non-Executive Directors on Graven Hill Companies**

The Head of Law and Governance submitted a report to determine the levels of the allowances to be paid to elected Members who are Non-Executive Directors of Graven Hill Companies for the remainder of the 2016/2017 financial year following the submission of the report of the Council's Independent Remuneration Panel (IRP) and to approve a mechanism to ensure the legality of any remuneration that might be paid, in future, to councillor directors on council owned companies.

The report also sought consideration of the size of the Independent Remuneration Panel and the remuneration the Panel members should receive.

Resolved

- (1) That, having given due consideration, the allowances proposed by the Independent Remuneration Panel (annex to the Minutes as set out in the Minute Book) be adopted without modification.
- (2) That the Head of Law and Governance be authorised to prepare an amended allowance scheme, for Councillors appointed as Non-Executive Directors in accordance with the decisions of the Council for implementation
- (3) That the Head of Law and Governance be authorised to take all necessary action to publicise the Scheme pursuant to The Local Authorities (Members's Allowances) (England) Regulations 2003 (as amended).
- (4) That the Independent Remuneration Panel be thanked and it be agreed to increase the size of the Panel to seven members and to introduce a revised fee for IRP members of £300 for each consultation, capped at a maximum of £1200 per annum.

(Having declared interests, Councillors Corkin, Hughes and Morris left the meeting for the duration of this item)

61 **Silverstone Heritage Centre**

The Chief Finance Officer submitted a report to consider the provision of a £1m loan facility to Silverstone Heritage Limited as part match-funding for

their Lottery grant application to deliver the Silverstone Heritage Experience project.

In presenting the report, the Leader of the Council, Councillor Barry Wood, referred to the revised recommendations which had been tabled and sought to grant delegated authority to the Chief Finance Officer, in consultation with the Head of Law and Governance and the Lead Member for Financial Management to negotiate a loan agreement of up to £1m with Silverstone Heritage Limited subject to suitable, state aid compliant terms, satisfaction of conditions and conditions being agreed by the supporting Councils and the necessary commitment to the scheme being given by each of them and subject to the future approval of Full Council.

Resolved

- (1) That the Chief Finance Officer, in consultation with the Head of Law and Governance and the Lead Member for Financial Management, be given delegated authority to negotiate a loan agreement up to £1m with Silverstone Heritage Limited subject to suitable, state aid compliant terms, satisfaction of the conditions set out below and conditions being agreed by the supporting Councils and the necessary commitment to the scheme being given by each of them and subject to the future approval of Full Council.

Conditions:

1. The Council should be recognised formally as a partner and its support acknowledged when marketing and publicising.
2. If the Heritage Experience outperforms its net revenue expectations, Silverstone Heritage Limited should repay the loan more quickly.

62 Exclusion of the Press and Public

There being no questions on the exempt appendices, it was not necessary to exclude the press and public.

63 Silverstone Heritage Centre - Exempt appendices

Resolved

- (1) That the exempt appendices be noted.

The meeting ended at 7.20 pm

Chairman:

Date:

Cherwell District Council

Council

19 December 2016

‘Making’(Adoption) of the Bloxham Neighbourhood Plan

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

The purpose of this report is to propose the Council ‘makes’ (adopts) the Bloxham Neighbourhood Plan following a recommendation to make the Neighbourhood Plan by the Executive at its meeting on 5 December 2016.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the referendum result of the 3 November 2016 where 97% of those who voted were in favour of the Bloxham Neighbourhood Plan which is above the required 50%.
- 1.2 To resolve that Cherwell District Council as the local planning authority ‘make’ the Bloxham Neighbourhood Plan so that it is part of the statutory Development Plan for the District.
- 1.3 To approve the issuing and publication of a decision statement stating that Cherwell District Council has resolved to make the Bloxham Neighbourhood Plan.
- 1.4 To delegate to the Head of Strategic Planning and the Economy the correction of any spelling, grammatical or typographical errors, and the undertaking of any minor presentational improvements, prior to the Plan being published by Council.

2.0 Introduction

- 2.1 On 3 June 2013 the Council's Executive designated the area proposed by Bloxham Parish Council for the Neighbourhood Plan which covers the whole of the Bloxham Parish administrative area.
- 2.2 The Parish Council engaged with the local community in preparing its Plan and formal consultation took place during 2015 and 2016.

- 2.3 In February 2016 Council officers submitted the Neighbourhood Plan for independent examination supported by its associated evidence documents and the representations received.
- 2.4 The Council received the Examiner's report on 7 July 2016 which in summary recommended that the Neighbourhood Plan proceed to referendum subject to modifications.
- 2.5 On 5 September 2016 the Council's Executive considered the Examiner's report and the Neighbourhood Plan incorporating the examiners modifications and resolved that the Neighbourhood Plan proceed to referendum. The referendum for the Bloxham Neighbourhood Plan took place in Bloxham on 3 November in accordance with Neighbourhood Planning Referendum Regulations.
- 2.6 The Bloxham Neighbourhood Plan proposed to be made is at appendix 1 to this report.

3.0 Report Details

Referendum

- 3.1 A timetable was drawn up for the referendum and an Information Statement published giving notice of the referendum. The Neighbourhood Plan and other required information and material were made available for public viewing on the Council's website, at Bloxham Mill and at the Council Offices at Bodicote House before and during the referendum. The documents were:
- This Information Statement, which provides general information about neighbourhood planning, the referendum and a map of the referendum area;
 - The draft Bloxham Neighbourhood Plan; (the referendum version)
 - The report of the independent examiner into the Neighbourhood Plan;
 - Summaries of the written representations submitted to the independent examiner;
 - A Decision Statement of the Local Planning Authority's satisfaction that the Bloxham Neighbourhood Plan as recommended for modification by the Examiner meets the necessary legal and procedural requirements, and background information.
- 3.2 Those eligible to vote were also sent the required information and material before the referendum.
- 3.3 The question (as specified by the regulations) posed for the Referendum was:
- 'Do you want Cherwell District Council to use the Neighbourhood Plan for Bloxham to help it decide planning applications in the neighbourhood area?'*
- 3.4 More than 50% of those who voted, voted 'Yes' in response to this question. The declaration of poll results is attached at appendix 2 to this report. 877 voted in favour of the Neighbourhood Plan with 26 against, providing a majority vote of 97%. The result of the referendum has been publicised on the Council's website.

Adoption

- 3.5 Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) requires a local planning authority to which a proposal for the making of a neighbourhood development plan has been made to 'make' the Neighbourhood Development Plan if more than half of those voting in the applicable referendum have voted in favour of the Plan.
- 3.6 The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). There is no known breach or incompatibility and the plan making process has followed and met all relevant legal and procedural requirements.
- 3.7 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended) as soon as possible following the decision to make the Neighbourhood Plan the Council must publish a Decision Statement stating that the Plan has been made and the reasons. A copy of the Decision Statement must be sent to the qualifying body (Bloxham Parish Council) and anyone who asked to be notified of the decision. The District Council must also publish where and when the Decision Statement can be inspected. A copy of the draft Decision Statement is at Appendix 3 to this report.
- 3.8 The local planning authority is also required to publish the Neighbourhood Plan on the Council's website and notify any person who asked to be notified of the making of the Plan that it has been made and where and when it may be inspected.

4. Conclusion and Reasons for Recommendations

- 4.1 That the Council makes the Bloxham Neighbourhood Plan following a vote in favour of the Plan at a referendum.

5.0 Consultation

- 5.1 Cllr Colin Clarke – Leader Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 Where a referendum poll results in more than half of those eligible to vote voting in favour of the Neighbourhood Plan, the local planning authority must 'make' the Plan as part of the statutory development plan. There are no alternative options available unless the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

7.0 Implications

Financial and Resource Implications

- 7.1 The District Council funds the formal consultation on the plan and compiles all of the responses. We are also required to organise and fund the Examination and Referendum. However the Council does receive financial support from Central Government, to cover these costs.

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 003 0106,

paul.sutton@southnorthants.gov.uk

Legal Implications

- 7.2 The Bloxham Neighbourhood Plan will become part of the statutory development plan for Cherwell District and will be a material consideration in the determination of planning applications.
- 7.3 Under the Planning and Compulsory Purchase Act (as amended) anything relating to the referendum and the Council's decision to make the Plan may be legally challenged by a claim for judicial review.

Comments checked by:

Nigel Bell, Team Leader – Planning & Litigation, 01295 221687

Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Bloxham and Bodicote

Links to Corporate Plan and Policy Framework

- Accessible, Value for Money Council
- District of Opportunity
- Safe and Healthy
- Cleaner Greener

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Version of the Bloxham Neighbourhood Plan for 'making'
Appendix 2	Declaration of results of poll
Appendix 3	Draft Decision Statement for the 'making' of the Neighbourhood Plan
Background Papers	
None	
Report Author	Chris Thom
Contact Information	chris.thom@cherwell-dc.gov.uk 01295 221849

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Bloxham Neighbourhood Plan 2015 – 2031



Version to be made
December 2016



Bloxham will appeal to people at all stages of their lives as a great place to live, work and visit.

It will be a village that strives to maintain and improve a high quality of social, economic and environmental wellbeing by meeting the challenges of the future whilst properly respecting our historic rural past.

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A NEIGHBOURHOOD PLAN FOR BLOXHAM

1. Foreword

The Localism Act introduced Neighbourhood Planning into the hierarchy of spatial planning in England, giving communities the right to shape their future development at a local level.

Bloxham Parish Council made a decision to embrace this right and to produce a plan to reflect community wide consultations. We seek to support new sustainable development which respects our rural heritage.

Our Neighbourhood Plan provides residents of Bloxham with the opportunity to work alongside landowners and developers to shape a future that retains what is distinctive about our community and ensures that housing is matched to need, and that there is access to: local jobs, appropriate infrastructure, schools, recreational facilities and open spaces. It will enable residents to ensure that Bloxham retains its village feel and green surroundings offering an attractive, enjoyable, and healthy place to live, work and play.

1.1 How Bloxham's Neighbourhood Plan fits into the Planning Process

1. Bloxham Parish Council produced a Parish Plan in 2010.
2. Only a year later the Localism Act of 2011 empowered Parish Councils to produce a land-use plan dealing with matters such as the location, number and type of dwellings to be built.
3. Cherwell District Council acknowledged receiving the Parish Council application to undertake a Neighbourhood Plan on 10th Jan 2013. The Council District Executive agreed, at a meeting on 3 June 2013, to approve the designation of the Bloxham Neighbourhood Plan area.
4. Bloxham Parish Council, assisted by the Bloxham Neighbourhood Plan Steering Group and Working Groups, produced a draft of the Neighbourhood Plan that was subject to pre-submission consultation over a six-week period from January 10th to February 22nd 2015 under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
5. The responses were considered and several significant amendments made both to the structure and content of the plan before submission to Cherwell D.C. for its statutory six-week consultation period. Thereafter, the Plan was subject to independent examination and an edition produced that incorporates the modifications required by the Examiner.
6. It was then put to a referendum of village residents before it is 'made (i.e. adopted) by Cherwell D.C.

Once past this stage the plan is a Neighbourhood Development Plan and it will have legal status being part of the development plan in determining planning applications. Once it is adopted, Cherwell D.C. will determine planning applications in the neighbourhood plan area against the Plan's policies, in consultation with Bloxham Parish Council. The Development Plan for Cherwell District includes the adopted Cherwell Local Plan (2015) and the saved retained policies of the 1996 adopted Local Plan which are contained in appendix 7 of the Local Plan 2015.

1.2 Meeting Basic Conditions

For the Bloxham Neighbourhood Development Plan to be brought into force by the local planning authority it must meet the basic conditions set out in Schedule 4B to the Town and Country Planning Act 1990 (as amended). These can be summarised as follows:

- having regard to national planning policy and guidance
- is in general conformity with the strategic policies contained in the development plan for the area
- being compatible with EU obligations
- contributing to achieving sustainable development

1.3 The Sustainability Report

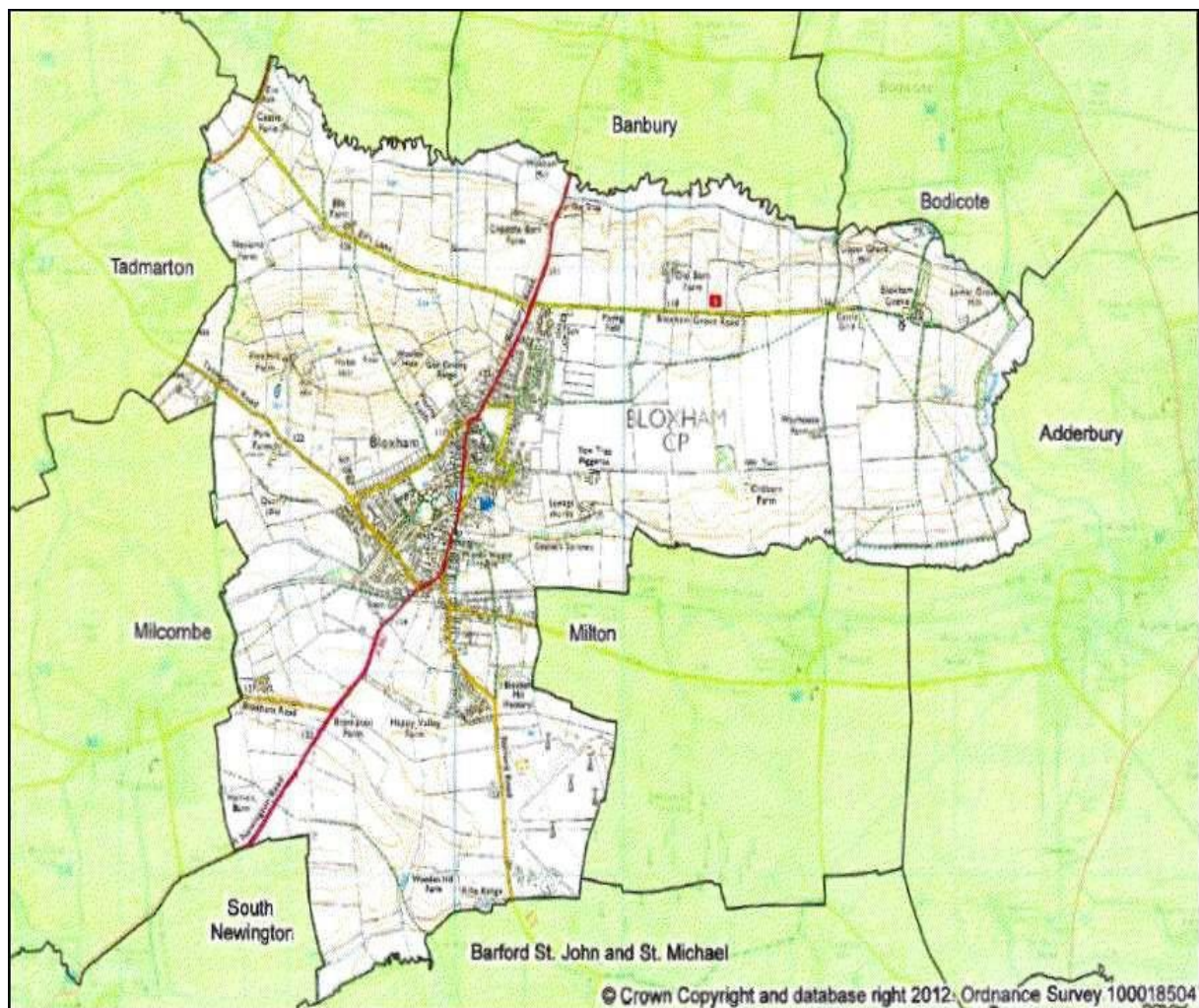
We have produced a Sustainability Report which sets out further contextual information about the policies in the Plan and forms part of the evidence base for it. The report is available at <http://bloxhamneighbourhoodplan.co.uk/submission-of-publication-version-of-the-plan/>

2. Our Bloxham

On 3rd June 2013, Cherwell District Council (CDC) Executive formally confirmed that Bloxham Parish Council will be preparing a neighbourhood plan and is a relevant body under the Localism Act 2011.

- No negative representations were received during consultation.
- The proposed plan area (see map) covers all of the land within the parish boundary and meets the required criteria to be considered acceptable in planning terms.
- The Parish Council has followed due process in line with the Neighbourhood Planning (General) Regulations.

2.1 The Parish and Plan area



2.2 Locality and Connections

The map reference is 52.0184982 -1.3755647. The map makes clear Bloxham's rural setting which the 2007 Dept. of Transport 'Manual for Streets'¹ categorises as 'low density rural.' Policy ESD13 of the Adopted Plan (2015) seeks to protect and enhance local landscape. The nearest urban centre is Banbury 4 miles (7km) to the north along the busy A361. Ten miles (16km) to the south along this same road lies Chipping Norton. Pedestrian and cycle connectivity both within and beyond Bloxham are poor.²

¹ Manual for Streets – Evidence and Research

² Sustrans Report – Walking and cycling in Bloxham (2015)

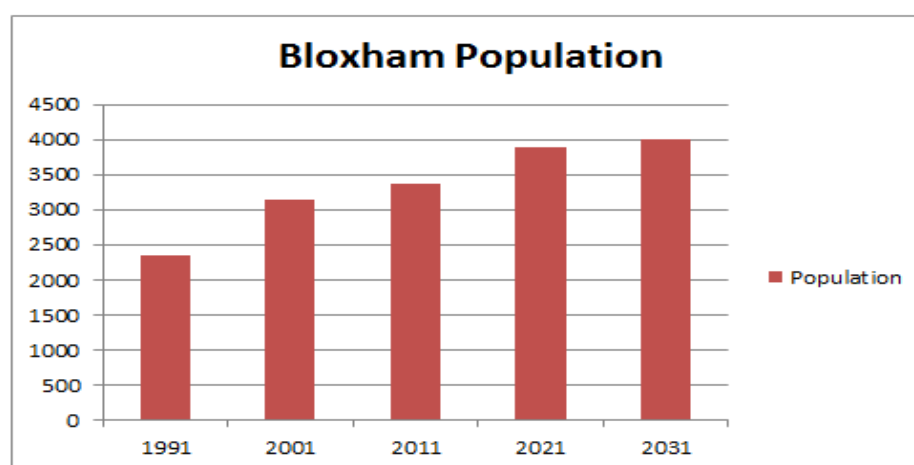
The local Banbury to Chipping Norton bus service provides the public transport link between these two urban centres and stops at Bloxham en route. Work destinations beyond Banbury include Oxford, Stratford, Coventry, Birmingham and London. There is a generally good rail service from Banbury to these destinations.

2.3 The Demographic Context

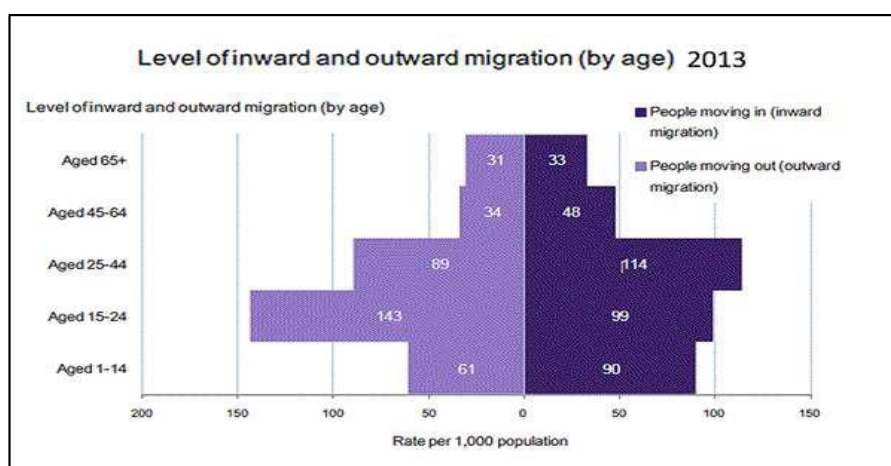
Population: Bloxham is a village where the population³ remained broadly unchanged between 1801 and 1961 since when it has grown at a significant rate.

Year	1931	1961	1991	2001	2011	2015	2031
Population	1,080	1,359	2,356	3,132	3,374	3,530*	4,002*

*estimated by the BNDP Steering Group = ONS existing population + (estimated number of additional houses x average household size (2.45)).



Migration: There is a net outward migration of people in the 15 to 24 age group who head to metropolitan areas to study and build careers. There is a net inflow of the 25 to 44 age group, often people moving to Bloxham to raise families.



Rural community profile for Bloxham (Parish) Action with Communities in Rural England (ACRE) Rural evidence project November 2013

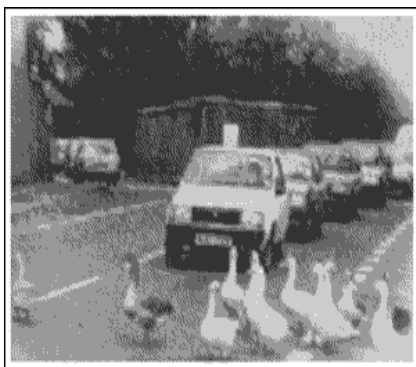
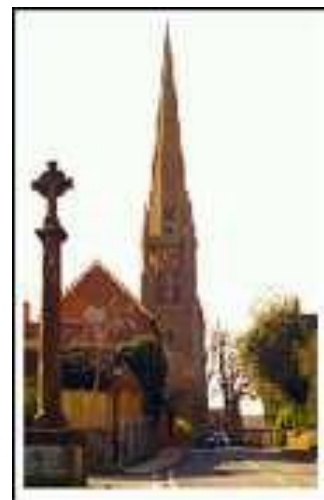
³ A vision of Britain through time - Bloxham

Relative to Oxfordshire and UK averages the population is slightly skewed towards the older age groups though less so than in many rural villages. Over 96% of Bloxham residents are British⁴ and in terms of religion, 68% describe themselves as Christian, 23% of no religion and 8% have not declared a religious belief. Bloxham ranks very low on the deprivation index.

2.4 Historical Context

Bloxham is a village steeped in history. Incomplete excavations in 1929-35 opposite the current primary school unearthed evidence of a Romano-British settlement. The village name, however, derives from the 6th century Anglo-Saxon “Blocces Ham” (the home of the Bloccs). By 1316, the name had evolved to Bloxham.

The dominant building, situated in the older ironstone part of the village, is St Mary’s Church rated by Pevsner and by Jenkins⁵ as one of the top 100 churches in the country. The site dates back to Saxon times and is mentioned in a charter of 1067 but the present church building dates to the 12th century. In addition to its 198 feet (60m) steeple, it contains important and unique art, carvings and windows all by renowned craftsmen including a 15th century screen said to have been a gift from Cardinal Wolsey. The splendour of the church is largely a consequence of Bloxham being a royal manor, which received the patronage of nobles. This was augmented by wealth derived from the wool trade.



Since earliest times the village was based upon agriculture. Corn grew well and the good grasslands and plentiful water supply allowed successful sheep rearing contributing to the above-mentioned prosperity. In the 1950s there were still 13 working farms employing much of a largely self-sustaining village population. Anyone over 20 will recall traffic grinding to a halt as geese crossed the main road back to their farm in the heart of the village itself.

⁴ ONS Neighbourhood Statistic – National Identity - Bloxham

⁵ Greatest English Churches

The winding medieval streets and alleyways are still apparent in the conservation area of the village where many of the village's 45 listed buildings can be found. Most are built of ironstone quarried within the village and many have their origins in the 16th and 17th centuries when the wool trade was at its peak. Weaving became, quite literally, a cottage industry in Bloxham in houses that still exist.

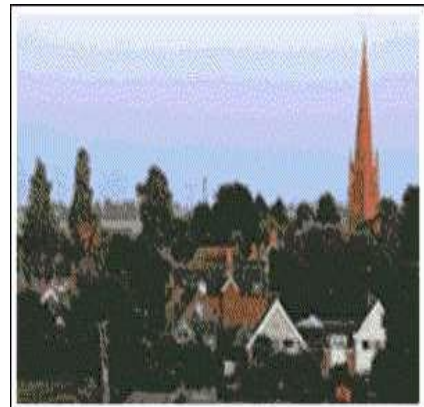


The mid-19th century saw the foundation of Bloxham School: a public school, which became a major landowner and significant employer within the village. The main school buildings still impart a striking visual impact that plays a significant role in defining the 'sense of place' of Bloxham.

Creation of the A361 around 1820 led to loss of the village green and the protection of the few remaining larger green areas in the heart of the village, such as the Red Lion garden, forms a part of this plan. The growth of industry in Banbury in the mid-19th century saw the opening of the now defunct railway. This, along with improvements to the roads, increasingly allowed people to work away from the village.



Bloxham retains a proud affinity with its heritage and rural roots and the church and the museum (which is run by volunteers) both receive a regular flow of, UK and international visitors, seeking to explore this heritage. An ironstone village on the edge of the Cotswolds, Bloxham has a large medieval conservation area, one of the finest churches in the country and many attractive landscape views from the major gateways, from certain public rights of way and within the village itself.



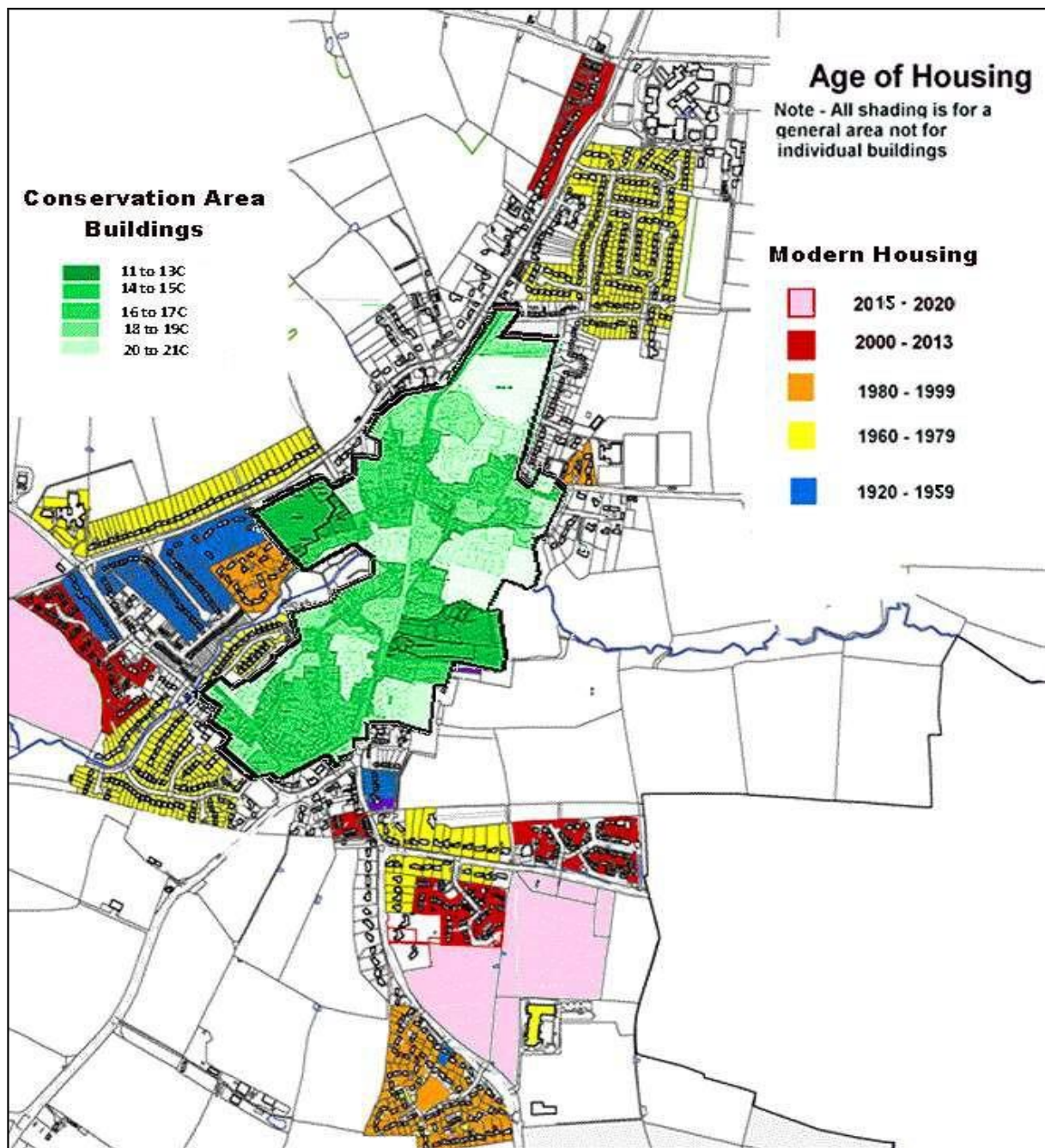
Despite on-going expansion, it remains a largely cohesive community with a 'rural sense of place' the preservation of which features highly in this plan.





Bloxham had little growth until the late 19th to early 20th century other than some building along the main Banbury Road. Around 1940 came development of The Avenue followed in the 1960s through to the 1980s by estates at Chipperfield Park, Brookside (shown alongside), Winters Way and Bloxham Park. (See map below to track village development)

Although of more modern designs, the judicious use of space, trees and materials mostly helped avoid developments with a hard urban feel to them.

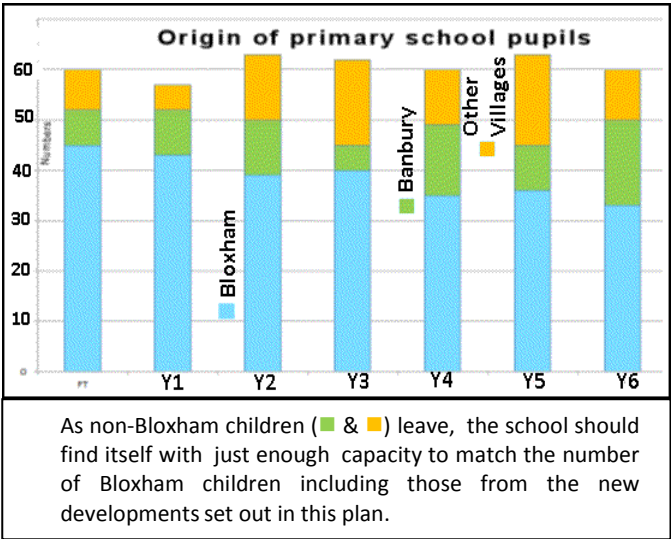


Since 2000, Bloxham has seen extensive development mainly at its southern end with house builders gaining permissions for more than 450 homes. These developments exhibit a variety of styles and a recurrent theme of this Plan is the avoidance of cumulative urbanisation that fails properly to respect our rural ironstone heritage. The preceding map is general rather than detailed but shows the conservation area within the black border and colour codes the approximate ages of buildings in each zone.

2.5 The Education Context

2.5.1 Bloxham C of E Primary School

Oxfordshire C.C. has deemed the two-form entry Primary School full and unsuitable for expansion in terms of both the available land and the efficient delivery of education. This will pose future capacity issues.



Oxfordshire County Council state that there are no current proposals to revise catchments, although this may be considered in the future. OCC explain that usual operation of admissions criteria mean that children from outside the village would be progressively replaced by the children living closer to the school.

In the interests both of sustainability and village cohesion, the community is of the strong opinion that development should not run ahead of the provision of **in-village** primary school places. This is consistent both with the NPPF (para 72) and also with the adopted Local Plan (INF1 D11) that infrastructure should be provided as an integral part of development and more explicitly (para A9 and C241) of ensuring convenient access to education.

2.5.2 The Warriner School

The Warriner School is an 11 to 18 comprehensive school of 1,172 pupils and most village students of secondary age attend here. It has only recently acquired a sixth form which it may need to expand. It seems likely that the school will generally continue to be able to accommodate all Bloxham children but there may also be increased demand because of extensive development both in Banbury and in other local villages. A Feasibility assessment is underway into expanding the school.

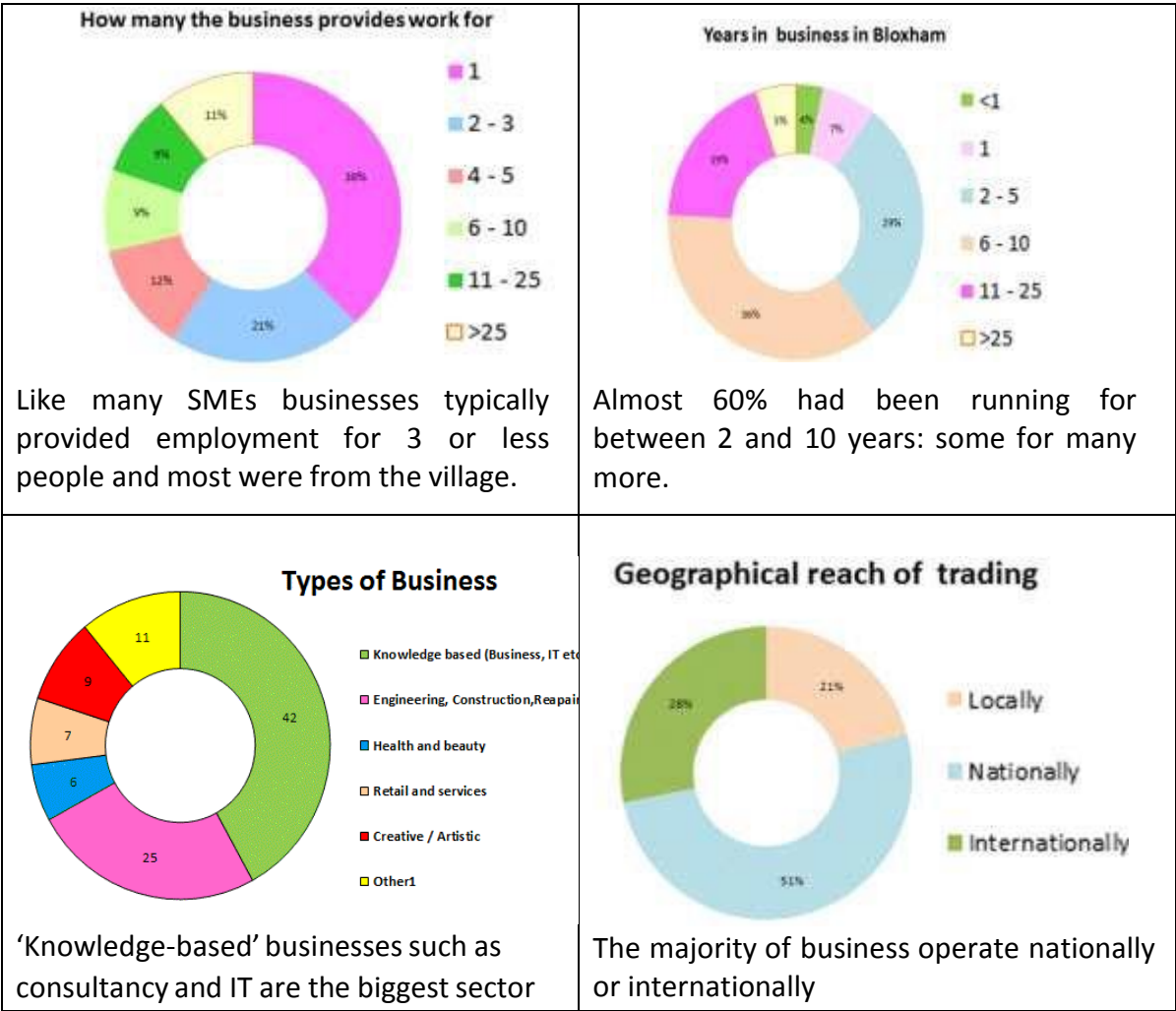
2.5.3 Bloxham School

Bloxham School is an independent co-educational day and boarding school of 420 pupils aged 11 to 18. Annual Day Fees for senior students from September 2015 are £24,150 and for boarding £31,815. Most pupils are not permanent residents of Bloxham.

2.6 The Village Economy

2.6.1 The Range of Businesses

Bloxham has a well-qualified and entrepreneurial population with residents more likely than average to be self-employed or running a PAYE registered business. An estimated 250+ businesses operate in or from the village many from individual homes or from Bloxham Mill Business Centre. Of the 70 that replied to the business questionnaire 65% were companies and 24% sole traders. They offered the profile in the charts shown below.



2.6.2. Workplaces

There are few relatively large workplaces in the village.

- Between them The Warriner School, Bloxham School and the Primary School provide full-time, part time or seasonal work for around 500 people and have combined turn-overs of around £18 million / annum.⁶
- Bloxham Mill Business Centre provides office facilities used by around 230 people, many self-employed and often highly skilled in areas such as IT or business consultancy.
- Additionally, there are a small number of retail premises, two pubs and a small nursery. These offer some further employment.
- At the 2011 census only 1.2% of residents were unemployed.



Despite the large number of Bloxham based businesses the majority of the economically active residents find work in the nearest commercial and industrial centre of Banbury with others travelling beyond to Oxford, Coventry, Birmingham or London. This Plan recognises the importance and appropriateness of encouraging and sustaining within the village the existing broad mix of businesses of all sizes.

3. Our voice

The Plan, which covers the period to 2031, builds upon the Parish Plan and has been prepared by the accountable body – Bloxham Parish Council, which has been assisted by the Neighbourhood Development Plan Groups comprised of parish resident volunteers with a good mix of genders and ages. It is based upon extensive research and robust engagement with the local community.

3.1 The consultation process

This plan has been the subject of extensive consultation. Broadly this was done via four methods:

1. Meetings open to all stakeholders
2. Meetings of working groups and steering group
3. Questionnaires
4. Local media, especially the village magazine and website

⁶ See Businesses in Bloxham section of the BNDP Infrastructure & Business Report

These are outlined in a little more detail below and in much greater detail in the BNDP consultation document. See also appendices 3 and 4.

3.1.1 Meetings open to all

These events are set out in the N.P. Consultation document and range from formal meetings through to an informal presence at events such as BloxFest or regular Parish Council ‘drop-ins’.

Stakeholders’ views were gathered with varying degrees of formality according to the event. Meetings elicited very consistent comments about the issues set out in section 3.2 many of which are covered more fully in the Sustainability Report.

3.1.2 Working groups and steering group

All groups consisted of volunteers and overall had a good balance of age and gender. The steering group set the agenda for working groups and monitored the progress of the plan.



There were three working groups:

1. Housing and landscape
2. Infrastructure and business
3. Recreation and leisure

These groups contributed to creating documents that constitute our main evidence base. These inform rather than define policies and although these working groups have now ceased to exist the reports will remain living documents up to the point of submission, i.e. information in them is updated as and when additional evidence becomes available or when pertinent omissions are pointed out. (They can be downloaded from the documents section of the BNDP website.) They total around 450 pages and reference around 400 further documents that have been considered during the creation of this plan.

3.1.3 Questionnaires

We draw upon the findings of four separate questionnaires:

Questionnaire	Date	Respondents
1. NP Main Questionnaire & ORCC Housing Needs Survey	Mar 2014	605 (45%) ⁷
2. NP Business Questionnaire	Jan 2014	76 (31%) ⁸



3. NP Young Person's Questionnaire	Jan 2014	57 (Unknown)
4. Parish Plan Questionnaire	July 2010	909 (76%)

Statistical analysis of the NP Main Questionnaire indicates we can have a very high degree of confidence in its findings. This constitutes our main evidence of extensive resident engagement. A number of additional small-scale questionnaires were used at 'drop-in' events. These invariably showed a high degree of consistency with the main questionnaire.

⁷ Main Questionnaire based on delivery to 1340 houses in 2014. Parish Plan based on 1196 houses in 2009.

⁸Based on estimate of 250 Bloxham businesses

3.1.4 Media

Web based

- A special website, Bloxham Neighbourhood Plan, was set up (<http://bloxhamneighbourhoodplan.co.uk/>) to provide access to shared documents. Total site usage exceeds 19,000 page-loads.
- Updates were also regularly posted on the Bloxham Broadsheet website (<http://bloxham.info/broadsheet/>) which gets 3000 page-loads per month.



Paper based

- Updates were posted in the paper edition of the Bloxham Broadsheet, which is read, by 95% of all Bloxham households.
- Additionally public notices of the consultation and a number of articles were carried in the Banbury Guardian. Information was also included in the village section of this local newspaper.

3.2 Issues Raised by Residents

Some key issues emerging from the above voices include the need to:

- a. Deliver the homes needed whilst avoiding further major developments and retaining village character, cohesiveness and sustainability.
- b. Preserve green buffers between Bloxham and neighbouring communities to prevent coalescence and creeping urbanisation and remain a distinct and vibrant community.
- c. Protect open spaces and key landscapes and views from both within the village and from key viewpoints along public rights of way.
- d. Provide attractive dwellings adaptable to the needs of empty nesters.
- e. Provide dwellings for local young people who want to buy (shared equity) as well as those who want to rent.
- f. Consider the needs of all residents in the light of the recent Sustrans report on low-carbon connectivity.
- g. Avoid exacerbating traffic congestion by more effective off-street parking and safe cycle and walking routes.
- h. Create low-carbon developments that are minimally impacted by climate change especially flood risk.
- i. Protect existing employment land and encourage home-working, micro and small businesses that avoid additional traffic problems and do not require large industrial style buildings.
- j. Consider sites away from existing traffic hot spots should a need for additional retail provision arise during the course of this Plan.
- k. Protect valued green areas and recreation spaces to give confidence regarding the cost implications of an emerging village recreation upgrade policy.
- l. Strive to ensure additional development is matched by necessary improvements to our infrastructure where it is already near or above capacity.
- m. Phase development to minimise the need for primary aged pupils to travel outside the village to gain a school place. This is a high priority for this Plan.
- n. Recognise that further development in Bloxham will see an inevitable reduction in the number of school places available to children from what are currently regarded as satellite villages.
- o. Seek improvements to digital networks, especially mobile coverage but also broadband.

4. A vision for Bloxham

Bloxham will appeal to people at all stages of their lives as a great place to live, work and visit. It will be a village that strives to maintain and improve a high quality of social, economic and environmental wellbeing by meeting the challenges of the future whilst properly respecting our historic rural past.

In conformity with the NPPF, the NPPG, and the adopted Local Plan (2015) this neighbourhood plan seeks better to match the speed and nature of development to the objectively assessed infrastructure requirements. How we enact this vision is made clear through this Plan's themes, objectives and our policies that follow.

5. Themes and Objectives

5.1 Themes

Four broad themes emerge from issues and challenges:

1. Deliver the houses the village needs
2. Protect and enhance our rural heritage
3. Promote economic vitality
4. Ensure a safe, healthy, cohesive community

5.2 Objectives

Theme	Objective
1. Deliver the houses the village needs	A. Meet the housing needs in a sustainable way.
	B. Build homes that improve general connectivity, minimise additional traffic congestion and cater for the projected increase in the number of residents with mobility issues.
	C. Build homes that adapt to and mitigate the effects of climate change.
	D. Build homes that better meet the needs of residents seeking to downsize.
	E. Build homes that show regard for the amenity of pre-existing properties.
2. Protect and enhance our rural heritage	A. All developments in the Conservation Area should protect or enhance its character or appearance and take account of the latest Conservation Area Appraisal.
	B. Development outside of the conservation area should protect, enhance and contribute to the rural character of the village as a whole.

	<p>C. Developments should recognise that lower density and the role played by public and private open space are significant components of rural character.</p> <p>Such space, along with key views both from within the village and from significant viewpoints on public rights of way around the village should be protected. Views of the parish church and of certain elements of Bloxham School are of particular significance.</p>
3. Promote economic vitality	A. Safeguard land currently associated with generating employment.
	B. Encourage buildings and services that cater for the start-up and expansion of micro and small businesses
	C. Encourage provision and take-up of superfast broadband and improved mobile networks
	D. Address any emerging need for additional retail provision in High Street and Church St in a manner that will minimise additional parking and traffic congestion problems and not detract from the historic and rural nature of our village
4. Ensure a safe, healthy, cohesive community	A. Protect important recreation spaces and green infrastructure.
	B. Provide a better range of recreational facilities and activities
	C. Secure primary school capacity that provides a place within the village for all children from Bloxham and ideally its satellite neighbours.
	D. Encourage walking and cycling.

6. Policies

Theme 1 Deliver the houses the Village needs

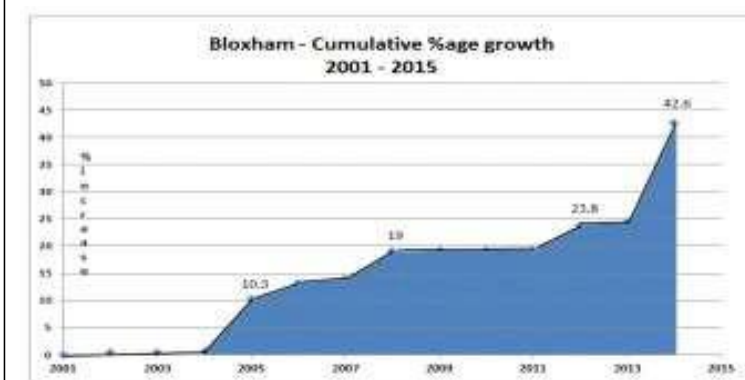
There are five elements to policies in this area:

- A. Housing Need and sustainability
- B. Developments that enhance village connectivity and have minimal impact upon village traffic congestion
- C. Homes that adapt to and mitigate the effects of climate change
- D. Homes that adapt to demographic change
- E. Homes that show regard for the amenity of pre-existing properties

A. Housing Need and Sustainability

- Whilst recognising the rural villages have a contribution to make, the Adopted Local Plan (2015) seeks to allocate most development to the larger urban centres⁹.
- Policy Villages 1 (C254) offers a broad-brush categorisation (Categories A to C) of rural villages based on their sustainability and indicates the types of development that may be suitable for each category. Bloxham falls within Category A
- The inspector of the adopted Local Plan (2015) notes (para 215) Many of the matters raised by representors relating to policies Villages 1 – 5 concern specific issues in individual settlements and/or sites of a non-strategic scale, i.e. with potential for less than 100 new homes, all of which are for consideration in the LP Part 2 process and consequently are not addressed in this report. Other representations, including from some Parish Councils, point to apparent inconsistencies and alleged inaccuracies remaining in the updated survey results, such that certain villages may have been mis-categorised. (para 216.) However, even if so in one or two instances, the hierarchy is not “set in stone” for the full plan period and will, no doubt, be reviewed from time to time and as and when new services and facilities are provided or others may be lost. In particular, the relevant survey data will need to be thoroughly checked and comprehensively reviewed during the LP Part 2 process and before any new development sites are allocated therein for settlements in category A.
- The Sustainability Report accompanying this neighbourhood Plan seeks to provide additional evidence pertinent to the categorisation of Bloxham.

The map and graph offer contextual information regarding Bloxham housing permissions during the last ten years (highlighted blue.)



⁹ Adopted Local Plan (2015) Foreword

During the creation of this plan three major developments have been approved the last of which will contribute towards the Adopted Local Plan (2015) Housing Numbers:

Permissions granted before March 2014 are not included in the Local Plan numbers of 750 dwellings on new sites of ten or more units allocated in the rural areas or in the additional allowance of 754 homes in the rural areas for sites of less than ten units.

Location	Application No.	Number of Dwellings	Decision
Tadmarton Rd	13/00496/OUT	60	Approved at appeal
Barford Rd	12/00926/OUT	75	Approved at appeal by S.o.S.

Decisions after March 2014 **do** count towards Adopted Local Plan (2015) housing allocations and projections.

Milton Rd	14/01017/OUT	85	Approved by CDC
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The Plan will be implemented within a context of significant recent and ongoing development which, whilst continuing to make a noteworthy contribution both to the general and affordable housing stock, is also imposing demonstrable stresses upon existing infrastructure¹⁰.



One important infrastructure issue is primary school capacity. Since the granting of the Approval for 220 additional dwellings in 2013/14 Oxfordshire County Council have submitted the following to Cherwell District Council. 'Bloxham Primary School has been expanded to the full extent of its site capacity. Further population growth in the village is likely to mean that not all children who live within the catchment will be able to secure a place at the school.'

NPPF para 72 notes: The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Assuming the number of new dwellings projected in this plan, our research indicates some short-term problems that should gradually resolve. In the event that the number of dwellings projected in this plan is greatly exceeded without simultaneous and significant attention to **in-village** primary school capacity then there is no doubt this will pose longer-term challenges for sustainability and village cohesion.

¹⁰ See BNDP Sustainability Report

Another issue that is becoming increasingly important, as the village grows and the population ages, is access to services. This is made increasingly challenging by high traffic levels, lack of parking and poor pedestrian connectivity. A recent Sustrans report (April 2015) totally contradicts the oft-quoted low-carbon connectivity of the village. It also describes the cycle route to Banbury as, “unsuitable for cycling at present.”



Further recent evidence comes from a Road Safety Foundation report (Sept 2015) which places the stretch of the A361 between Chipping Norton and Banbury – the road that bisects Bloxham - as the 8th most dangerous road in the country¹¹ with the report identifying 46% of the accidents being cyclists or pedestrians.

There are also significant traffic issues with no obvious or acceptable solutions. For example, at a recent appeal hearing it was recognised that the mini-roundabout at the junction of Church Street and Barford Road was of a design and capacity unable to cope with the traffic flows. Solutions were assumed to be available but because of the constraints of surrounding buildings, none has been forthcoming.

The foregoing is intended as factual information about Bloxham’s infrastructure that inform the creation of the Plan policies that follow. (There is a much fuller coverage of the detail in the BNDP Sustainability Report and The Infrastructure and Business Report.)

During the creation of this Plan three major developments highlighted in the table on page 18 have been granted permission and amount to 220 new homes. However, permissions granted before March 2014 are not included in the Local Plan numbers of 750 dwellings on new sites of ten or more units allocated in the rural areas. Therefore 85 dwellings count towards the housing requirements that Bloxham will contribute in the current Local Plan period in respect of Local Plan Policy Villages 2. In addition small site windfalls within the built up limits of the village will also make a contribution to the additional allowance of 754 homes in the rural areas for sites of less than ten units.

¹¹ Road Safety Foundation Report

Given the emphasis the NPPF, the NPPG and the adopted Local Plan place upon infrastructure and sustainability, residents are confident that a policy to include a major development of 85 recently approved dwellings (Policy BL1 – Map 1) plus additional sustainable development by infill, conversion and minor development (Policy BL2) will be seen as making a significant contribution to boosting housing supply and the dwellings numbers outlined in the Local Plan. A significant aim of this NDP is to ensure that in future years Bloxham can truly be said to be a sustainable village.

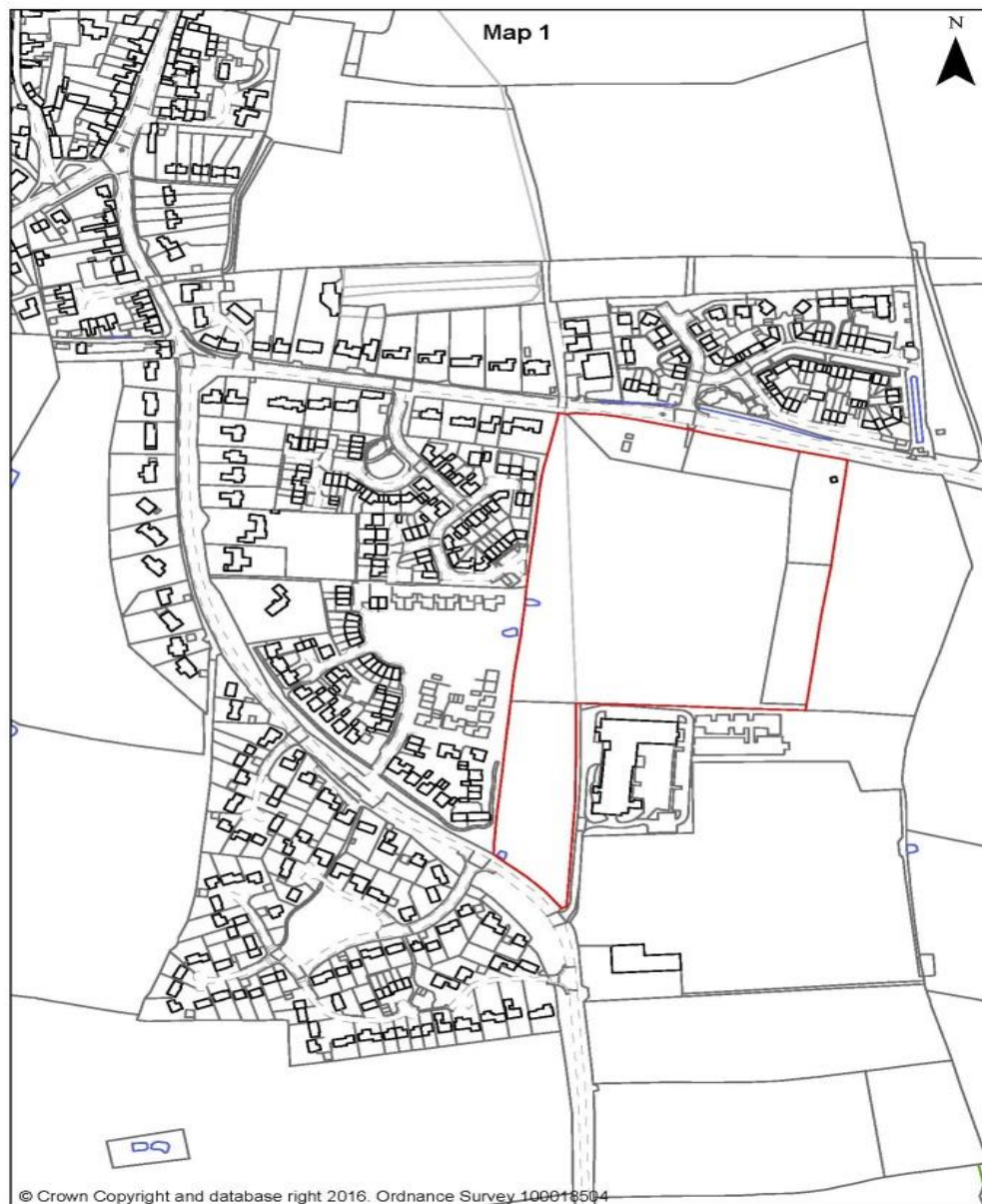
We consider policies BL1 and BL2 are consistent with each of the following:

✓ NPPF	<p>Para 7 ...by identifying and coordinating development requirements, including the provision of infrastructure.</p> <p>Para 72 - The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs...</p>
✓ Adopted Local Plan (2015)	<p>Policy Villages 1 (C261 ->) sets out the types of development that may be accommodated in rural villages:</p> <ul style="list-style-type: none"> i. Minor development: less than 10 dwellings; ii. Infill: development of a small gap in an otherwise continuous built-up frontage; iii. Conversions: the conversion of either residential or non-residential buildings. <p>It offers a categorisation (A-C) of villages according to measures of sustainability. Bloxham is one of 35 category A and B villages considered potentially suitable not only for infill and conversions but also for minor development within the built-up limits.</p> <p>Policy Villages 2 (C272 ->) seeks to allocate sites for 10 or more dwellings to create a further 750 dwellings in the more sustainable (category A) rural areas including</p>

	<p>Kidlington.</p> <p>Policy INF 1 (D11) states infrastructure should be provided as an integral part of development.</p> <p>Para A9 states - We will ensure people have convenient access to health, education & open space.</p> <p>In response to consultations and recent housing applications, OCC make clear more dwellings pose potential issues regarding the availability of in-village primary school places.</p>
✓ Oxfordshire County Council	In response to consultations and recent housing applications, OCC make clear more dwellings pose potential issues regarding the availability of in-village primary school places.
✓ BNDP Steering Group	We are clear that payment of planning obligation contributions alone does not constitute a solution to the sustainability and community cohesion issues that may arise from any failure to match in-village primary school capacity to development proposals.
✓ Community Support	The questionnaire records 87% of residents support minor but not further major developments and 96% think development should not outpace primary-school capacity

POLICIES ON SUSTAINABLE HOUSING AND SIZE OF DEVELOPMENTS

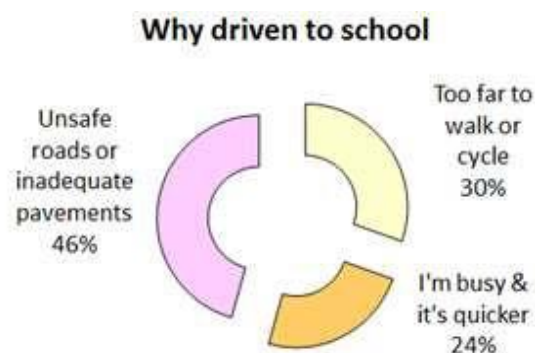
BL1 Development of approximately 85 dwellings is supported to the south of Milton Road as shown on Map 1 subject to compliance with the other policies of this Plan.



BL2 In addition to the major development set out in Policy BL1 the following sustainable development will also be permitted: conversion, infilling and minor development within the existing built up limits provided that such additional developments are small in scale typically, but not exclusively, five dwellings or fewer.

B. Village connectivity and parking

Residents have repeatedly highlighted¹² safety concerns about walking Bloxham's narrow streets and medieval pavements to reach local services and facilities. Their frustrations are amplified by parking on pavements, the ever-increasing traffic on the A361, and particularly by HGVs, which often overhang the narrow pavements.



They also express concern about an inadequacy of public transport to Banbury: something that will not be helped by the recent (Nov 10 2015) decision by Oxfordshire County Council cabinet members to scrap all subsidised bus routes.¹³

The recent Sustrans report confirmed most of Bloxham's pavements are not fit for purpose; e.g., a parent cannot safely walk along the main village corridors with a buggy and another child. This issue, coupled with high traffic levels, results increasingly in residents travelling by car even within the village. We are keen that developers pay proper regard to low-carbon connectivity, improving it wherever practicable.

There is extensive data upon levels of car ownership in Bloxham and all point to the proportion of households with multiple vehicles being around twice the Cherwell and UK average.¹⁴

Unsurprisingly on street (or all too often on-pavement), parking presents a further major impediment to the flow of both traffic and pedestrians. The March 2015 Planning Update notes local planning authorities should rarely impose local maximum parking standards for developments.¹⁵ This plan seeks that new developments offer on-plot parking that is commensurate with the evidenced levels of car ownership¹⁶ rather than the more general Oxon. C.C. parking standards which are, according to the OCC consultation response, only advisory¹⁷.

¹² See BNDP Main Questionnaire results

¹³ Oxon CC cuts to transport funding – Banbury Guardian 15th May 2015

¹⁴ See BNDP Main questionnaire or BNDP infrastructure and business report for detailed evidence

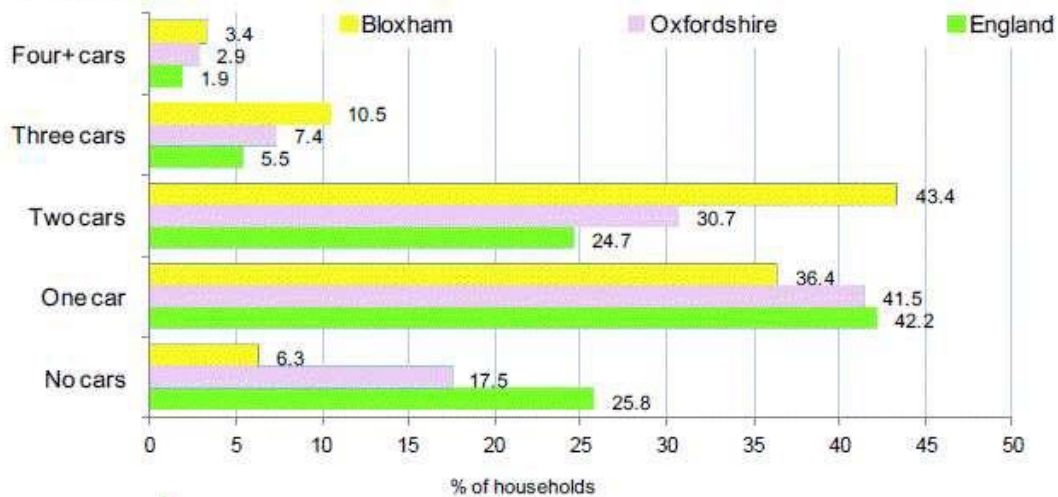
¹⁵ Planning update – March 2015: parking

¹⁶ ORCC Rural community profile for Bloxham

¹⁷ Ben Smith (OCC) "It is important to note that the Parking Standards are not a binding document"

No cars	One car	Two cars	Three cars	Four+ cars
80	465	555	135	45
6.3% of 1,280 households (England = 25.8%)	36.4% of 1,280 households (England = 42.2%)	43.4% of 1,280 households (England = 24.7%)	10.5% of 1,280 households (England = 5.5%)	3.4% of 1,280 households (England = 1.9%)

Car ownership



Community profile for Bloxham (Parish), © ACRE, OCSI 2013.

We consider policies BL3 to BL5 consistent with the following:

✓ NPPF	General: Promoting sustainable transport especially para 29 and 30 Using a proportionate evidence base: meet household and population projections, taking account of migration and demographic change
✓ DCLG Planning Update March 2015	Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary.
✓ Adopted Local Plan(2015)	Policy ESD15 creates high quality and multi- functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing
✓ Community Support:	In the questionnaire 90% favour on-site parking. 84% think preference should be given to developments offering safer pedestrian routes to village services.

POLICY ON CONNECTIVITY

BL3 All new development shall be required, wherever appropriate, to promote and improve low-carbon connectivity via new or existing networks of pedestrian paths and cycle routes such that new residents, including those of school age and the mobility impaired, have safe pedestrian, cycle or wheelchair/ mobility scooter access to village services.

POLICIES ON PARKING

BL4 In the case of new residential development, a minimum of one parking space will be required for dwellings with one or two bedrooms and a minimum of two spaces will be required for dwellings with three or more bedrooms to be provided on the plot.

In addition to this on-site provision, shared and visitor parking is expected to be provided in a location convenient to the dwellings it serves. It is expected that this will usually be provided at a rate of at least 0.5 space per dwelling served.

Where garages are provided they should be physically well related to the properties they serve and be of an appropriate size to accommodate modern cars.

Parking courts will not be generally considered to be an acceptable alternative to on-site provision.

BL5 Insofar as planning permission is required any proposal to alter or extend an existing dwelling that would reduce the existing level of off-street parking provision will be resisted unless it can be satisfactorily demonstrated that the amount of overall parking provision retained is satisfactory.

C. Development that adapts to Climate Change

Bloxham is in an area of water stress. It is also a flood hotspot within the county. The geology is mostly ironstone or impermeable clay and there have been a number of serious flood events in recent years emanating from both fluvial and surface-water run-off¹⁸. The medieval nature of the central village means there is no separation of foul water and surface water and this compounds both the risk and unpleasantness of flooding incidents!

There is a history of poor resilience of the electricity supply¹⁹ and considerable concern as to the consequences of electrical failure for new developments that rely on

electrically pumped drainage.

Government Policy on moving towards zero-carbon homes is currently actively evolving.²⁰ Whilst we are keen to encourage low on-site CO2 emissions even on small developments, we will defer to the prevailing National and Local Plan requirements with regard to this.

¹⁸ BNDP Infrastructure and Business Report – Flooding

¹⁹ See infrastructure and business report also see both residents and business questionnaires.

²⁰ Next steps to zero carbon homes

We consider policies BL6 and BL7 to be consistent with the following:

✓ NPPF	Para 102-3 Sequential Test and avoid flooding elsewhere. General: Core Planning Principles Support the transition to a low carbon future in a changing climate. See also Meeting Climate Change especially para 94 and para 100: development in areas at risk of flooding should be avoided and apply a sequential, risk-based approach and manage any residual risk.
✓ NPPG	Housing: Optional Technical Standards para 014: Where there is a clear local need, local planning authorities can require new dwellings meet the tighter Building Regs optional requirement of 110 litres/person/day.
✓ Adopted Local Plan (2015)	Policy ESD3 seeks higher than average water efficiency Policy ESD 2 Energy Hierarchy See also Oxon CC support for SuDS in pre-publication consultation feedback.
✓ Community Support	94% of residents think homes should meet higher than normal standards of water efficiency. 95 % want high energy efficiency.

POLICIES ON ADAPTATION TO CLIMATE CHANGE

BL6 All new housing development shall be designed for a maximum of 110 litres/person/day water usage in line with proposed optional building regulations on water efficiency standards or its successor.

BL7 Development should not increase flood risk. Planning applications for development within the Plan area must be accompanied by a site-specific flood risk assessment in line with the requirements of national policy and advice, but may also be required on a site by site basis based on locally available evidence. All proposals must demonstrate that flood risk will not be increased elsewhere and that the proposed development is appropriately flood resilient and resistant.

Information accompanying the application should demonstrate how any mitigation measures will be satisfactorily integrated into the design and layout of the development.

Where pumped drainage is employed, design features which help to ensure that property flooding will not occur in the event of a temporary failure of the mains electricity supply must be incorporated.

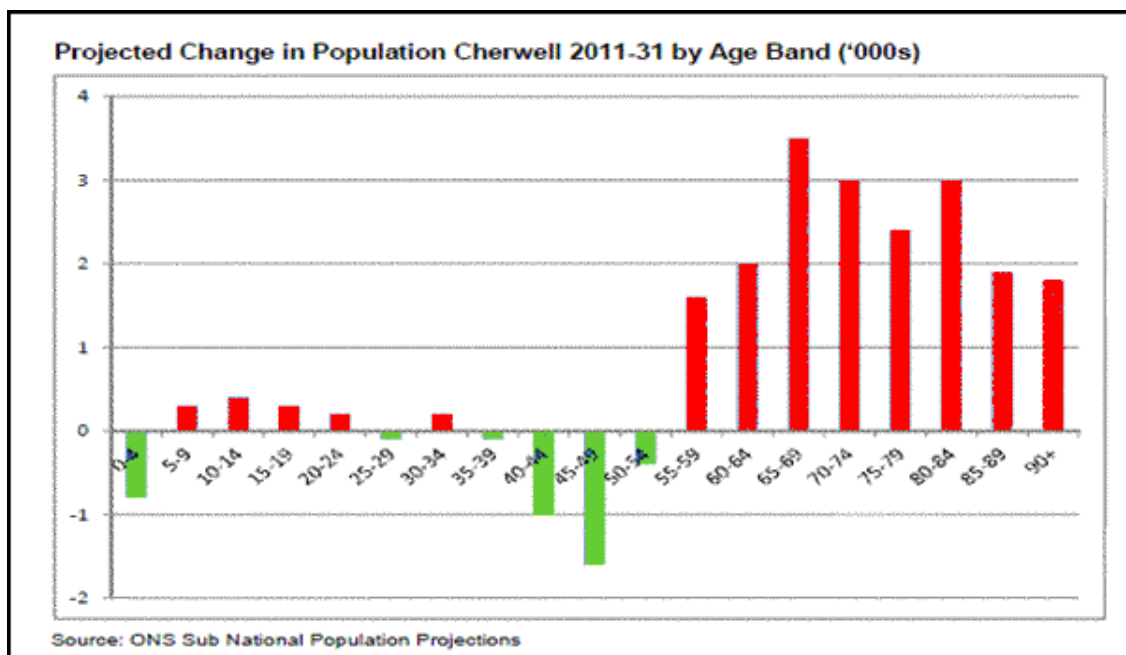
The use of sustainable urban drainage systems will be encouraged where appropriate.

D. Housing that adapts to demographic change

In common with the rest of the UK Bloxham has an ageing population where mobility issues will become increasingly common.²¹ Sustainable communities enable older members of the community to remain in 'mobility-friendly' homes for as long as practicable and the most economical way of achieving this is by designing it in at the outset.²²

²¹ See BNDP Housing & Landscape Report: The Ageing Population

²² Sustainable planning for housing in an ageing population



From the many consultations and questionnaires, the following emerge as important issues:

- I. Open market, downsize housing would encourage the elderly to free up family homes;
- II. Downsize housing has to prove attractive.²³ In Bloxham, important issues include: on-site parking, privacy, attractive but manageable garden space and rural housing densities;
- III. Around 80% of Bloxham residents think all new homes should be readily adaptable to the mobility impaired;

We consider these policies consistent with the following:

✓ NPPF	<p>Para 50 Plan for a mix of housing based on current and future demographic Trends.</p> <p>Para 159 Meet household and population projections, taking account of migration and demographic change</p>
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²³ Page 35 Strategic Housing Market Assessment review and update 2012

✓ Adopted Local Plan(2015)	Policy BSC4 (B126) Recognise a ageing population and higher levels of disability and health problems amongst older people See also pre-publication consultation feedback from Oxon CC
✓ SHMA 2014	Para 8.33 There may be some merit in considering providing bungalows in locations with a specific demand from households to downsize. The growing older population (particularly in the oldest age groups) will result in growth in households with specialist housing needs
✓ Community Support	Around 32% state that they might consider downsizing during the period of this plan. At least 70% of residents regard the factors set out in these policies to be important downsize criteria. 80.3% thought new homes should be readily adaptable to older people and those with limited mobility. Less than 10% thought otherwise.
✓ Building Regs	

POLICY ON HOUSING THAT ADAPTS TO DEMOGRAPHIC CHANGE

- BL8 Wherever practicable all new housing developments should include at least 20% open-market homes that:**
- a. Are clearly designed for the needs of residents at or beyond the state pension age**
 - b. Take especial care to ensure landscaping and layouts that confer a sense of space and privacy**
 - c. Are bungalows or dwellings of a maximum of two stories including any roof accommodation**

E. Housing that shows regard for the amenity of existing properties

Regard for the amenity of existing residents must be an important consideration when deciding the location, design, spatial arrangement and additional infrastructure for any new development.

As well as issues in the immediate vicinity, such as noise, light pollution, privacy, access to daylight and traffic flows, there is an urgent need properly to demonstrate the development will not adopt a dismissive approach to overloading already stretched elements of infrastructure such as water, drainage or primary school places within the village. We consider these policies consistent with the following:

✓ NPPF	Core planning principles: para 17 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants
✓ Adopted Local Plan (2015)	B2 Theme 2 (B86) Ensure that new development fully integrates with existing settlements to forge one community, A9: We will ensure people have convenient access to health, education & open space.
✓ Community Support	98.3% of residents consider the height and positioning of new buildings should ensure minimal invasion of privacy for existing dwellings. Only 10% consider 3-storey town-house style buildings acceptable. Many residents record problems with water utilities over the last 5 years: supply cuts (53%), pressure (44%) and drainage (30%). 96% of residents think development should not be allowed to outstrip primary school capacity for village families

POLICY ON REGARD FOR THE AMENITY OF EXISTING RESIDENTS

BL9 All development shall where appropriate:

- a. Ensure that the living conditions of neighbouring residents are not materially harmed
- b. Ensure that there is adequate wastewater and water supply capacity to serve the new development and to avoid the exacerbation of any existing problems
- c. Ensure that the impact of any additional traffic likely to be generated by the development has been satisfactorily mitigated and will not adversely affect the highway network.
- d. For new housing developments, ensure that a sufficient supply of local primary school places is available to meet the needs of existing and new residents

In order to meet the requirements of Policy BL9 b. it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing wastewater and water infrastructure.

Theme 2 Protect and enhance our rural heritage

There are three elements to policies in this area:

- A. Protect and enhance the conservation area;
- B. Contribute to the rural character of the village as a whole;
- C. Recognise the importance of open space and key street-scenes and views.

A. Protect and enhance the conservation area

Bloxham Conservation Area was the fourth Conservation Area to be designated in Cherwell District reflecting the importance placed on Bloxham's historical, aesthetic and architectural character and the quality and undisturbed nature of large areas of its vernacular 16-17th century architecture.

The CDC Bloxham Conservation Area Appraisal (2007)²⁴ describes a mix of informal terraces creating a sense of enclosure, low-density detached properties with large gardens, detached statement buildings, and semi-detached cottages. Buildings throughout the Conservation Area are predominantly 2-storey and they generally face the street. Many have small front gardens or on-street greenery which soften the view and there are grass verges, some green open spaces and significant numbers of mature trees, many with Tree Preservation Orders, in public and private spaces. There are important and attractive views into and out of the Conservation Area to the countryside beyond. Interestingly, there is more off-street parking and garages than might be expected in the Conservation Area mainly due to the number of properties on good-sized plots.

The BNDP document Archaeological and Heritage Data²⁵ offers more detail of listed assets.

We consider these policies consistent with the following:

✓ NPPF	Foreword: Our historic environment – buildings, landscapes, towns and villages –can better be cherished if their spirit of place thrives, rather than withers Para 7 Contributing to, protecting and enhancing our natural, built and historic environment. Para 17 Take account of the different roles and character of different areas
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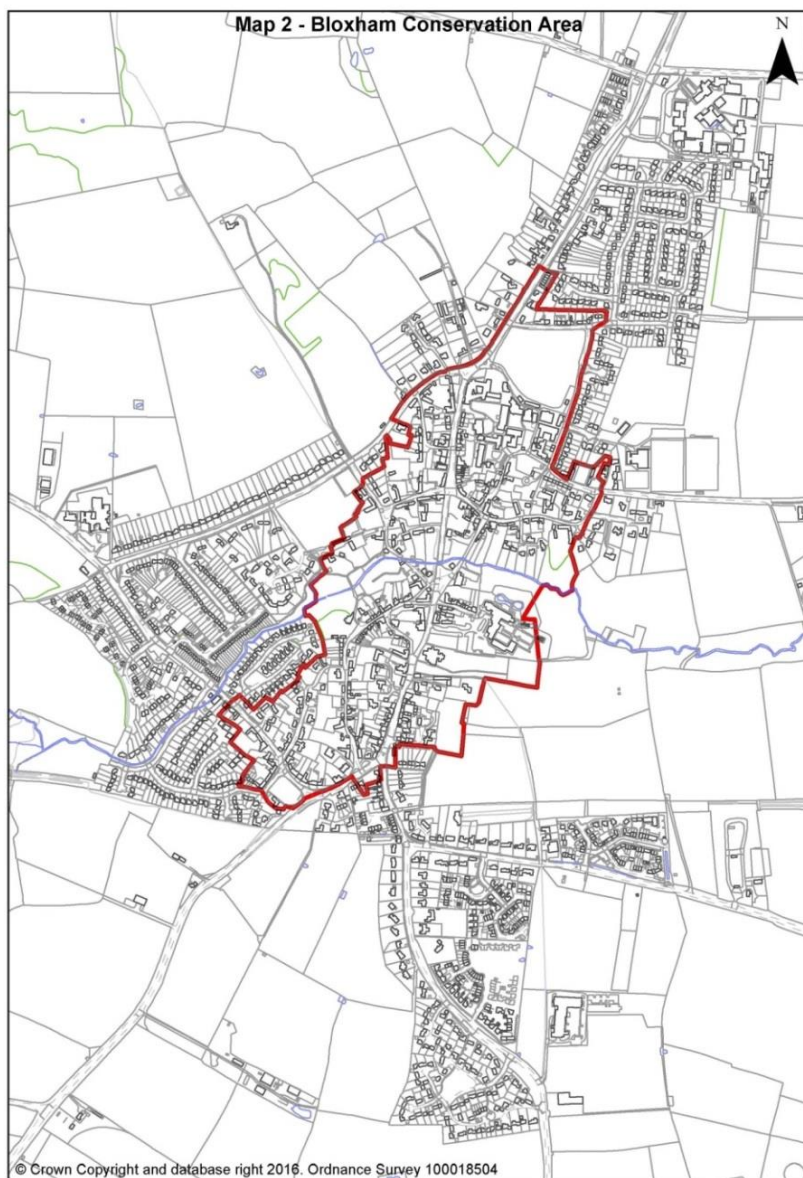
²⁴ Policy statement on the conservation area

²⁵ BNDP Archaeological and Heritage Data

✓ Adopted Local Plan(2015)	Foreword Seeks to preserve and enhance what makes Cherwell District special; our dynamic market towns, the 60 Conservation Areas, our beautiful villages and wonderful landscape
✓ Community Support	97% of residents think protecting the feel and heritage of Bloxham is important

POLICY ON THE CONSERVATION AREA

- BL10 Development shall be permitted within the Conservation Area (shown on Map 2) where it can demonstrate that it:**
- a. Preserves or enhances the character or appearance of the area;**
 - b. Takes account of the Conservation Area Appraisal (2007) or any successor documents**



B. Contribute to the rural character of the village as a whole

Many of the comments presented to recent planning applications and enquiries demonstrate the obligation felt by Bloxham residents to preserve, enhance and retain the rural character of their village. Frequent reference to ‘rural character’ in our own consultations further demonstrates the strength of this feeling. It was suggested in the Countryside Design Summary²⁶ produced by CDC in 1998 that villages might commission their own Village Design Statements. Whilst not going quite this far, we have sought to identify characteristics of Bloxham outside of the Conservation Area that contribute positively to the ‘sense of place’ that is Bloxham. We acknowledge Bloxham’s 20th and 21st century developments are to some extent products of their time not all of which are wholly reflective of, or sympathetic to our rural heritage.

²⁶ Countryside design summary

We are keen that less appropriate examples from this era should not be used as a precedent for a lowest-common-denominator approach that progressively erodes the historic character of our village.

Better examples of recent developments have contributed positively to Bloxham's rural character by:

- The use of green space to the front of properties, usually a front garden
- Green verges and green open space
- The retention of significant trees and hedgerows and new tree planting
- Lower (rural) density, well-spaced dwellings on good sized plots
- Dwellings that are almost exclusively 2-storey
- Parking in proximity to individual dwellings;
- Unobtrusive lighting

We will expect future developments to be suitably mindful of these features.

We consider these policies consistent with the following:

✓ NPPF	<p>Para 17 Planning must be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p> <p>Para 57 Inclusive design for all development, including individual buildings, public and private spaces.</p> <p>Para 59 Guiding new development in relation to neighbouring buildings and the local area more generally.</p>
✓ Local Plan (1996)	<p>Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development.</p>
✓ Adopted Local Plan(2015)	<p>A9 We will cherish protect and enhance our distinctive natural and built environment and our rich historic heritage.</p>
✓ Community Support	<p>98.3% think developments should preserve the rural feel of Bloxham.</p> <p>Less than 10% think modern 3-storey</p>

	<p>townhouse designs are appropriate for use in Bloxham.</p> <p>92% thought where a new development is in an area that already has houses with a mix of styles and materials, new dwellings should 'lean towards' rural not urban.</p>
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POLICY ON CONTRIBUTING TO THE RURAL CHARACTER OF THE VILLAGE

BL11 All development shall be encouraged to respect the local character and the historic and natural assets of the area. The design and materials chosen should preserve or enhance our rural heritage, landscape and sense of place.

It should:

- a. Relate in scale, massing and layout to neighbouring properties and the density of new housing development should be consistent and compatible with the existing and prevailing density and reflect the locally distinctive character of the locality in which the new development is proposed and should not usually exceed 30 dwellings per hectare.
- b. Be in keeping with local distinctiveness and characteristics of the historic form of the village;
- c. Make a positive contribution to the character of Bloxham and its rural feel;
- d. Use materials in keeping with the distinctive character of our local brick or ironstone;
- e. Make good use of trees, garden space, hedgerows and green space to soften the street scene;
- f. Preserve existing areas of open space and take every available opportunity to create new open space to help retain rural character;
- g. Use smart, energy efficient lighting of public areas that accords with the recommendations of the Institute of Lighting Engineers recommendations on reduction of obtrusive light (or its successors) so as to convey a rural feel and avoid light pollution wherever possible;
- h. Take account of the scale of any harm or loss that it might impose upon any non-designated historic assets and;
- i. Take opportunities to protect and wherever possible enhance biodiversity and habitats.

C. Recognise the importance of space and key street-scenes and views

This section is about character, visual impact, heritage and landscape. These are pivotal aspects of retaining the rural character of Bloxham that are central to this plan.

Open Space

Important considerations include:

1. Use of rural not urban housing densities;
2. The protection of existing green-areas;
3. The importance of garden space.

Cherwell D.C note at paragraph B.102 of the adopted Local Plan (2015) that the density of housing development will be expected to reflect the character and appearance of individual localities. It follows that cumulative loss of open space in Bloxham would have an urbanising impact and this will not in general be supported.

The Cherwell D.C. Open Space Assessment 2006 (as updated by the Open Space Update 2011)²⁷ identifies amenity green spaces of importance to Bloxham. Development of these spaces will not in general be supported. The contribution of garden space to the overall visual impact should not be ignored and to prevent a potential cumulative loss of openness proposed development of gardens will not in general be supported.

Key Views and tranquility

There will be particular concern to protect:

1. Views identified in the Cherwell Bloxham Conservation Area Appraisal
2. Views of the church
3. Certain other key views and street scenes (see below)
4. Views from, and tranquility of, Public Rights of Way
5. Certain areas earmarked for recreational / amenity use as part of recent planning approvals

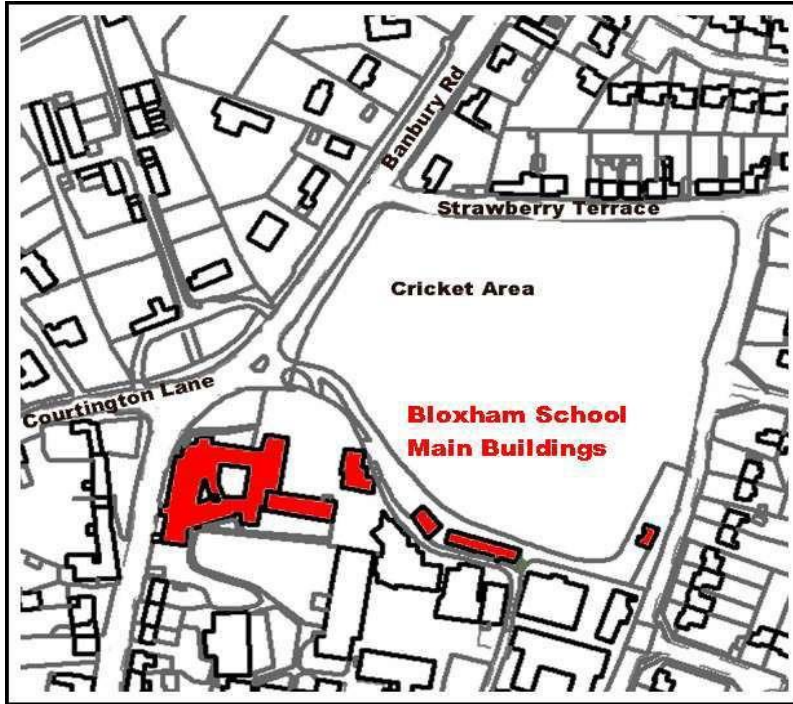
²⁷ Cherwell Open Space Assessment (2011)

The Cherwell Bloxham Conservation Area Appraisal (2007) identifies important listed and non-listed assets but also identifies key views that should be protected. Until recently, the 60m (198ft) church steeple could be seen from most areas of the village. Further development should employ designs that minimise further loss of such views.

Public Rights of Way within the Parish generally are well used and highly valued partly for their contribution towards connectivity but also for the close-to-hand peace, relative tranquility and views that they offer. We are keen that the importance of these green corridors should not be understated.

Three key views or street scenes of particular importance to residents are set out in the text that follows.

Key views 1: The area fronting the Bloxham School main buildings



The CPRE Consultation comment states, 'Few other villages have such a statement of arrival.'

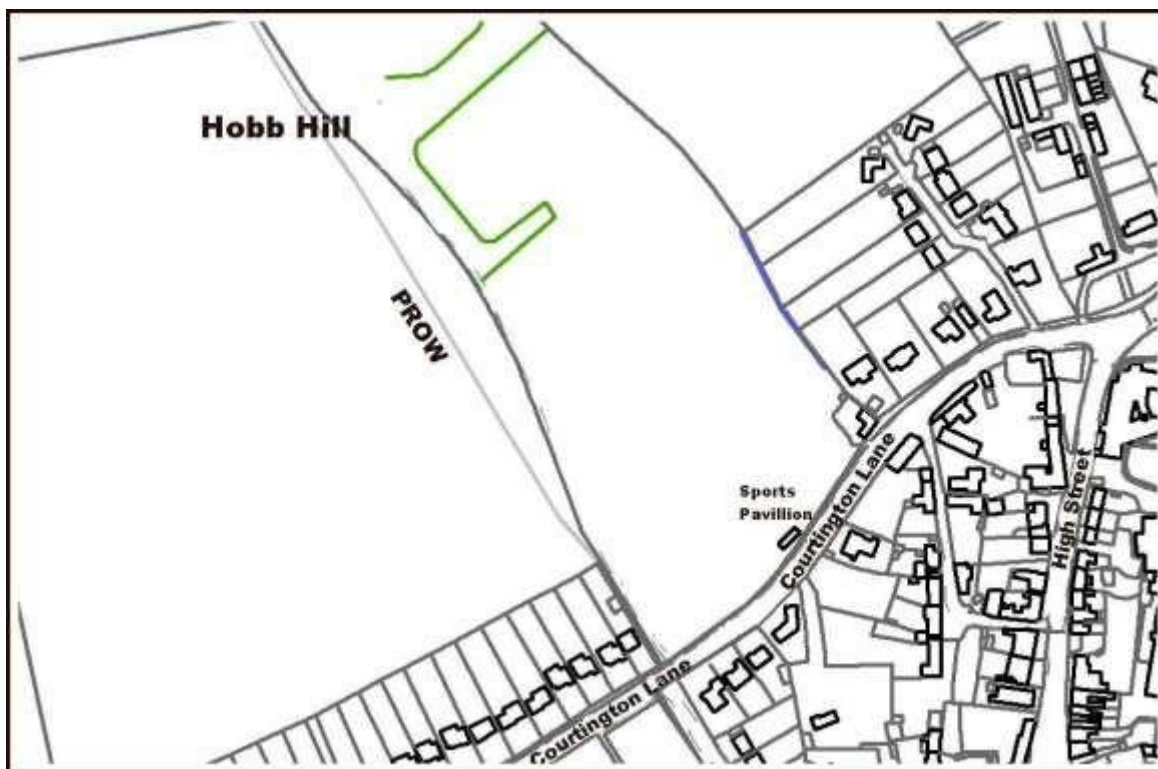
It has dominated the northern approach for around 150 years and regularly appears on school marketing materials. It is an area significant for its beauty and holds an important place in the history of the village.

With the possible exception of the parish church, its visual impact is unsurpassed.

We would expect any future development would show great sensitivity to preserving the overall visual impact.



Key views 2: Hobb Hill.



From Courtington Lane, within the very heart of the village, are views across Bloxham School rugby grounds to open countryside up onto Hobb Hill. Again, we would expect any future development to show great sensitivity to preserving the overall visual impact.





From the public footpath. A public right of way runs along the far side of the hedge shown in the left of the previous panoramic view. It is regularly used because of its convenient central location and because the footpath is the only place offering such stunning panoramic views of the village in its verdant setting. We seek to preserve these views for present and future residents.



Key views and street scenes 3: The Red Lion Garden

The construction of the A361 in 1815 led to loss of the village green. The area remaining consisted of a piece of land hosting the war memorial and what became the current Red Lion garden which has long been used for open-air community activities such as outdoor plays, village fetes and festivals.

The pub is already registered as a community asset and the pub garden is the subject of a current heritage status bid²⁸

This whole compact triangle between the Red Lion pub, the 17C Elephant and Castle coaching inn and the 16th century Joiners Arms is an area of highly distinctive character. We do not seek to inhibit appropriate improvements to the Pub or its outbuildings but will not support development on the Red Lion garden.

²⁸ Red Lion Garden – A Heritage Asset?



- Triangle of pubs character zone
- Red Lion Garden
- Red Lion Pub and out-buildings
- Elephant & Castle Pub
- Joiners Arms pub
- War Memorial Green

Red Lion Garden



The Joiners



War Memorial



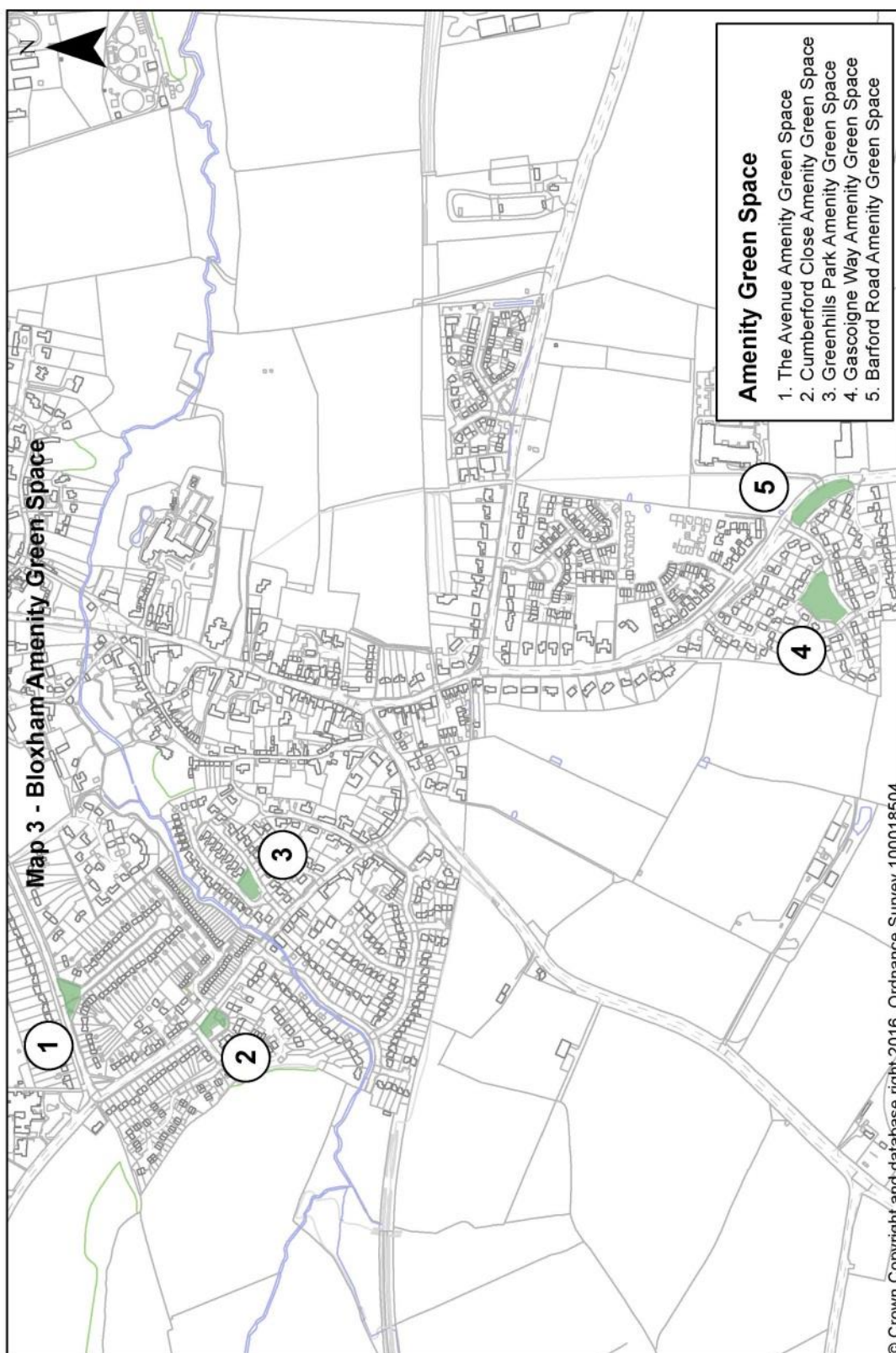
Elephant & Castle

We consider these policies consistent with the following:

NPPF	<p>Para 58 Respond to local character and history, and reflect the identity of local surroundings and materials.</p> <p>Para 75 Planning policies should protect and enhance public rights of way and access.</p> <p>Para 109 Should contribute to and enhance the natural and local environment protecting and enhancing valued landscapes.</p> <p>Para 156 Conservation and enhancement of the natural and historic environment, including landscape.</p>
Local Plan (1996)	<p>C33 The Council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.</p> <p>Para 6.38 Preserve as far as possible the visual character of the countryside and the indigenous wildlife of the site.</p>
Adopted Local Plan(2015)	<p>SO15 Protect and enhance historic and natural environment and Cherwell's core assets, including protecting and enhancing cultural heritage assets</p> <p>A27 Protect and enhance wildlife habitats as priority.</p>
Oxfordshire C C	<p>Communities are able to be actively involved in promoting responsible walking and riding in their area. (Oxon PROW Management Plan 2015-25)</p>
Community Support	<p>98.3% want to preserve the rural feel.</p> <p>96% support soft-edge boundaries, trees, hedgerows.</p> <p>93% Minimise light pollution, especially towards the village boundaries.</p> <p>98% want to preserve PROW around Bloxham.</p> <p>Over 90% of residents want the Red Lion gardens protected.</p>

POLICY ON THE IMPORTANCE OF SPACE AND KEY STREET SCENES AND VIEWS

- BL12**
- a. Any development proposed within or near the key views identified in the Conservation Area Appraisal 2007 or any successor document must ensure that key features of the view can continue to be enjoyed and that any development has an acceptable impact in relation to the visual qualities of those views.
 - b. All development shall demonstrate that it does not result in harm to the rural or heritage character of the village. This will include consideration of the impact of the development on:
 - i. The key features of the views of the Church, the area fronting Bloxham School main buildings, towers or arches and views from Courtington Lane to Hobb Hill.
 - ii. The open character of the five amenity green spaces named and identified on Map 3.
 - iii. The key features of the views from, and the tranquility of, public rights of way within the Parish shown on Map 6.
 - iv. The historic and open character of the Red Lion garden.
 - c. Development on residential gardens will not usually be permitted.
 - d. Development on open spaces and sports and recreational land including those areas designated for amenity use through planning permissions, will not be supported unless it can be demonstrated the loss would be replaced by equivalent or better provision in a suitable location. This also applies to the country park at Tadmarton Road shown on Map 4 and the amenity space at the Bloxham Mill Business Park shown on Map 5.



Map 5



Map 4



Note – Where we refer to open spaces and sports and recreational land in the policies above this will include spaces listed in Cherwell D.C. Open Space, Sport and Recreational Facilities Needs Assessment Audit and Strategy 2006 (as updated by the Open Space Update 2011) and all open spaces specifically identified as part of the planning process.

Theme 3 Promote Economic Vitality

- A. Safeguard land currently associated with generating employment
- B. Encourage buildings and services that cater for the start-up and expansion of micro and small businesses
- C. Encourage provision and take-up of superfast broadband and improved mobile networks
- D. Address any emerging need for additional retail provision in High Street and Church St in a manner that will minimise additional parking and traffic congestion problems and not detract from the historic and rural nature of our village

A. Policy – Protecting Employment Land

There is no specifically designated unused employment land in Bloxham although Banbury, some four miles away, has land available. In the interests of sustainability, we should at least seek to protect what little land there is associated with employment.

We consider these policies consistent with the following:

✓ NPPF	Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping
✓ Local Plan (1996)	
✓ Adopted Local Plan(2015)	Policy SLE1 & para B36 The Council will, as a general principle, continue to protect existing employment land.
✓ Community Support	From various consultations, we know the community appreciates the value of having employment available within the village

POLICY TO PROTECT EMPLOYMENT LAND

BL13 Land that currently contributes to employment shall be retained for employment use unless it can be convincingly demonstrated the use of the site solely for employment is no longer viable.

B. Policy Encouraging start-up and small business expansion

Bloxham has a dynamic and successful mix of micro-businesses mostly operating from homes or from Bloxham Mill Business Centre. In the interest of sustainability, we will encourage spaces that foster start-up and expansion of such businesses provided these do not negatively impact neighbouring residential dwellings.

We consider these policies consistent with the following:

✓ NPPF	Para 21 Facilitate flexible working practices such as the integration of residential and commercial uses within the same unit and plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high tech industries;
✓ Local Plan (1996)	
✓ Adopted Local Plan(2015)	Policy SLE1 New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria
✓ Community Support	There is general support for additional knowledge based and creative/aesthetic businesses amongst residents. 56% of residents consider that all new houses should have at least one room pre-adapted to be a home office.

POLICY TO ENCOURAGE START-UP AND SMALL BUSINESS EXPANSION

- BL14 a. Proposals for new live-work development combining living and small-scale employment space will be viewed favourably within the built up area provided it:**
- i. does not result in the loss of Class A1 units or community facilities;**
 - ii. does not adversely affect the living conditions of neighbouring occupiers;**
 - iii. does not unacceptably affect the local road network through the amount or type of vehicles associated with the proposed use and has sufficient parking provision;**
 - iv. does not exacerbate flood risk.**
- b. Proposals to develop B1 business uses of less than 150 square metres through new build, conversion or splitting up existing employment space shall be viewed favourably, provided that the living conditions of neighbouring residents are not**

materially harmed and the impact of any additional traffic likely to be generated by the development has been satisfactorily mitigated and will not adversely affect the highway network.

C. Policy to Encourage better quality digital communication

The quality of mobile networks coverage and the speed and variability of broadband is currently an impediment to business.

- I. Installation and take-up of superfast broadband within the village has already commenced.
- II. Improvement to mobile coverage will be encouraged.

We consider these policies consistent with the following:

✓ NPPF	Para 43 Plans should support the expansion of electronic communications networks, including telecommunications and high-speed broadband.
✓ Local Plan (1996)	
✓ Adopted Local Plan(2015)	BSC 9 All new developments will be expected to include provision for connection to Superfast Broadband
✓ Community Support	65% suffer problems with mobile reception in the village. Broadband, mobile coverage and the electricity supply rank as the top three services residents seek improvements to. Businesses put mobile coverage slightly above broadband with electrical resilience third.

POLICY TO ENCOURAGE IMPROVED DIGITAL COMMUNICATION

- BL15**
- a. New live-work or business accommodation shall be provided with a superfast fibre connection, or ducting to facilitate such connection when it becomes available.**
 - b. Proposals from mobile phone network operators to improve mobile coverage will be supported where:**
 - i. the applicant has fully explored the opportunities to erect apparatus on existing buildings, masts or other structures;**
 - ii. the numbers of radio and telecommunications masts are kept to a minimum consistent with the efficient operation of the network and have been sited and designed to minimise the impacts on local character.**

Where proposals are in particularly sensitive areas, applicants will be required to provide additional information to support their application through means including photomontages, accurate visual imagery to industry standards or maps demonstrating sightlines.

D. Policy – Address any emerging need for additional retail provision

Village expansion has placed the High Street shops out of walking range for much of the village. Increasingly customers arrive by car where their attempts to park contribute majorly to village traffic congestion. In consequence, many drive on into Banbury where they can park near the shops with relative safety. An additional retail hub(s) near the village periphery is advocated by some but others fear it would prompt High Street closures, reducing overall sustainability and detracting from the rural aspect. No agreement has been forthcoming upon this other than that any expansion plans for businesses in the High Street or Church St should demonstrate how they would avoid or mitigate increased traffic congestion and pedestrian safety issues.

We consider these policies consistent with the following

✓ DCLG Planning update March 2015	This government is keen to ensure adequate parking provision both in new residential developments and around our town centres and high streets
✓ Local Plan (1996)	
✓ Adopted Local Plan(2015)	
✓ Community Support	87% of residents think plans for additional shops in Bloxham have to identify suitable off street parking for staff and customers Around 65% of village businesses identify parking and congestion as a problem for them.

POLICY TO ADDRESS EMERGING NEED FOR ADDITIONAL RETAIL

- BL16** New retail units or the expansion of existing retail units in the High Street and Church Street will be supported provided that the impact of any additional traffic likely to be generated by the development has been satisfactorily mitigated and will not adversely affect the highway network and pedestrian safety.

Theme 4 Ensure a safe, healthy, cohesive community

Bloxham continues to grow rapidly and securing a safe, healthy cohesive community will include:

- A. Protect important recreation spaces and green infrastructure
- B. Provide a better range of recreational facilities and activities
- C. Secure primary school capacity that provides a place within the village for all children from Bloxham and ideally its satellite neighbours
- D. Encourage walking and cycling

A. Protect important recreation spaces and green infrastructure

Some preceding policies seek to protect certain spaces with the aim of preserving important views or landscapes or to recognise the important contribution space makes to the rural character of Bloxham. This policy focuses upon additional areas that should be protected specifically because they have traditionally offered resident access to land important for village recreation or nature conservation.

The Jubilee Park and The recreation ground

The village has two recreation areas, one at either end of the village: The South Newington Rd Recreation Ground and the Jubilee Park. They are close to the community they serve and are demonstrably special in terms of their recreational value. Both are run by Trusts that are currently actively working with the Parish Council to improve the overall quality of recreational provision in the village. They provide children with play areas along with the only publically accessible village sports pitches. The Recreation Ground also confers a welcome soft-edge to the southern village gateway.

The BNDP Recreation working group investigated areas for additional or alternative provision of recreation areas but, given the potential value of land for housing development, none was forthcoming.

Residents are 98% in favour of protecting the Jubilee Park (other than an area to allow the upgrade and expansion of the community Hall that is based there).

Residents are 95% in favour of protecting the Recreation Ground.

We propose Local Green Space status for both whilst excluding some space to allow for expansion and development of the Jubilee Hall.

The recreation areas

The Slade

This is a longstanding nature conservation area that the Parish Council acquired in July 2015. It is used by naturalists²⁹, schools and families and is demonstrably special for its tranquility and wildlife: 96% of residents are in favour of protecting this area from any development and we propose Local Green Space status.

Public Rights of Way (PROW)

The importance of PROW from a connectivity perspective has already been highlighted but they are also important from a health and recreation perspective. Paths that still meander through green village fields offer residents of all ages quick access to healthy traffic-free exercise.

In the BNDP questionnaires, 97.8% thought it important to protect local PROW.

When we asked younger residents the best thing about the village it elicited numerous comments such as, 'Good places to dog walk.' 'Lots of walking paths.' 'Beautiful fields.' 'Nice walks.' When asked the worst thing about the village the overriding response was the constraints imposed on them by the traffic. Adults and young people alike value hugely the green tranquility of traffic-free PROW in close proximity to the village.

Protecting PROW is totally consistent with the vision expressed in the Oxfordshire Rights of Way management Plan 2015-25³⁰

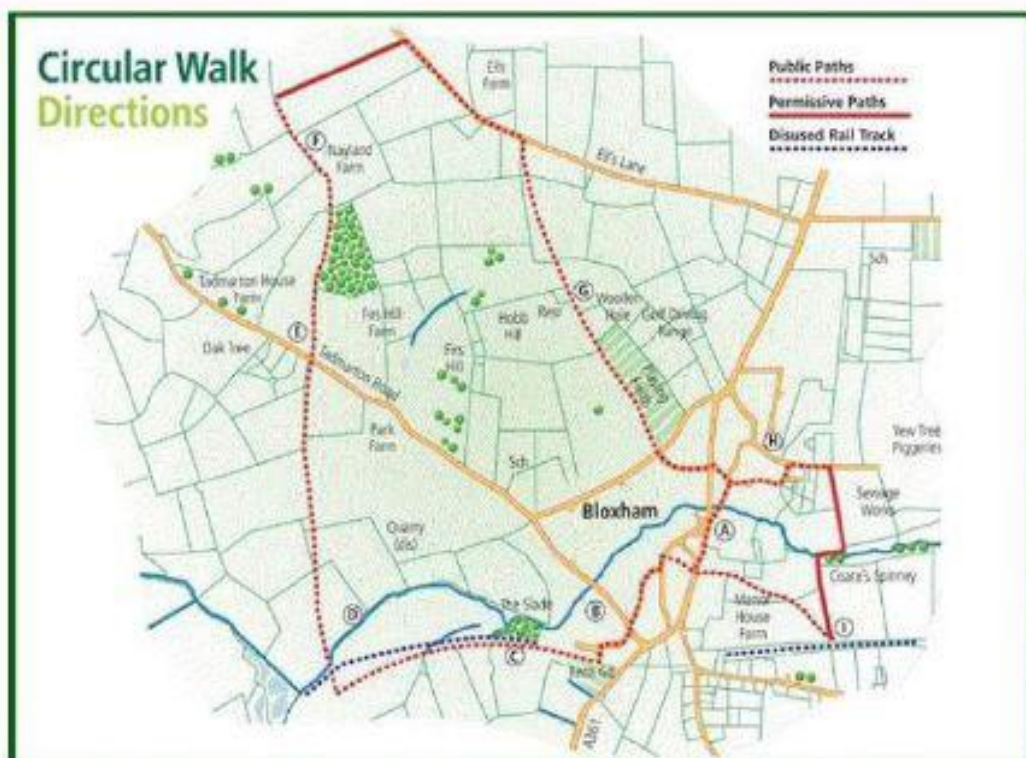
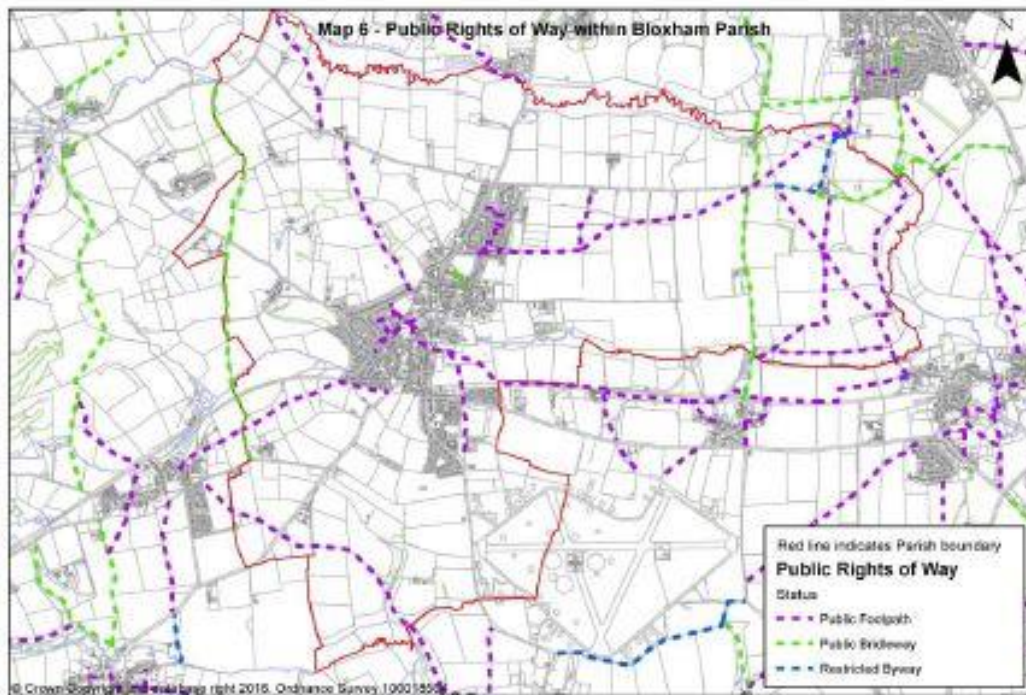
The map of Oxfordshire PROW can be found on the Oxon C.C. site³¹

The current public rights of way are shown on Map 6. There is a particular desire to protect the new Bloxham Circular walk by keeping it as green and traffic free as possible. Again a map is provided on the next page.

²⁹ See The Birds of the Slade Nature Reserve Bloxham by Anthony Brownnett (1992)

³⁰ Oxfordshire Rights of Way Management Plan 2015-25

³¹ Oxfordshire definitive P.R.O.W. map



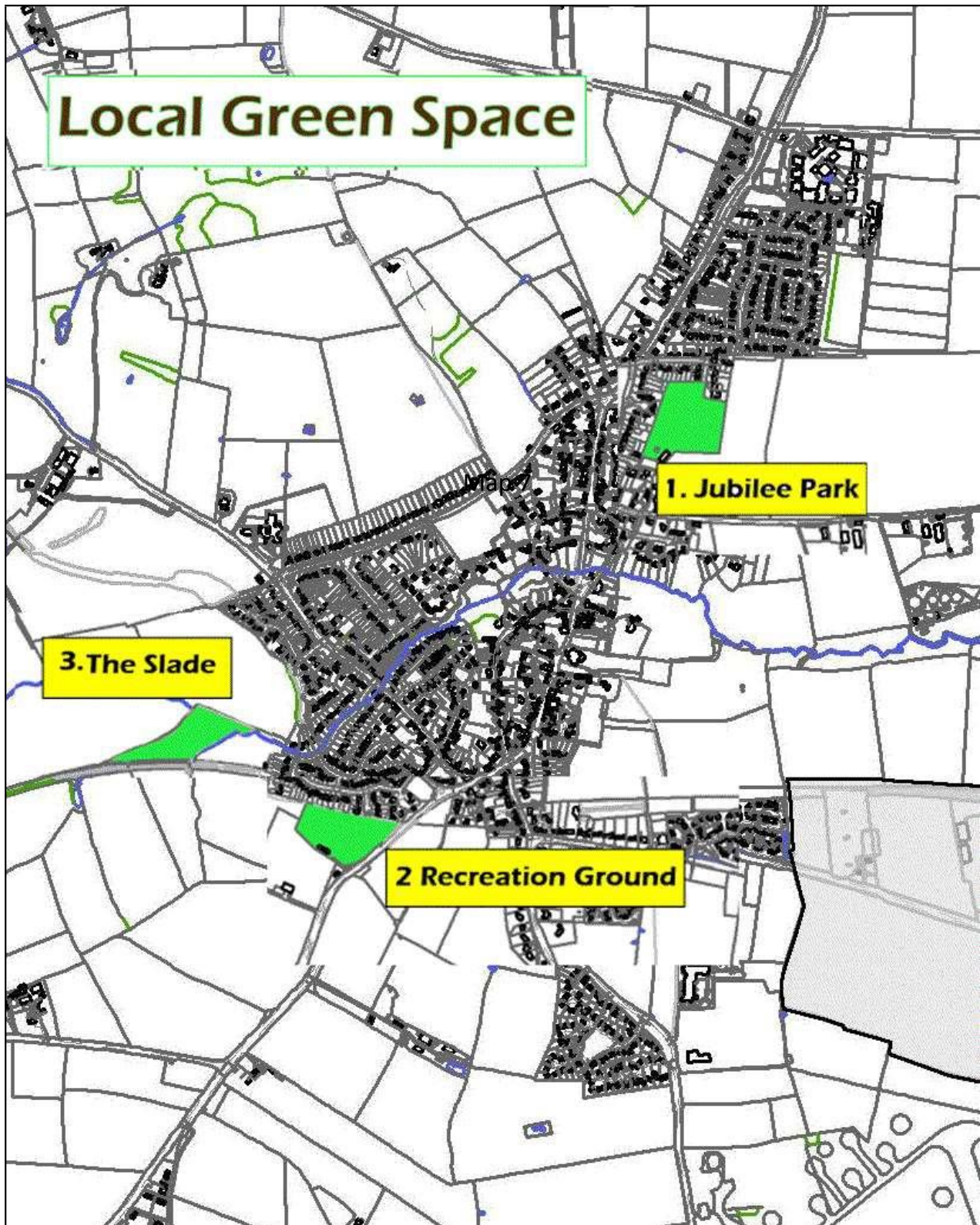
We consider these policies consistent with the following:

✓ NPPF	Para 76-77 Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;
✓ Adopted Local Plan(2015)	Para B159 The Green Spaces and Playing Pitch Strategies 2008 (Local Plan evidence base) highlighted the need to protect all sites identified in the audit to ensure an adequate supply of open space provision. Policy Villages 4 (C280) Indoor Sport, Recreation and Community Facilities' will be used to help address existing deficiencies in provision.
✓ Community Support	In consultations residents embraced the NPPF concept of Local Green Space supporting its application to the areas designated below.

POLICY TO PROTECT IMPORTANT RECREATION SPACES

- BL17**
- a. The three areas identified below and shown on the Map below (titled Map 7) are designated as Local Green Spaces. Proposals for development other than those ancillary or necessary to the use of the sites for recreational and sport purposes which preserve the purposes of designating the areas will be resisted.**
- 1. The Jubilee Park**
 - 2. The Recreation Ground**
 - 3. The Slade Nature Reserve**
- b. Public rights of way will be protected and routes through green landscaped or open space areas will be kept free from nearby vehicular traffic as far as practicable.**

Map 7



B. Provide a better range of recreational opportunities.

The village has a 'hotchpotch' of small community halls that are not wholly appropriate to the needs of a growing village with a population heading for 4000. As a result of recent rapid growth, a shortage of pitches is also emerging with no recreation land having been earmarked to mitigate this situation.

The village already benefits significantly from shared use of the facilities of all three schools. The Warriner School and Bloxham School in particular are able and willing to make a wide range of facilities available for public use.

The Warriner is exploring plans for the creation of an outdoor multi-use facility which this plan would support if care is taken not to affect the amenity of residents. We have identified this, including a formal shared use agreement as a community aspiration (see section 7). We will also seek existing pooled S106 monies held by Cherwell D.C. to identify and purchase land to provide additional sport playing pitches.

We consider these policies consistent with the following:

✓ NPPF	Para 70 To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local meeting places, sports venues...)
✓ Emerging Local Plan	Policy Villages 4 (C280) Indoor Sport, Recreation and Community Facilities' will be used to help address existing deficiencies in provision.
✓ Community Support	Only around 1 in 5 residents think we have enough sports pitches.

POLICIES ON PROVIDING A BETTER RANGE OF RECREATIONAL FACILITIES

BL18 Upgrading and expansion of the Jubilee Village Hall whilst retaining the play area and pitches shall be supported.

C. Securing primary school capacity for all village children

This is discussed in Theme 1 (Policy BL9d) where this issue is an important consideration for this Plan. We will not repeat the arguments here other than to emphasize the need established in Policy BL9d which is; for new housing developments, to ensure that a sufficient supply of local primary school places is available to meet the needs of existing and new residents. This is a hugely important policy for families, for village cohesiveness and for reducing high- carbon travel.

D. Encourage safe walking and cycling

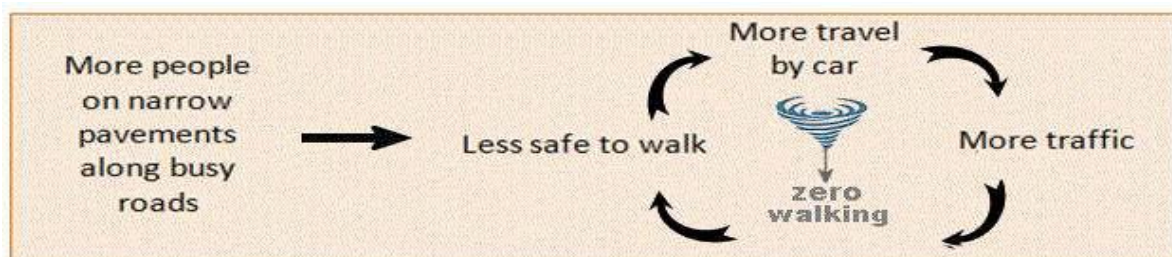
Theme 1 Policies BL3-5 focuses upon the need for improved low-carbon connectivity to improve access to services and facilities. This is strongly evidenced by the Sustrans report on Bloxham.

There are of course, good health and community cohesion reasons to encourage walking and cycling irrespective of access to services.

We do not rehearse the arguments again but do note

- 91% of residents think pupils *should be* able to safely cycle to school yet 50% arrive at school by private vehicle and only 2.5% by cycle.
- Only 13% of secondary pupils consider it definitely safe to cycle to school.
- Only 8% of pupils gave a definite “yes” that pavements were wide enough
- Many young people rated the impact of traffic as the greatest of their dislikes.

Recent large developments have been located in areas with demonstrably poor connectivity yet have attracted negligible obligations from developers to fund improvements. We need to break out of a prevailing negative feedback loop (see diagram) by permitting developments only where good connectivity is either already present or can be provided via developer obligations and this should include safe pedestrian, cycle or wheelchair/ mobility scooter access to key village services.



7. Bloxham projects

These are proposals that arose during the creation of the plan that residents or businesses felt very strongly about but which cannot easily be part of the planning process or are subject to decision-making either by private organisations or at district

or county council rather than parish level. We have noted these in the consultation document as they were an outcome of that consultation process but they do not appear in any policies and are not intended to form part of the examinable content of the plan.

Community Aspiration

Development of an all-weather pitch at Warriner School along Bloxham Grove Road is supported. A Joint Use Agreement between the school and the community should be sought and proposals must be consistent with Policy BL9.

8. Monitoring and delivery

1. This plan will be owned by Bloxham Parish Council
2. Members of the P.C. Planning Committee will receive training upon the need for all planning applications to be consistent with the policies contained in this plan
3. A report upon the progress and impact of the plan will be a required item upon the agenda of the Parish Council Annual Meeting for the Parish
4. The exact nature of the reporting and monitoring will be agreed with Cherwell D.C.

9. The Evidence Base

The BNDP Sustainability Report

Sustainability was an intrinsic part of the process of creating this plan. The Sustainability Report distils some of the more important data from the three key BNDP Reports into a single, more concise document. It is considered as an essential Appendix to this plan.

BNDP Reports

These documents form our main factual evidence base upon which this report is based. They may contain recommendations but they inform rather than define policies.

They were initially prepared by working groups. Although these have now ceased to exist, the documents remain living documents and may be updated with pertinent information right up to the time of submission of this plan. They total around 450 pages and reference around 400 further documents that have been considered in the creation of this plan.³²

The Consultation documents

The Consultation statement summarises the opportunities for engagement and our responses to that engagement. There are accompanying appendices which provide further detail.

Sustrans Bloxham walking and cycling report

Sustrans have carried out a detailed analysis of Bloxham from the perspective of pedestrians, cyclists and the mobility impaired. Copies are available from the BNDP website.

National Planning Policy Framework

The plan has been created within the NPPF which is readily available.³³

Cherwell Local Plan documentation

The plan draws heavily upon the evidence base for the Cherwell Local Plan. Both the Plan itself and the evidence base upon which it is based can be found on the Cherwell District Council website.³⁴

³² Bloxham Working Group Reports and consultation report

³³ NPPF

³⁴ CDC Evidence Base

Oxfordshire County Council documents

Policies pertaining to education, highways and flooding draw heavily upon documents from Oxfordshire County Council.³⁵

The Census 2011

Much of the demographic data emanates from the 2011 census which is readily available online.³⁶

Oxfordshire Rural Community Council documents

Some statistical information about the village derives from the ORCC (now Community First Oxfordshire) Rural community profile for Bloxham.³⁷ ORCC also carried out the production, analysis and reporting of the main questionnaire and housing needs survey.

³⁵ [OCC Website](#)

³⁶ [Census 2011](#)

³⁷ [ORCC Community Place profile - Bloxham](#)

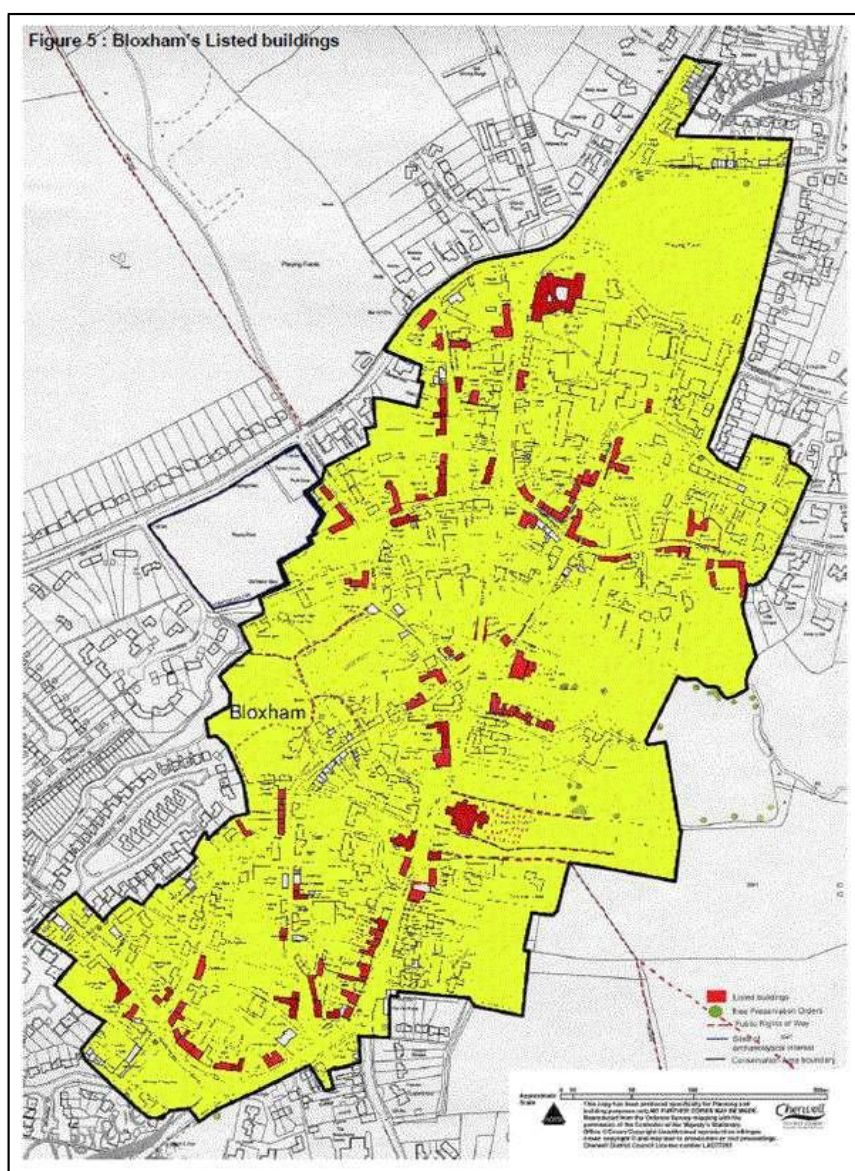
Appendices

Appendix 1 The BNDP Sustainability Report

This is available as a separate document. It contains summarised evidence that impinges upon every policy in this Plan.

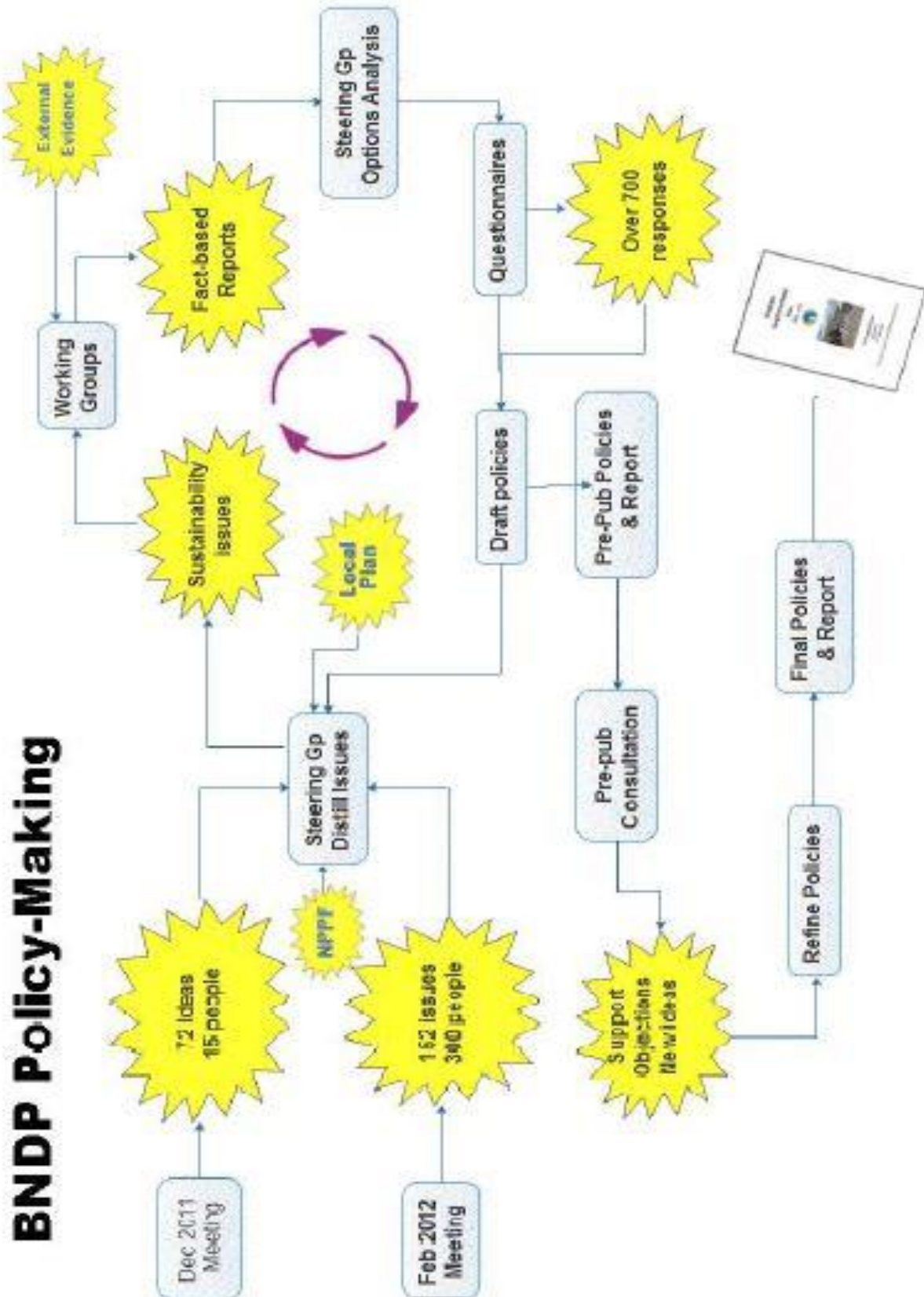
Appendix 2 The Conservation Area

For detailed maps please see the Cherwell D.C. 2007 Conservation Area Appraisal which also notes several important but non-listed assets within this area. It is available from the BNDP or Cherwell D.C. websites.



Appendix 3 The Plan-making Process

BNDP Policy-Making



Appendix 4 Public Engagement



Date	Event	Activity	Number
Dec 2011	First thoughts	Introduction & Ideas Boards	15
Sept 2012	Bloxham Developments	NP launch suggested	400
Jan 2013	Area Designation	Formal Consultation	-
Feb 2013	Official Launch Meeting	Presentations & Ideas Boards	300
Mar 2013	Establish Working Groups	Logistics meeting	45
Apr 2013	Public update	Presentation / Q & A	110
May 2013	BloxFest Stall	Drop-in Q&A	50
Sept 2013	Meeting for volunteers	Woodcote NP + Q & A	42
Oct 2013	Drop-in Displays	Displays, Q&A, Survey	50
Jan 2014	Questionnaires	Business, Young people	73, 48
Mar 2014	Main Questionnaire	Every village house	605
May 2014	BloxFest Stall	Drop-in Q&A	60
Jun 2014	BNDP Update	Presentation / Q & A	45
Jan 2015	Pre-pub Consultation	Online, paper or email	145
Aug 2015	Submission of plan		-

*At the 2011 Census there were 1279 houses in Bloxham

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CHERWELL DISTRICT COUNCIL
BLOXHAM NEIGHBOURHOOD PLAN AREA

DECLARATION OF RESULT OF POLL

I, James Doble being the DEPUTY COUNTING OFFICER for Cherwell District Council at the Referendum held on the 3 November 2016 under the Neighbourhood Planning (Referendums) Regulations 2012, DO HEREBY GIVE NOTICE that the result of votes cast is as follows:

Description	Votes Recorded
Number cast in favour of a 'YES'	877
Number cast in favour of a 'NO'	26

The number of ballot papers rejected was as follows:-

(a) want of official mark	0
(b) voting for more than one answer	0
(c) writing or mark by which the voter or proxy could be identified	0
(d) unmarked or void for uncertainty	0
Total	0

Electorate: 2783

Ballot Papers Issued: 903

Turnout: 32.4%

I do hereby declare that more than half of those voting have voted **in favour** of the Bloxham Neighbourhood Plan.



Dated: Thursday 3 November 2016

James Doble
Deputy Counting Officer

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CHERWELL DISTRICT COUNCIL
BLOXHAM NEIGHBOURHOOD DEVELOPMENT PLAN
DRAFT DECISION STATEMENT

Section 38A of The Planning & Compulsory Purchase Act 2004 (as amended)

The Neighbourhood Planning (General) Regulations 2012 (as amended)

As a result of a referendum in favour of the Bloxham Neighbourhood Plan held on 3 November 2016, Cherwell District Council has 'made' (brought into legal force) the Bloxham Neighbourhood Development Plan as part of the statutory development plan.

On 5 September 2016 the Council's Executive considered the examiner's report and the Neighbourhood Plan incorporating the examiners modifications and resolved that the Neighbourhood Plan proceed to referendum.

The referendum was held in Bloxham Parish where more than 50% of those who voted were in favour of the Plan being used to help decide planning applications.

The District Council considers that the Plan does not breach, nor is incompatible with, EU obligations or any of the Convention rights within the meaning of the Human Rights Act 1998 (Section 61E (8) of the Town and Country Planning Act 1990 & s38A (8) of the Planning & Compulsory Purchase Act 2004 Act, as amended by the Localism Act 2011). The plan making process has followed and met all relevant legal and procedural requirements.

This decision statement confirms that on 19 December 2016 Cherwell District Council resolved that the Bloxham Neighbourhood Plan be made.

This decision statement, the Plan and details of where they can both be inspected can be viewed on the Council website:

<http://www.cherwell.gov.uk/neighbourhoodplanning/index.cfm?articleid=10196>

Hard copies can be viewed during normal opening hours at:

- Cherwell District Council, Bodicote House, Bodicote, Banbury, Oxfordshire, OX15 4AA between 9:00am and 5:00pm.

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Cherwell District Council

Council

19 December 2016

Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD)

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To propose the Council adopts the Banbury Vision & Masterplan Supplementary Planning Document (SPD) following a recommendation to adopt the Banbury Vision & Masterplan by the Executive at its meeting on 5 December 2016.

1.0 Recommendations

The meeting is recommended:

- 1.1 To adopt the Banbury Vision and Masterplan (at Appendix 1) at the meeting of the Full Council on 19 December 2016.
- 1.2 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and if necessary to make any further minor changes to the Masterplan before it is published.

2.0 Introduction

- 2.1 Consultants WYG were commissioned by the Council to produce a Masterplan for Banbury in 2012. The adopted Cherwell Local Plan 2015 together with the Banbury Vision & Masterplan establishes the long term 'VISION' for the town and identifies the main projects and initiatives to support the growth of the town and to help strengthen its economy.
- 2.2 Stakeholder consultation has taken place on a continuous basis since 2012 and public consultation on the draft Masterplan between March and April 2016. A Consultation Statement setting out the consultation that has taken place is at appendix 2 to this report.

3.0 Report Details

- 3.1 The vision for Banbury in the Masterplan is *‘A premier regional centre with a fast growing economy developed from the strengths of the area; and at its heart, a vibrant and attractive town centre, set in a high quality and distinctive environment with greater housing choice, improved accessibility and a reduction in traffic congestion’*. Six Objectives are also identified which will help support the sustainable growth of Banbury.
- 3.2 A number of challenges are identified including traffic congestion and how areas of the town require improvement. The Masterplan identifies five key initiatives:
- To take advantage of the locations for housing to deliver the Cherwell Local Plan housing requirements to 2031;
 - A range of employment opportunities that will reinforce the role of Banbury in the regional economy;
 - A transport and movement strategy that addresses congestion and assists in delivering sustainable growth;
 - A Town Centre Action Area to manage a co-ordinated and comprehensive regeneration and improvement of Banbury town centre; and,
 - A ‘green lung’ to the town created from the enhancement of the canal and riverfront area together with a network of open spaces to improve the setting of the town and to address the shortfall of public open space, amenity and sports facilities.
- 3.3 The chapters of the Masterplan reflect these initiatives. It also contains a Delivery Chapter and Action Plan. The Masterplan contains design principles for sites identified in the Local Plan, building on the Local Plan policies. It aims to bring together land use matters and proposals, which are set out in often more detailed documents, to provide a vision and strategy for the town which can be used for planning and investment. The Masterplan also reflects the main proposals for Banbury in the County Council’s latest Local Transport Plan (LTP4) such as proposals to the east of the M40 junction.
- 3.4 The Masterplan has helped inform Local Plan Part 1, now builds on it and will help inform Local Plan Part 2. It reflects policies in the Local Plan. It has identified areas for potential change in order to deliver the Vision, however it does not contain policies or allocate sites which is the role of Local Plan Part 1 and Local Plan Part 2. The Masterplan is capable of being a material consideration in the determination of planning applications. Unlike a Local Plan, the Masterplan will not form part of the Development Plan for the District.
- 3.5 Building on Local Plan Part 1 the County Council are undertaking work exploring options for a ‘south east relief road’ which would inform any updates to their Local Plan Transport Plan. The potential south east link road options shown in the Masterplan are indicative and are not proposals. The Local Transport Plan is where any new road proposal would be identified following the undertaking of the necessary procedural and legal requirements by the County Council. There is an opportunity to safeguard any routes proposed in the LTP in Local Plan Part 2.
- 3.6 The Masterplan identifies the potential to strengthen the town centre through an Action Area. The Council and partners, such as Banbury Town Council, are establishing work promoting the town centre through initiatives such as the proposed Business Improvement District (BID), encouraging visiting markets and

events such as Canal Day. The Council will be examining potential changes to the town centre boundaries for Local Plan Part 2. Proposals for enhancement of the Oxford Canal, river corridor, green spaces/linkages, transport improvements, providing new homes in the town centre and enhancing the museum will be important.

- 3.7 The Masterplan contains an initial action Plan for its delivery. The Council recognises that its full implementation will require collaboration and partnership with other bodies such as the County Council and Town Council. Further proposals for how the implementation of the Masterplan will be supported by CDC will be reported to a future meeting of the Executive.
- 3.8 An SEA Screening Statement was published at the same time as the public consultation and sent to Historic England, the Environment Agency and Natural England. It concluded that a Sustainability Appraisal to meet the requirements of the SEA Directive is not required for the Banbury Masterplan. These consultees have not identified a requirement to produce a sustainability appraisal to meet the requirements of the SEA Directive. The proposed changes to the Masterplan do not change this position. A revised final Screening Statement (November 2016) has been produced and is at appendix 3 to this report. The Council has undertaken sustainability appraisal (SEA) of its Local Plan documents which this Masterplan is related to.
- 3.9 The Masterplan cannot on its own identify and address all issues. To help ensure delivery the Action Plan in the Masterplan will be implemented by the private sector, the Council and partners, subject to resources. The Council will bring the full range of planning powers and other responsibilities to drive the delivery of this Masterplan. The objectives of the Masterplan will be achieved through the delivery of the Local Plan sites identified in the Masterplan. Supplementary Planning Documents (as identified in the Council's Local Development Scheme) for specific development sites in Banbury including for Banbury Canalside will also be produced adding detail at the site level. The Masterplan will inform any bids to secure funding from central government and other sources such as the Local Enterprise Partnership (LEP).

Consultation

- 3.10 Stakeholder consultation has taken place on a continuous basis for Masterplan and this is set out in the Consultation Statement. Meetings and workshops have been held with a number of stakeholders including; Banbury Town Council, the County Council, OLEP, SEMLEP, landowners, Chiltern Railways, Network Rail, Stage Coach.
- 3.11 Public consultation took place on the draft document between March and April 2016 including a public exhibition in Banbury's Castle Quay shopping centre. The public notice and other material is available on the Council's website:
<http://www.cherwell.gov.uk/index.cfm?articleid=11505>
- 3.12 There is support for the principle of preparing a vision and Masterplan document and its draft proposals but concerns expressed in some areas. Comments from the consultation included:
- Views that there is no detailed timing, realisation strategy or resources identified in the document

- The document does not provide further guidance to the policies contained in the Cherwell Local Plan Part 1 or the Oxfordshire Local Transport Plan
- The Masterplan should identify priorities for change
- There should not be over emphasis on one sector and a broad economy is more resilient
- There should be more emphasis on the town's cultural and historical heritage, the environment and education
- Traffic and congestion in Banbury needs to be resolved including through new roads and more sustainable methods
- The town centre should be enhanced
- The Masterplan should reflect current proposals on sites

3.13 Representations and stakeholder contributions have informed changes to the Masterplan. The Consultation Statement sets out the responses to the representations received and how these issues, where appropriate, have been addressed in the SPD. These changes are not considered to be significant with the Masterplan (at appendix 1) setting out the same main initiatives.

3.14 The main changes include:

- Further consideration of the historic core of Banbury and the protection of conservation areas, listed and locally listed buildings
- Further consideration of areas within the town centre and their role
- Retention of the Town Centre Action area as an initiative but with no specific boundary
- Reference to the scope of the Build! project and the opportunity for high quality housing in the town centre
- References to events and schemes in central Banbury
- Further emphasis on seeking a new railway station and allowing for potential other uses such as shops
- Changes to the Masterplan to inform a coherent green infrastructure network
- Further detail on how tourism, including the museum, can play an important role
- Inclusion of transport updates from the Local Transport Plan, Oxfordshire County Council and Chiltern Railways
- Review of the information provided on bus services and a focus on main routes following recent cuts in subsidies and services
- Clear development principles for sites at Canalside, Spiceball and Bolton Road including changes to reflect current planning permissions and events including the demolition of the multi-storey car park.
- Reference to Air Quality Action Plans in response Air Quality Management Areas within Banbury
- Changes to allow for potential bus 'pick up' from the railway station
- Changes to allow for the possibility of Tramway being opened up to allow for buses to travel through to Bridge Street
- Proposals for free car parking periods and Smart parking
- Reference to the Infrastructure Delivery Plan (IDP), developer contributions and Cil
- Updates to the Action Plan including changes to explain funding and delivery

- 3.15 Other changes to the SPD include presentational changes such as improvements to the photographs and maps to ensure they are clear and accurate.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Following stakeholder and public consultation representations have been considered and changes made to the draft Banbury Masterplan Supplementary Planning Document. Adoption of the Masterplan (as shown at Appendix 1) by the Council is recommended.

5.0 Consultation

- 5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning and the Banbury Developments Board.
Public Consultation

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected. Reasons are set out below:
1. Not to adopt the SPD. The SPD is identified in the Council's Local Development Scheme (LDS) (schedule and timetable for the Council's Local Development Documents) and this option would be inconsistent with public expectations that the Masterplan is to be adopted and would reduce the potential for the delivery of proposals and initiatives at Banbury.
 2. Not to adopt the SPD in its current form (at appendix 1) by proposing significant changes to the draft SPD. Significant changes at the stage may lead to a requirement for further public consultation before the SPD could be adopted which would involve a delay to the timetable.

7.0 Implications

Financial and Resource Implications

- 7.1 Preparation of the Masterplan has been met from existing budgets.

Comments checked by: Paul Sutton, Chief Finance Officer, 0300 003 0106
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Legal Implications

- 7.2 The Masterplan is a Supplementary Planning Document (SPD) and is produced under the Town and Country Planning (Local Planning) (England) Regulations 2012. The SPD is capable of being a material consideration in the determination of planning applications.

8.0 Decision Information

Key decision

N/A

Wards Affected – All Wards (including all Banbury Wards)

Links to Corporate Plan and Policy Framework

- Accessible, Value for Money Council
- District of Opportunity
- Safe and Healthy
- Cleaner Greener

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Banbury Vision and Masterplan
Appendix 2	Consultation Statement
Appendix 3	SEA Screening Statement
Background Papers	
None	
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Cherwell District Council

Council

19 December 2016

Kidlington Framework Masterplan
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Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek adoption of the Kidlington Framework Masterplan.

1.0 Recommendations

- 1.1 That the Council adopts the Kidlington Framework Masterplan as a Supplementary Planning Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 subject to any necessary minor and presentational changes authority for which is delegated to the Head of Strategic Planning and the Economy.
- 1.2 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement.

2.0 Introduction

- 2.1 This report follows a report to a meeting of the Executive on 5 December 2016 at which it was resolved to approve changes to the draft Kidlington Framework Masterplan (March 2016) following consultation and to recommend that Council agree to adopt the Kidlington Framework Masterplan as a Supplementary Planning Document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.2 Work on a Kidlington Framework Masterplan commenced in 2013. The Masterplan is included within the Council's approved Local Development Scheme (January 2016) as one of the Council's proposed policy documents. Evidence gathering work occurred before adoption of Local Plan Part 1 but the Masterplan was reviewed in the context of the Local Plan Inspector's Report and the Plan's subsequent adoption in July 2015. The Masterplan seeks to build upon adopted policy and is referred to in the Local Plan. It provides planning guidance to assist decision making and will also assist officers in preparing Local Plan Part 2.
- 2.2 The Masterplan explores issues and opportunities relating to a wide range of planning matters within Kidlington's built-up area and its immediate environs. Preparation of the Masterplan has involved a number of key stages of work. This includes:

- i. a baseline review of existing studies and background material including the Local Plan evidence base. This has been supported by site visits and dialogue with Kidlington Parish Council and other individual stakeholders including developers;
- ii. an initial spatial and socio-economic 'picture' of Kidlington was established which included developing an understanding of the village's challenges and assets;
- iii. stakeholder workshops were held in September 2013 to test this 'picture', to establish a 'vision' and to identify priorities for change in line with Local Plan policy;
- iv. spatial opportunities were developed and discussed with the Parish Council reflecting priorities from the workshops (and other evidence gathering);
- v. updating the masterplan to take account of the adopted Cherwell Local Plan 2011-2031 (Part 1) and the associated Inspector's Report;
- vi. public consultation on the a draft Framework Masterplan occurred from 14 March 2016 to Wednesday 13 April 2016 supported by a public exhibition held on 30 March 2016.

2.3 Officers have engaged with the Parish Council throughout the course of preparing the Masterplan. A Draft Masterplan was approved by the Executive for public consultation on 7 March 2016. The results of the consultation have now been taken into account and consequently modifications have been made to the document as approved by the Executive on 5 December 2016.

2.4 The Framework Masterplan is now presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It would not establish Development Plan policy which is the role of the Council's Local Plans.

3.0 Report Details

3.1 The Framework Masterplan (Appendix 1) is a comprehensive and substantial document. It is supported by a Consultation Statement (Appendix 2) which explains the stakeholder engagement and public consultation that has taken place in preparing the document. A Screening Statement (Appendix 3) has also been prepared concluding that a Strategic Environmental Assessment is not required. Statutory consultees had the opportunity to review a draft Screening Statement during the formal consultation period. Those which have responded concur with the officer conclusion that a Strategic Environmental Assessment is not required.

3.2 The Draft Masterplan has been prepared in the context of the adopted Local Plan's vision, spatial strategy, objectives and policies, particularly those for the villages and rural areas. Policy Villages 1 (Village Categorisation) defines Kidlington as a Category A village and Policy Villages 2 provides for some housing growth within the built-up limits of Kidlington. Policy Kidlington 1 provides for the accommodation of high value employment needs in the vicinity of Langford Lane/London-Oxford Airport and Begbroke Science Park. Policy Kidlington 2 seeks to strengthen Kidlington Village Centre. Policy ESD15 seeks to manage development so that

complements and enhances character through sensitive siting, layout and high quality design.

- 3.3 Paragraph A.11 of the Local Plan, the Spatial Strategy, includes the following:

“Kidlington’s centre will be strengthened and its important economic role will be widened. Economic development will be supported close to the airport and nearby at Begbroke Science Park. There will be no strategic housing growth at Kidlington but other housing opportunities will be provided”.

- 3.4 Paragraph C.224 of the Local Plan states:

“...With regard to Kidlington’s own needs policies Villages 1 and 2 provide some opportunity. Small scale affordable housing schemes to meet specifically identified local housing need may also be brought forward through the release of rural exception sites (Policy Villages 3). The Kidlington Framework Masterplan will also identify further opportunities...”.

- 3.5 The proposed Kidlington Framework Masterplan is consistent with this policy framework. It is divided into two parts:

Part 1: Kidlington Tomorrow - Realising the Potential
Part 2: Kidlington Today – Baseline Information

- 3.6 Part 1 provides the Masterplan’s vision, themes, objectives and opportunities. It has six main themes:

Theme 1: Revealing Kidlington’s distinctive identity
Theme 2: Planning for a sustainable community
Theme 3: Strengthening Kidlington Village Centre
Theme 4: Supporting community needs
Theme 5: Supporting future economic success
Theme 6: Integration and connectivity

- 3.7 The proposed Masterplan contains a proposed Vision Statement:

“In 2031, Kidlington is a distinctive and sustainable community with a strong sense of identity. Its landscape setting, access to high quality homes and community facilities and revitalised Village Centre make it an attractive place to live and work. Its strong connections with Oxford and Bicester, rail link to London and London Oxford airport support a growing high value employment base which is well integrated with the wider village.”

- 3.8 In support of this vision, the Masterplan’s objectives and opportunities (Part 1) include the following elements:

- i. Revealing Kidlington’s Distinctive Identity – for example, through mapping and documentation; physically enhancing the village’s arrival points and gateways; providing defined routes to village attractions; redefining the character of Kidlington centre; increasing accessibility to and awareness of the village’s landscape and heritage assets and enhancing the canal’s recreation corridor;

- ii. Creating a sustainable community – for example, making the best use of land; securing high design standards; seeking to deliver high quality homes, providing guidance on the conversion of existing houses, using more traditional Oxfordshire materials alongside contemporary design, improving connectivity, and encouraging opportunities for self-build and other innovative housing models;
- iii. Strengthening Kidlington Village Centre – including increasing the mix of uses and the attractiveness of the village centre; improving connectivity and the public realm; identifying opportunities for reviewing car parking and servicing arrangements; providing guidance for new development and uses; supporting the potential expansion of retail uses, identifying opportunities for residential and office development subject to consideration of the precise village centre boundary through Local Plan Part 2;
- iv. Supporting Community Needs – for example providing guidance on how a potential reconfigured community hub at Exeter Close might be achieved and encouraging other local community hubs;
- v. Supporting Future Economic Success – supporting the growth of an integrated high value employment cluster as provided for by the adopted Local Plan, integrating nearby employment areas with the rest of the village, developing synergies with other important centres of high value economic activity, benefiting from the Oxford to Cambridge high-tech corridor;
- vi. Integration and Connectivity – balancing movement in favour of pedestrians and cyclists; providing guidance on changing the character of Oxford Road from 'highway' to street; connecting economic hubs, cycle and walking routes; and, securing maximum benefit for Kidlington from the Local Transport Plan.

3.9 Part 2 provides a review of baseline information and the current planning policy context. It describes and analyses Kidlington's location and context, its village character and green infrastructure, its community facilities and village centre, the current situation with regard to movement and connectivity, its socio-economic context and the economic, employment and housing issues it faces.

3.10 The Masterplan incorporates an Action Plan which includes a list of priority projects in the interest of delivering the Masterplan's objectives for the village centre, Exeter Close and the recommended improvements to sport and recreation facilities, the canal corridor, the relationship between Kidlington and nearby employment centres and to the environment of Oxford Road. This includes the potential establishment of specific projects and working groups (for example for the canal, village centre, Exeter Close and planned employment cluster), and ensuring that the action plan is coordinated.

Consultation Results

3.11 Over 260 representations were received in response to the formal consultation. The Consultation Statement at Appendix 2 to this report includes a summary of the issues raised and also of the representations themselves.

3.12 In brief, the key issues were:

- Transport – concerns about traffic and bus services; views on the Local Transport Plan's proposals for the area; the need for traffic calming; the need to improve opportunities and safety for cyclists and horse riders and new footpath links; support for a new railway station; the need for improved connectivity. The County Council raised issues about the compatibility of the suggestion to make the A4260 in central Kidlington more of a street with the road's status as a north/south priority route (this matter has been discussed directly with the County Council);
- Village Centre – desire for improvements to the village centre and to improve the range of shops and facilities available; views about making Kidlington more of a destination and others expressing concern about potentially increasing congestion; some concern that changing retail habits have reduced the need for additional retail development; general views that the central area of the village centre needs improvement;
- Parking – concern that there might be loss of parking; encouragement for underground parking and concern that multi-storey parking may have adverse visual impacts;
- Exeter Close – mixed views about the suggestion of redevelopment; views about the importance of connectivity through the site, concern that there might be loss of provision for sports clubs;
- Built and historic environment – the importance of high quality design and the protection of assets, the need for more control over the conversion of housing to flats due to the impact on village character; support for additional guidance on design and materials;
- Natural environment and biodiversity – the importance of protecting and promoting biodiversity and of ecological value;
- Recreation - significant but not unanimous objection to the suggestion of possibly consolidating sports pitches at an expanded Stratfield Brake; concern about the suitability of Stratfield Brake as a hub; concerns about the potential loss of more immediate facilities and the inaccessibility of alternative provision; concern about the potential impact on participation in sport and the individual sport clubs; concern about potential traffic implications; views about the importance of green infrastructure and local open spaces; support for the improvement of facilities and concern that the village does not have enough recreation provision.
- Oxford Canal – mixed support for the Masterplan's proposals and improvement of the Canal corridor and its facilities; concern that any improvements will impact upon existing residential amenity, the tranquillity of the countryside, wildlife and pedestrian safety;
- Services/Facilities/Infrastructure - concern about the capacity of infrastructure in Kidlington to accommodate additional development particularly in terms of education and health care;

- Social/Community Issues – concern that the Masterplan needs to focus more on the needs of the elderly; concern that the level of flats approved in Kidlington is affecting the sense of community and demographics; the need for housing to respond to demographic needs; concern about the affordability of housing; the importance of retaining the identity of Kidlington but varying views on whether the focus should be on Kidlington as a village; views that Kidlington is a sustainable location for more housing;
- Economy/Employment – views that further employment development is not required; other views that Kidlington has potential for high value economic development; a request for more emphasis on how better integration between the village and employment areas can be achieved; views that employment land should be provided not only for high value businesses but for other sectors including B2 industrial use and for smaller service related businesses; concern at future commercial expansion of the airport; the need to refer to the Strategic Economic Plan.
- Green Belt - support for continued protection of the Green Belt; views expressed on the importance of different areas of the Green belt and development opportunities;
- Strategy – views (from the County Council) that the A4260 corridor is considered a sustainable location for development and that increased density of housing and commercial development along existing and future public transport routes is important in improving their viability and resilience; concern about improving the quality of life and the character of the village; views on the opportunities for urban extensions; concerns about potential coalescence between Oxford and Kidlington; concern that the relationship with Oxford is not emphasised enough; views about development opportunities at Kidlington; concern that the Masterplan is too rural focused; concern that the Masterplan overstates Kidlington's function.

Response to the issues raised

- 3.13 The Consultation Statement at Appendix 2 explains how the issues raised have been taken into account. It is important to note that the SPD can only build upon adopted Development Plan policies, cannot establish new Development Plan policy and cannot allocate land for development. Consequently, issues raised which relate to the potential allocation of land are ones for either Local Plan Part 2 or, if they relate to Oxford's housing needs, the Partial Review of the adopted Local Plan.
- 3.14 The key changes to the Masterplan as consulted upon are as follows:
- further clarification on the role of Masterplan in the context of adopted and emerging Local Plans;
 - reformatting the document to bring the vision, objectives and principles to the front (Part 1) of the document; addition of an Executive Summary;
 - removal of the suggested opportunity for enabling development on existing areas of open space to facilitate a sports hub at Stratfield Brake / removing reference to sports pitch relocation/consolidation and instead emphasising the need for improvements to existing facilities;

- the inclusion of updated information on football clubs with information from the Oxfordshire Football Association;
- the updating of green infrastructure information particularly with the inclusion of Conservation Target Areas (reflecting adopted Local Plan policy ESD 11);
- providing greater emphasis on the natural environment and biodiversity and updating information on areas of amenity space;
- review of guidance for the A4260 in central Kidlington and ensuring compatibility with the Local Transport Plan's Oxford Transport Strategy (following further discussions with County Council);
- addition of reference to the need to test public realm improvements to ensure no significant increase in traffic congestion or delays to public transport services
- updating the Masterplan more generally to reflect updates to the Local Transport Plan (July 2016);
- providing further clarification on the housing opportunities provided for by the adopted Local Plan Part 1;
- providing clarification on the opportunities for the potential reconfiguration of parking alongside improvements to the built environment, including reference to decked rather than multi-storey opportunities;
- addition of reference to the potential for a 'flagship' area of open space at Exeter Close;
- addition of reference made to the need to consider impact of development at Exeter Close on setting of Crown Road conservation area;
- general review of design and development principles having regard to representations received;
- updating of action plan.

3.15 The Kidlington Framework Masterplan is now complete and presented for adoption. It provides planning guidance which seeks to help implement adopted Local Plan policies, to deliver improvements to the built and natural environment of Kidlington, and to encourage development opportunities within the village centre and elsewhere that will bring benefits to the local community. The work of the consultants involved in preparing the Masterplan, and the engagement and consultation with stakeholders, also provide a basis for considering whether any Development Plan policies and land allocations for Kidlington will be required in Local Plan Part 2 (for example at the Executive meeting on 5 December 2016, it was requested, through the Chairman, that officers examine the issue of the sub-division of residential properties). Consultation on an Options Paper for Local Plan Part 2 is scheduled for the new year.

4.0 Conclusion and Reasons for Recommendations

4.1 Work on a Kidlington Framework Masterplan commenced in 2013. Evidence gathering work occurred before adoption of Local Plan Part 1 but the Masterplan was reviewed in the context of the Local Plan Inspector's Report and the Plan's subsequent adoption in July 2015. Public consultation on a draft Framework Masterplan occurred from 14 March 2016 to Wednesday 13 April 2016 supported by a public exhibition held on 30 March 2016. The results of that consultation have been considered in producing a final document which was approved by the Executive on 5 December 2016. The Framework Masterplan is now presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It would not establish Development Plan policy which is the role of the Council's Local Plans.

5.0 Consultation

Internal briefing: Councillor Colin Clarke, Lead Member for Planning
Public consultation

6.0 Alternative Options and Reasons for Rejection

6.1 Not to approve the Framework Masterplan and seek changes.

Officers consider that the Masterplan responds appropriately to the policies in the adopted Cherwell Local Plan 2011-2031 (Part 1), provides guidance that will assist decision making, and responds to the views of the local community. Significant changes may require further consultation.

6.2 Not to approve the Framework Masterplan and to rely only on the adopted Cherwell Local Plan 2011-2031 (Part 1).

The production of the Masterplan is referred to in the adopted Local Plan Part 1 and in the Council's Local Development Scheme. The project has been in progress since 2013 and there is community expectation for a final Masterplan to provide additional planning guidance.

7.0 Implications

Financial and Resource Implications

7.1 Adoption of the Kidlington Framework Masterplan is being met within existing budgets.

Comments checked by:
Paul Sutton, Chief Finance Officer, Tel. 01295 221634
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Legal Implications

7.2 Supplementary planning documents are statutory documents capable of being a material consideration in planning decisions.

Comments checked by:

Nigel Bell, Team Leader – Planning & Litigation, Law and Governance
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8.0 Decision Information

Key Decision:

N/A

Wards Affected

All (including Kidlington East and Kidlington West directly)

Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council
District of Opportunity
Safe and Healthy
Cleaner Greener

Lead Councillor

Councillor, Colin Clarke, Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Kidlington Framework Masterplan (for adoption)
Appendix 2	Consultation Statement
Appendix 3	SEA/SA Screening Statement
Background Papers	
None	
Report Author	Adrian Colwell, Head of Strategic Planning and the Economy David Peckford, Planning Policy Team Leader
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Cherwell District Council

Council

19 December 2016

<p>Re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031</p>
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Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031 in accordance with a Court Order and an associated addendum to the Local Plan Inspector's Report.

1.0 Recommendations

- 1.1 That the Council notes the Court Judgment, Court Order and addendum to the Local Plan Inspector's report presented at Appendices 2, 3 and 4 to this report.
- 1.2 That the Council adopts Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Part 1) as presented at Appendix 5 to this report in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.
- 1.3 That, upon adoption by the Council, Policy Bicester 13 be inserted as modified into the published Cherwell Local Plan 2011-2031 (Part 1).

2.0 Introduction

- 2.1 This report concerns seventeen words of Policy Bicester 13 of the Cherwell Local Plan 2011-2031 only. Policy Bicester 13 relates to the strategic development site at Gavray Drive, Bicester. The scope of this report is tightly defined by the outcome of legal proceedings. There are no other matters considered by officers and no other implications.
- 2.2 On 20 July 2015, the Council resolved to approve the Main Modifications to the Cherwell Local Plan 2011-2031, as recommended by the Local Plan Inspector, together with additional modifications. The Plan was adopted at the same meeting. An extract from the Local Plan for Policy Bicester 13: Gavray Drive as adopted in July 2015 is produced at Appendix 1. It includes the following 'Key site specific and place shaping principle' (third bullet point, p. 172 of the Local Plan as published):

“That part of the site within the Conservation Target Area should be kept free from built development. Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain” (emphasis added).

- 2.3 The seventeen words underlined above are those that have been the specific subject of legal proceedings. They reflect a Main Modification (no. 91) recommended by the Local Plan Inspector in his report and the proposed modifications originally approved by the Council for submission on 20 October 2014.
- 2.4 On 7 September 2015, the Council received notification that an application had been made to the High Court by (1) JJ Gallagher Ltd, (2) London and Metropolitan Developments Ltd and (3) Norman Trustees to challenge the decision of the Council to adopt the Local Plan. The application proceeded to Court and a hearing was held on 9 February 2016. Both the Council and the Secretary of State for Communities and Local Government appeared as Defendants, separately representing their own positions.
- 2.5 The Claimants’ case, and the cases of the Defendants are explained in the court judgment presented at Appendix 2 to this report. I do not, in this report, summarise each case in detail, but instead identify key elements pertaining to this report and its recommendations.
- 2.6 The Claimants submitted (Appendix 2, para. 6) that in adopting the Local Plan, the Council had erred in law because:
- i) Policy Bicester 13 fails to give effect to the inspector’s reasons and adopting it as it stands was illogical and irrational;
 - ii) Policy Bicester 13 is inconsistent with policy ESD11 (Conservation Target Areas) of the Local Plan and so the decision to adopt was illogical and irrational on the basis of its current wording also (adopted policy ESD 11 is reproduced at Appendix 6 to this report);
 - iii) the inspector failed to provide reasons for recommending adoption of policy Bicester 13 as drafted so that the Council’s decision to adopt the plan was unlawful.
- 2.7 The factual background to the court case is summarised in the court Judgment at paragraphs 12 to 27.
- 2.8 It explains (para. 14) how the Claimants had previously sought (through representations), deletion of the relevant bullet point which stated, *“That part of the site within the Conservation Target Area should be kept free from built development.”*
- 2.9 It also explains (para. 16) how, *“At the examination before the inspector the [Council], supported by members of the public, argued that there should be no built development on any part of the allocated site designated as a [Conservation Target Area]”*

- 2.10 At paragraph 17, the Judgment explains that *“The day before the examination commenced the [Council] passed a resolution that sought a modification to the policy that would designate the [Conservation Target Area] as “Local Green Space” within the meaning of paragraph 76 of the National Planning Policy Framework (“NPPF”).*
- 2.11 The Judgment also explains (para’s. 20 to 24) that following the Local Plan hearings, the draft Inspector’s Report was sent to Council officers for fact checking.
- 2.12 The Inspector’s Report as originally sent to officers included the following text: *“Requests that the developable area shown on the policies map should be reduced to avoid any building in the whole of the River Ray Conservation Target Area, as distinct from the smaller Local Wildlife Site, would significantly undermine this contribution...”* to meeting new housing needs (emphasis added). The implication here is that the Inspector’s view was that ‘building’ should not be precluded in the Conservation Target Area part of the site.
- 2.13 Officers were unable to reconcile this with the Inspector’s recommended Main Modification (no. 91) which included the wording for Policy Bicester 13 *“That part of the site within the Conservation Target Area should be kept free from built development...”* (emphasis added). Officers therefore queried this as part of the fact check process, seeking clarification on two occasions (Appendix 2, para’s. 20 to 24).
- 2.14 The final Inspector’s Report received by officers included the following change: *“Requests that the developable area shown on the policies map should be reduced to avoid any development in the whole of the River Ray Conservation Target Area would significantly undermine this contribution...”* (emphasis added to illustrate the word change). This change suggested to officers that the Inspector did not intend to preclude all development in the CTA part of the site, only ‘built’ development as specified in Main Modification no. 91. The final Inspector’s Report was presented to Members at the Council meeting on 20 July 2015.
- 2.15 However, in pursuing their legal case, the Claimants submitted that the inspector did not give any reasons as to why there should be no development within the Conservation Target Area (CTA) and that all the reasons that he gave pointed in the opposite direction, namely, that there should be some (including built) development within the CTA area. The Council conceded that the reasoning given by the inspector was unsatisfactory (Appendix 2, para. 57).
- 2.16 The Secretary of State argued that he had not erred in law, that his duty was to examine the submitted plan for its soundness, that his reasoning was clear that he had addressed matters raised during the hearing session and that it was open to the Council to make modifications to the plan which did not materially change it (Appendix 2, para. 59).
- 2.17 The Court Judgment states (Appendix 2, para’s. 65 to 69),
“The inspector’s overall reasoning was to retain the allocation as shown on the proposals map of the submitted [Cherwell Local Plan] and to use the development proposed to deliver gains to enhance the [Local Wildlife Site] and produce a net gain in biodiversity as part of an overall package. That overall package centred on

the delivery of around 300 homes. The inspector was satisfied that the indicative layouts showed that that was realistic and appropriate with viable mitigation measures. Notably those indicative layouts showed built form within the CTA.

The inspector's reasoning, therefore, is inimical with the first sentence of the key site-specific design and place shaping principles referring to keeping that part of the site within the CTA free from built development. He gave no reason at all to explain or justify the retention of that part of policy Bicester 13 that prevented built development in the CTA. As the claimants submit all his reasoning pointed the other way. Therefore, I find that the inspector failed to give any reasons for, and was irrational, in recommending the adoption of a policy that prevented built development in the CTA.

The inspector's findings were clear, both in rejecting the argument that there should be a reduction of the developable area to avoid any development in the whole of the CTA and on the absence of justification for the retention of the whole of the land to the east of the Langford Brook as public open space or its designation of [Local Green Space]. His reasoning was that the [Local Wildlife Site] needed to be kept free from built development and protected, together with downstream [Sites of Special Scientific Interest], through an ecological management plan which would ensure the long term conservation of habitats and species within the site.

Against that background it is difficult to understand how the inspector recommended that policy Bicester 13 should remain in its current form. Part of his modifications, consistent with his report, should have been to recommend the deletion of the first sentence of the third bullet point within the policy. That would have produced a justified and effective allocation consistent with national policy which was then sound and consistent with his report.

For those reasons the inspector erred in law in failing to give reasons for acting as he did, taking into account the duty upon him to examine the plan for soundness. Alternatively, the inspector was irrational in recommending as he did without supplying any reasons."

- 2.18 In the next paragraph, the Court Judgment clarifies the scope of the Council's options in considering the Inspector's recommendations:

"The first defendant [the Council] had no legal power to make a modification to the plan which would have had the effect of deleting the disputed sentence as that would materially change the contents of the CLP" (Appendix 2, para' 70)

- 2.19 The Judge concluded that "some remedy is clearly appropriate" (Appendix 2, para' 71) and considered submissions.

- 2.20 The claimants sought a Court Order that included (Appendix 2, para. 72):

- i) Policy Bicester 13 be treated as not adopted and remitted to the Secretary of State;
- ii) the Secretary of State appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the

policy the words “*That part of the site within the Conservation Target Area should be kept free from built development*”;

- iii) Cherwell District Council adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed.

- 2.21 The Council submitted that (ii) and (iii) were inappropriate as they as they asked the Court to assume plan making powers and redraft the plan; because they would constrain the Secretary of State and Council as decision makers; and because they would exclude the public from participation. It stated that the extent to which policy Bicester 13 should allow housing development on the site or protect the site as an environmental resource is pre-eminently a matter of planning judgment and not one for the Courts. The Council also highlighted that the Local Plan’s Sustainability Appraisal noted that policy Bicester 13 required that the part of the site within the CTA should be kept free from built development (Appendix 2, para’s.73-77).
- 2.22 The Council sought the appointment of a planning inspector (through the Secretary of State) to “...reconsider the way in which policy Bicester 13 treated the designated CTA...” and “....that the planning inspector appointed permit representations by all interested parties on the way in which policy Bicester 13 treated the CTA and how that policy should be drafted....” before the inspector makes recommendations in respect of modifications and the Council re-adopts policy Bicester 13 subject to those modifications (Appendix 2, para’ 78).
- 2.23 The Secretary of State considered that the ‘answer’ was fully contained within the inspector’s report, that a reopened examination was not necessary, and that in respect of sustainability, without the contentious bullet point in policy Bicester 13, the policy is clear in that it says that the development must not adversely impact upon the CTA. The Secretary of State said there was no suggestion that the sustainability appraisal was not properly considered (Appendix 2, para’s. 79-82).
- 2.24 On the appropriate remedy, the Judge concluded that (Appendix 2 para’s. 85-87):
- an extensive examination process had taken place into the plan as a whole;
 - the inspector had exercised and made clear his planning judgment on, amongst other matters, housing across the district;
 - his decision was to permit policy Bicester 13 to proceed on the basis that it made a valuable contribution of 300 houses to the housing supply;
 - this conclusion was reached having heard representations from the claimants, the Council and the public;
 - the representations from the public argued that there should be reduced developable areas on the allocation site and that part of the site was suitable for designation as Local Green Space;
 - the public had therefore fully participated in the planning process;
 - the error found was not as a result of the public having any inadequate opportunity to participate in the examination process;
 - there is no statutory requirement in the circumstances to require a rerun of part of the examination process that has already taken place;
 - there may be circumstances where it is appropriate to do so where, for example, there is a flaw in the hearing process but this was not one of those cases;

- there was a full ventilation of issues as to where development should take place within the Bicester 13 allocation site, the importance of biodiversity and the ecological interests, Local Green Space issues and whether there should be any built development within the CTA. Those are all matters upon which the inspector delivered a clear judgment;
- the difficulty has arisen because the Inspector did not translate that planning judgment into an appropriately sound policy.

2.25 In those circumstances, the Judge did not agree to the Council's suggested remedy which would amount to a *"...a rerun of the same issues for no good reason, without any suggestion of a material change in circumstance, and at considerable and unnecessary expenditure of time and public money"* (Appendix 2, para. 88).

2.26 The Judge also rejected the contention that a further sustainability appraisal would be required stating, *"...I reject the contention that a further sustainability appraisal will be required. The residual wording of the policy is such that it secures the objective of any development having a lack of adverse impact upon the CTA"* (Appendix 2, para. 88).

2.27 The claim made by Gallaghers et al succeeded. The Judge stated that the Court Order should be in the terms of paragraphs 1, 2 and 3 of the draft submitted by the claimants (Appendix 2, para's 89-90 cited at para. 2.20 above).

2.28 A subsequent appeal to the Court of Appeal was dismissed in full and no subsequent application for appeal has been registered. The Council must now fulfil its legal obligation to re-adopt Policy Bicester 13 in the requisite amended form.

2.29 On 5 December 2016, a report was presented to a meeting of the Council's Executive providing the same account of the legal case as is now presented. It was resolved:

- (1) that the Court Judgment, Court Order and addendum to the Local Plan Inspector's report be noted.
- (2) that the Council be recommended to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 in precise accordance with the addendum to the Local Plan Inspector's Report dated 18 May 2016 and the Court Order dated 19 February 2016.
- (3) that it be noted that upon adoption by Council, Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.

3.0 Report Details

3.1 The Court Order dated 19 February 2016 includes the following requirements:

- "1. *Policy Bicester 13 adopted by the [Council] on 20th July 2015 be treated as not adopted and remitted to the [Secretary of State];*
2. *The [Secretary of State] appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the*

policy the words “That part of the site within the Conservation Target Area should be kept free from built development”;

3. *The [Council] adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the [Secretary of State]...*

3.2 The immediate effect of the Court Order was that Policy Bicester 13 of the adopted Cherwell Local Plan 2011-2031 could no longer be considered to be part of the adopted Development Plan. The rest of the Local Plan is unaffected.

3.3 On 10 March 2016, the Council was notified that a Planning Inspector had been appointed – Mr Nigel Payne, the original Local Plan Inspector.

3.4 On 18 May 2016 an addendum to the Local Plan Inspector's report was received (Appendix 4).

3.5 The Addendum states (Appendix 4, para' 2):

“Following the Order of the High Court of Justice No. CO/4622/2015, dated 19 February 2016, I recommend that, in relation to Policy Bicester 13 – Gavray Drive, Main Modification No. 91, page 130, the first sentence of the third bullet point under “Key Site Specific Design and Place Shaping Principles” which states – “That part of the site within the Conservation Target Area should be kept free of built development.” be deleted in the interests of soundness, clarity and to facilitate implementation of the policy and allocation in the plan.”

3.6 In his conclusion and recommendation, the Inspector states *“...I conclude that with the amendment to the schedule of main modifications recommended in this addendum report relating to Policy Bicester 13 the Cherwell Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.”*

3.7 On 15 July 2016, Mr Dominic Woodfield, an objector to Policy Bicester 13, was granted permission to appeal against the Court Order. The two grounds of appeal were:

“1. Having found that there was an error of law the judge should have remitted the matter of the wording of Policy Bicester 13 of the Cherwell Local Plan for public re-examination.

2. In directing that an order be made to revise the policy wording without remitting the matter for re-examination, the judge made an error of principle because she exercised a planning judgement which should have been exercised by [the Secretary of State's] inspector and by [the council].”

3.8 The appeal was opposed by Gallagher and the Secretary of State. The Council played no part in the appeal. On 2 August 2016, officers sent a letter to the Court, saying its position on the appeal was “neutral”.

3.9 Officers have awaited the outcome of the appeal before proceeding to recommend re-adoption of the policy in the requisite amended form.

- 3.10 On 12 October 2016, the Court of Appeal's judgment was given. It was concluded that the High Court Judge had exercised her discretion appropriately in the order she made and that there was no reason to disturb the Court Order. The appeal was dismissed in full.
- 3.11 The 21 day period to potentially appeal to the Supreme Court has passed. No application to appeal has been registered with the Court.
- 3.12 The Council must now adopt Policy Bicester 13 subject to the modification recommended by the planning inspector to comply with the Court Order dated 19 February 2016 (CO/4622/2015).
- 3.13 Policy Bicester 13 incorporating the Inspector's recommended modification is presented at Appendix 5.
- 3.14 The affected bullet point of Policy Bicester 13 now reads, "*Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD 11 to secure a net biodiversity gain*".
- 3.15 Following the Executive's decision of 5 December 2016, the Council is advised to formally adopt Policy Bicester 13 as recommended to be modified and in precise accordance with the Court Order. Not to do so would leave the Council in a position of legal non-compliance.
- 3.16 There are no other implications for the Local Plan and the Judgment makes clear that no further sustainability appraisal is required (see para. 226 above). An Addendum to the Adoption Statement for Strategic Environmental Assessment / Sustainability Appraisal is presented at Appendix 7 which reflects this conclusion and will be published upon adoption of Policy Bicester 13. As highlighted by the Judge, "...*The residual wording of the policy is such that it secures the objective of any development having a lack of adverse impact upon the CTA*" (see para 2.26 above).
- 3.17 Following adoption, Policy Bicester 13 as modified will need to be inserted into the published Local Plan.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A Court Order dated 19 February 2016 requires specific actions of the Secretary State, an appointed Planning Inspector and the Council pertaining to the legally prescribed modification of Policy Bicester 13 of the Cherwell Local Plan 2011-2031. A specific modification to Policy Bicester 13 has been recommended by a Planning Inspector on behalf of the Secretary of State. The modification requires the deletion of the first sentence of the third bullet point under "Key Site Specific Design and Place Shaping Principles" which states – "*That part of the site within the Conservation Target Area should be kept free of built development.*"
- 4.2 To comply with the Court Order, the Council is advised that it formally adopts Policy Bicester 13 as presented at Appendix 5 to this report in precise accordance with the Court Order.

5.0 Consultation

Internal briefing: Councillor Colin Clarke, Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 There are no other options. The Court Order dated 19 February 2016 states (para.3), “*The First Defendant* [the Council] *adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the Second Defendant* [the Secretary of State for Communities and Local Government]”.

7.0 Implications

Financial and Resource Implications

- 7.1 Re-adoption of Policy Bicester 13 and re-publication of the adopted Local Plan is being met within existing budgets.

Comments checked by:

Paul Sutton, Chief Finance Officer, Tel. 01295 221634

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Council is ordered by the High Court (Planning Court) to adopt Policy Bicester 13 subject to the modification recommended by the planning inspector. Not to do so would therefore be unlawful.

Comments checked by:

Nigel Bell, Team Leader – Planning & Litigation, Law and Governance,
Tel. 01295 221687

Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All (including Bicester South and Ambrosden directly)

Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council
District of Opportunity
Safe and Healthy
Cleaner Greener

Lead Councillor

Councillor, Colin Clarke, Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Policy Bicester 13: Gavray Drive as adopted on 20 July 2015 (Local Plan extract)
Appendix 2	High Court Judgment 18 February 2016
Appendix 3	Court Order dated 19 February 2016
Appendix 4	Addendum to the Local Plan Inspector's Report 18 May 2016
Appendix 5	Policy Bicester 13 – Modified Policy for Adoption
Appendix 6	Adopted Policy ESD11 – Conservation Target Areas (Local Plan Extract)
Appendix 7	SA Adoption Statement – Addendum
References	
Report by the Head of Strategic Planning and the Economy to the Council's Executive 5 December 2016, <i>Re-adoption of Policy Bicester 13 of the Cherwell Local Plan 2011-2031</i> (Item 10), http://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&MId=2749	
Background Papers	
None	
Report Author	David Peckford, Planning Policy Team Leader
Contact Information	01295 221841 david.peckford@cherwell-dc.gov.uk

The Cherwell Local Plan 2011 – 2031

your place • your space •
your look • your say

Extract from Local Plan Part 1 as adopted on
20 July 2015 – Policy Bicester 13



Part 1
Adopted 20 July 2015

July 2015

Page 121

Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD 11 to secure a net biodiversity gain.

- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.
- A flood risk assessment should include detailed modelling of the watercourses. Development should be excluded from flood zone 3 plus climate change and public open space/recreation areas located near watercourses to create 'blue corridors'.
- Take account of the Council's Strategic Flood Risk Assessment for the site.
- The incorporation of SUDS (see Policy ESD 7: Sustainable Drainage Systems (SuDS)), taking account of the recommendations of the Council's Strategic Flood Risk Assessment. Detailed site specific analysis and ground investigation to determine whether infiltration SuDS techniques are acceptable; due to underlying geology and groundwater vulnerability attenuation techniques are likely to be required.
- Development that considers and addresses any potential amenity issues which may arise – including noise impact from the rail line to the far north. The introduction of buffers/barriers/screening and the location of uses should be carefully considered to mitigate potential nuisances.
- The provision of a scheme, to be agreed with the Council, for the appropriate retention and re-use of existing farm buildings.
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.
- A soil management plan may be required to be submitted with planning applications.
- An archaeological field evaluation to assess the impact of the development on archaeological features.

Strategic Development: Bicester 13 – Gavray Drive

C.104 The majority of the site is part of the River Ray Conservation Target Area. Part of the site is a Local Wildlife Site and is situated to the east of Bicester town centre. It is bounded by railway lines to the north and west. The site comprises individual trees, tree and hedgerow groups, and

scrubland/vegetation. The Langford Brook water course flows through the middle of the site.

C.105 The central and eastern section of the site contains lowland meadow, a BAP priority habitat. There are a number of protected species located towards the eastern part of the site. There are several ponds and a small stream, known as the Langford Brook, which runs from north to south through the middle of the site. A

range of wildlife has been recorded including butterflies, great crested newts and other amphibians, reptiles, bats and birds.

C.106 There are risks of flooding on some parts of the site therefore mitigation measures must be considered. There is also a risk of harming the large number of recorded protected species towards the eastern part of the site. Impacts need to be minimised by any proposal. Approximately

a quarter of the site is within Flood Zones 2 and 3 therefore any development would need to be directed away from this area.

C.107 Although there are a number of known constraints such as Flood Zone 3, River Ray Conservation Target Area and protected species, this could be addressed with appropriate mitigation measures by any proposal.

Policy Bicester 13: Gavray Drive

Development Area: 23 hectares

Development Description: a housing site to the east of Bicester town centre. It is bounded by railway lines to the north and west and the A4421 to the east

Housing

- **Number of homes - 300 dwellings**
- **Affordable Housing - 30%.**

Infrastructure Needs

- **Education – Contributions sought towards provision of primary and secondary school places**
- **Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC11: Local Standards of Provision – Outdoor Recreation. A contribution to off-site formal sports provision will be required.**
- **Community – contributions towards community facilities**
- **Access and movement – from Gavray Drive.**

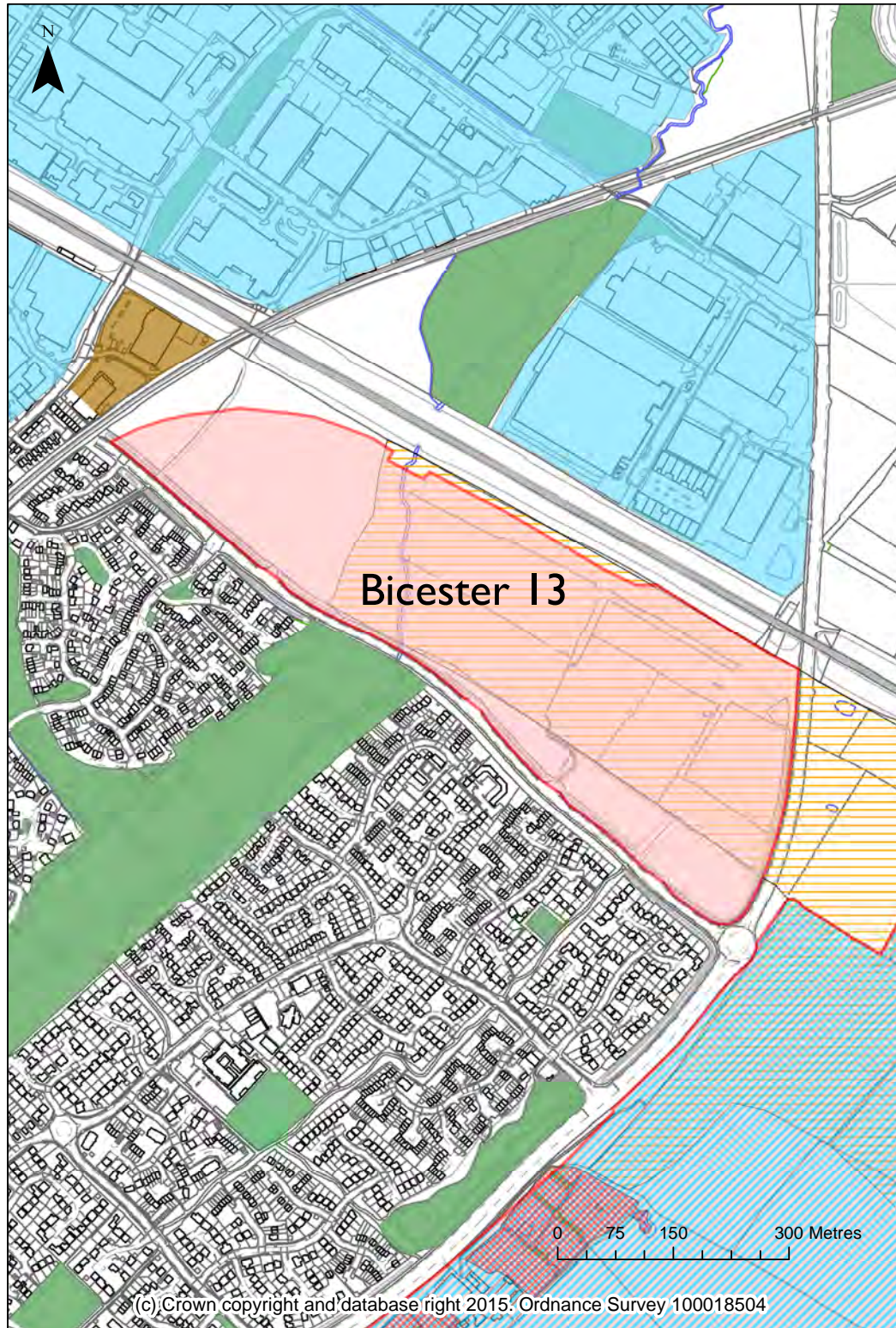
Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15.**
- **A high quality development that is locally distinctive in its form, materials and architecture. A well designed approach to the urban edge which relates to the road and rail corridors.**
- **That part of the site within the Conservation Target Area should be kept free from built development. Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain.**

- **Protection of the Local Wildlife Site and consideration of its relationship and interface with residential and other built development.**
- **Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to protect and enhance biodiversity. The preparation and implementation of an Ecological Management Plan to ensure the long-term conservation of habitats and species within the site.**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.**
- **The preparation of a structural landscaping scheme, which incorporates and enhances existing natural features and vegetation. The structural landscaping scheme should inform the design principles for the site. Development should retain and enhance significant landscape features (e.g. hedgerows) which are or have the potential to be of ecological value. A central area of open space either side of Langford Brook, incorporating part of the Local Wildlife Site and with access appropriately managed to protect ecological value. No formal recreation within the Local Wildlife Site.**
- **Provision of public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation.**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside.**
- **Retention of Public Rights of Way and a layout that affords good access to the countryside.**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities. Access should be provided over the railway to the town centre.**
- **A linked network of footways which cross the central open space, and connect Langford Village, Stream Walk and Bicester Distribution Park.**
- **Ensure that there are no detrimental impacts on downstream Sites of Special Scientific Interest through hydrological, hydro chemical or sedimentation impacts.**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities.**
- **A legible hierarchy of routes to encourage sustainable modes of travel. Good accessibility to public transport services with local bus stops provided. Provision of a transport assessment and Travel Plan.**
- **Additional bus stops on the A4421 Charbridge Lane will be provided, with connecting footpaths from the development. The developers will contribute to the cost of improving local bus services.**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment.**
- **Provision of public art to enhance the quality of the place, legibility and identity.**

- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.**
- **Take account of the Council's SFRA for the site.**
- **Consideration of flood risk from Langford Brook in a Flood Risk Assessment and provision of an appropriate buffer. Use of attenuation SuDS techniques (and infiltration techniques in the south eastern area of the site) in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's SFRA.**
- **Housing must be located outside Flood Zone 3 and the principles set out in Policy ESD 6 will be followed.**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing.**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.**

Policy Bicester 13: Gavray Drive





Neutral Citation Number: [2016] EWHC 290 (Admin)

Case No: CO/4622/2015

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT BIRMINGHAM

Birmingham Civil Justice Centre
Priory Courts, 33 Bull Street, Birmingham, B4 6DS

Date: 18/02/2016

Before:

THE HON. MRS JUSTICE PATTERSON DBE

Between:

(1) JJ GALLAGHER LTD
(2) LONDON AND METROPOLITAN
INTERNATIONAL DEVELOPMENTS LTD
(3) NORMAN TRUSTEES

Claimants

- and -

(1) CHERWELL DISTRICT COUNCIL
(2) SECRETARY OF STATE FOR
COMMUNITIES AND LOCAL GOVERNMENT

Defendants

Satnam Choongh (instructed by **Pinsent Masons LLP**) for the **Claimants**
Hugh Flanagan (instructed by **Cherwell District Council**) for the **First Defendant**
Richard Kimblin (instructed by the **Government Legal Department**) for the **Second Defendant**

Hearing date: 9 February 2015

Approved Judgment

Mrs Justice Patterson:

Introduction

1. This is an application under section 113(3) of the Planning and Compulsory Purchase Act 2004 (“PCPA”) for an Order that “Policy Bicester 13 adopted by the first defendant on 20 July 2015 be treated as not adopted and remitted to the second defendant.” Policy Bicester 13 appears in the Cherwell Local Plan (“CLP”).
2. The claimants have an interest in land at Gavray Drive, Bicester. That land is allocated in the CLP as Bicester 13.
3. The first defendant is the Cherwell District Council, local planning authority for the area which includes Bicester.
4. An inspector, Nigel Payne BSc (Hons), DipTP, MRTPI, MCMI, was appointed by the second defendant, the Secretary of State for Communities and Local Government to hold an examination into the CLP. He conducted hearings during 2014 and issued a report on 9 June 2015 recommending that the CLP be adopted, subject to modifications necessary to make the CLP sound.
5. On 20 July 2015 the full council of the first defendant resolved to approve the main modifications to the CLP, as recommended by the inspector, together with additional modifications to enable the CLP to proceed to adoption. The CLP was adopted by Order dated the 20 July 2015.
6. The claimant submits that in adopting the CLP the first defendant erred in law because:
 - i) Policy Bicester 13 fails to give effect to the inspector’s reasons and adopting it as it stands is illogical and irrational;
 - ii) Policy Bicester 13 is inconsistent with policy ESD11 of the CLP and so the decision to adopt is illogical and irrational on the basis of its current wording also;
 - iii) The inspector failed to provide reasons for recommending adoption of policy Bicester 13 as drafted so that the first defendant’s decision to adopt the plan is unlawful.
7. The first defendant agrees that policy Bicester 13 must be quashed on the basis that the inspector’s reasoning was inadequate but disagrees with the claimants about the terms of the Order remitting the CLP to the second defendant.
8. The second defendant disagrees with both the claimants and the first defendant. The second defendant contends that the policy Bicester 13 is ambiguous and a judgment of the court is sufficient to resolve any ambiguity. Accordingly, there is no need for policy Bicester 13 to be remitted at all.
9. The relevant parts of CLP policy Bicester 13 read:

“Development Area: 23 hectares

Development Description: a housing site to the east of Bicester town centre. It is bounded by railway lines to the north and west and the A4421 to the east.

Housing:

- Number of homes – 300 dwellings
- Affordable Housing – 30%.

...

Key site specific design and place shaping principles:

- ...
- That part of the site within the Conservation Target Area should be kept free from built development. Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain.”

The supporting text to the policy reads:

“C104. The majority of the site is part of the River Ray Conservation Target Area. Part of the site is a Local Wildlife Site and is situated to the east of Bicester town centre. It is bounded by railway lines to the north and west. The site comprises individual trees, tree and hedgerow groups, and scrubland/vegetation. The Langford Brook water course flows through the middle of the site.

C105. The central and eastern section of the site contains lowland meadow, a BAP priority habitat. There are a number of protected species located towards the eastern part of the site. There are several ponds and a small stream, known as the Langford Book, which runs from north to south through the middle of the site. A range of wildlife has been recorded including butterflies, great crested newts and other amphibians, reptiles, bats and birds.

C106. There are risks of flooding on some parts of the site therefore mitigation measures must be considered. There is also a risk of harming the large number of recorded protected species towards the eastern part of the site. Impacts need to be minimised by any proposal. Approximately a quarter of the site is within Flood Zones 2 and 3 therefore any development would need to be directed away from this area.

C107. Although there are a number of known constraints such as Flood Zone 3, River Ray Conservation Target Area and protected species, this could be addressed with appropriate mitigation measures by any proposal.”

10. Policy ESD11, referred to in Bicester 13, is entitled ‘Conservation Target Areas’. That reads:

“Where development is proposed within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted. Where there is potential for development, the design and layout of the development, planning conditions or obligations will be used to secure biodiversity enhancement to help achieve the aims of the Conservation Target Area.”

11. The Gavray Drive site is subject to different designations on the eastern part of the site beyond Langford Brook. The Conservation Target Area (“CTA”) and Local Wildlife Site (“LWS”) overlap within the site but are not coterminous.

Factual Background

12. The CLP examination commenced on 3 June 2014. The site was not included as an allocation. The examination was immediately suspended by the inspector to allow the first defendant to put forward modifications that would address the need for additional housing sites.
13. The first defendant consulted on and submitted proposed modifications to the CLP. One of the modifications included the allocation of the Gavray Drive site for 300 houses.
14. The claimants responded to the consultation on the proposed modification. They supported the principle of the allocation but argued that, “As drafted the policy can be read as precluding any development within the River Ray Conservation Target Area which we are sure was never the intention”. Policy ESD11 Conservation Target Areas does not seek to restrict development within CTAs but instead states, “Where development is proposed within or adjacent to Conservation Target Areas biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancements.” The response continued that, “Development on the part of the CTA outside the Local Wildlife Site would be balanced through securing the long term restoration, management, maintenance and enhancement of part of the local wildlife site within the developer’s control.” The claimants put forward an amendment to policy Bicester 13 to delete the opening sentence of the relevant bullet point which stated, “That part of the site within the Conservation Target Area should be kept free from built development.”
15. Examination into the CLP commenced on 21 October 2014.

16. At the examination before the inspector the first defendant, supported by members of the public, argued that there should be no built development on any part of the allocated site designated as a CTA.
17. The day before the examination commenced the first defendant passed a resolution that sought a modification to the policy that would designate the CTA as “Local Green Space” within the meaning of paragraph 76 of the National Planning Policy Framework (“NPPF”).
18. The examination hearings concluded on 23 December 2014.
19. The inspector issued a final report on 9 June 2015.
20. Prior to then the first version of the draft report had been sent to the first defendant on 22 May 2015 for fact checking. The first defendant sent comments to the second defendant on that version including some on Policy Bicester 13. At that time paragraph 139 of the report read:

“Requests that the developable area shown on the policies map should be reduced to avoid any building in the whole of the River Ray Conservation Target Area, as distinct from the smaller Local Wildlife Site, would significantly undermine this contribution. It would also potentially render the scheme unviable or at the very least unable to deliver a meaningful number of new affordable units, as required under policy BSC 3, when all other necessary contributions are also taken into account. Moreover, it could well materially reduce the potential for the scheme to contribute to enhancement of the Local Wildlife Site’s ecological interest as part of the total scheme, thereby effectively achieving the main objective of the Conservation Target Area. Consequently, it would not represent a reasonable, realistic or more sustainable alternative to the proposals set out in the plan, as modified.”

21. Version two of the report was received by the first defendant shortly after receipt of the representations and included a change to paragraph 139 as follows:

“Requests that the developable area shown on the policies map should be reduced to avoid any building in the whole of the River Ray Conservation Target Area would significantly undermine this contribution. It would also potentially render the scheme unviable or at the very least unable to deliver a meaningful number of new affordable units, as required under policy BSC 3, when all other necessary contributions are also taken into account. Moreover, it could well materially reduce the potential for the scheme to contribute to enhancement of the Local Wildlife Site’s ecological interest as part of the total scheme, thereby effectively achieving the main objective of the Conservation Target Area. Consequently, it would not represent a reasonable, realistic or more sustainable alternative to the proposals set out in the plan, as modified.”

22. That version was followed by a telephone call from the first defendant to the Inspectorate raising further questions, including about policy Bicester 13.
23. The final report was then received as set out.
24. The relevant parts of the inspector's final report read as follows:

“135. This area of largely flat land, bounded by railway lines to the north and west, the ring road to the east and residential development to the south lies to the east of Bicester town centre in a very sustainable location. Planning permission has previously been granted for new housing but that has now expired. In view of the need for additional sites to help meet OANs it is still considered suitable in principle to accommodate new development. However, the eastern part is now designated as a Local Wildlife Site, with the central/eastern sections containing lowland meadow; a BAP priority habitat.

136. Additionally, roughly a quarter of the site lies in Flood Zones 2 and 3 adjacent to the Langford Brook that runs north-south through the centre of the site. The majority also lies within the River Ray Conservation Target Area. Nevertheless, even with these constraints, indicative layouts demonstrate that, taking into account appropriate and viable mitigation measures, the site is capable of delivering around 300 homes at a reasonable and realistic density not greatly different from that of the modern housing to the south.

137. In addition to necessary infrastructure contributions towards education, sports provision off site, open space, community facilities and public transport improvements, a number of other specific requirements are needed under policy Bic 13 for this proposal to be sound, in the light of current information about the site's ecological interests and environmental features. In particular, that part of the allocation within the Local Wildlife Site east of Langford Brook (just under 10 ha) needs to be kept free from built development and downstream SSSIs protected through an Ecological Management Plan prepared and implemented to also ensure the long term conservation of habitats and species within the site. Landscape/visual and heritage impact assessments and archaeological field evaluation are also required.

138. There must also be no new housing in flood zone 3 and the use of SUDs to address flood risks will be required. Subject to such modifications (MMs 89-91), policy Bic 13 is sound and would enable this site to make a worthwhile contribution to new housing needs in Bicester and the district in a sustainable location. This can be achieved without any material harm to environmental or ecological interests locally as a result of the

various protection, mitigation and enhancement measures to be included in the overall scheme.

139. Requests that the developable area shown on the policies map should be reduced to avoid any development in the whole of the River Ray Conservation Target Area would significantly undermine this contribution. It would also potentially render the scheme unviable or at the very least unable to deliver a meaningful number of new affordable units, as required under policy BSC 3, when all other necessary contributions are also taken into account. Moreover, it could well materially reduce the potential for the scheme to contribute to enhancement of the Local Wildlife Site's ecological interest as part of the total scheme, thereby effectively achieving the main objective of the Conservation Target Area. Consequently, it would not represent a reasonable, realistic or more sustainable alternative to the proposals set out in the plan, as modified.

140. Similarly, despite the historic interest of the parts of the site in terms of their long established field patterns and hedges, this does not amount to a justification for the retention of the whole of the land east of the Langford Brook as public open space, nor for its formal designation as Local Green Space. This is particularly so when the scheme envisaged in the plan should enable the more important LWS to be protected with funding made available for enhancement at a time when the lowland meadow habitat is otherwise likely to deteriorate further without positive action. Such an approach would be capable of ensuring no net loss of biodiversity as a minimum and also compliance with policies ESD 10 and 11 as a result.

141. All in all the most suitable balance between the need to deliver new housing locally and to protect and enhance environmental assets hereabouts would essentially be achieved through policy Bic 13, as modified, and the land's allocation for 300 new homes on approximately 23 ha in total, given that the requirements of policies ESD 10 and 11, including to achieve a net gain in biodiversity arising from the scheme as a whole, can also be delivered as part of an overall package of development with appropriate mitigation measures.”

25. On 20 July 2015 the first defendant resolved to approve the main modifications to the CLP as recommended by the inspector and additional modifications to allow the CLP to proceed to adoption. Its resolution included the following:

“That the designation of the Conservation Target Area at Gavray Drive (Policy Bicester 13) as a designated Local Green Space through the forthcoming stages of the Cherwell Local Plan Part 2 be positively pursued.”

26. The CLP was adopted by order dated 20 July 2015.

27. In light of the inspector's conclusions the claimants asked the first defendant for an explanation of the resolution to pursue a Local Green Space ("LGS") designation. The first defendant responded by email dated 24 July 2015 in the following terms:

"My understanding is that a proper case was not made for the land being a Local Green Space as part of Part 1. There is thought to be a more robust case available to support it, this time with full public consultation engagement and that the appropriate mechanism for this is Part 2. It is policy officers' view that the adopted site allocation policy prevents any built development in the CTA in any event though this does not preclude appropriate provision of associated public open space etc as part of a development in the CTA. The provision of such open space and facilities is thought to be unlikely to be inconsistent with the Local Green Space designation if this does indeed take place. Therefore proceeding with attempts to designate part of the CTA as a Local Green Space as Part 2 of the Local Plan is not thought to be at odds with achieving the development provided for in the site allocation policy."

Legal and Policy Framework

28. The statutory framework for local plans is found in part 2 of the Planning and Compulsory Purchase Act 2004 (PCPA). In particular:
- i) A local planning authority is to prepare a scheme of development plan documents: section 15(1).
 - ii) The development plan documents must set out the authority's policies relating to the development and use of land in their area: section 17(3).
 - iii) In preparing a local development plan document the local planning authority must have regard to the matters set out in section 19 such as national policy: section 19(2)(a).
 - iv) Each local development plan document must be sent to the Secretary of State for independent examination: section 20(1).
 - v) The local development plan document must only be sent for examination if the relevant requirements have been complied with and the plan is thought to be ready: section 20(2).
 - vi) Section 20(5) provides that the purpose of an independent examination is to determine whether the development plan documents satisfy the requirements of section 19 and section 24(1) (regulations under section 17(7) and any regulations under section 36 relating to the preparation of development plan documents), whether the plan is sound and whether the local planning authority has complied with its duty to cooperate.
 - vii) The purpose of an independent examination is to determine in respect of the development plan document whether it is sound: section 20(5)(b).

- viii) If the inspector finds that the plan is sound he must recommend adoption of the plan and give reasons for his recommendation.
29. Both the inspector's recommendations and reasons must be published.
30. There is no statutory definition of what "sound" means. Paragraph 182 of the NPPF states that in order to be sound a plan should be:
- ".....examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."
31. With the exception of modifications that do not materially affect the policies of the plan the effect of section 23 of the PCPA is that the plan cannot be adopted otherwise than in accordance with the recommendations of the inspector.

Issue One: Is Policy Bicester 13 Ambiguous?

32. Given the respective stances of the parties the first question that arises is whether policy Bicester 13 is ambiguous or, to be more precise, whether the opening words of the third bullet point of the policy under the key site specific design and place shaping principles, namely, "that part of the site within the Conservation Target Area should be kept free from built development..." are ambiguous or make the policy ambiguous.
33. At the examination both the claimant and first defendant regarded those words as clear. They both contended that the words meant no built development was to take place in that part of the site within the CTA.

34. In its written submissions for the court hearing the second defendant agreed that the bare words were capable of bearing the meaning adopted by the first defendant and the claimants provided that the context is entirely ignored. In argument, the second defendant agreed that the disputed words used were not ambiguous in themselves. The issue arose from the emphasis placed upon them.
35. The second defendant submits that when the contentious words are read in context, the interpretation adopted by the first defendant and claimants is clearly wrong. In itself, their interpretation is irrational because:
- i) It is plainly impossible to give effect to the fundamental purpose of the allocation if the contentious words are interpreted as both the claimants and first defendant contend as 300 dwellings could not be built;
 - ii) There is an obvious alternative reading to these contentious words, namely, that some but not all of the CTA may be built upon;
 - iii) The supporting text to the policy explains and makes clear that the majority of Gavray Drive is in the CTA but the plan allocates the whole site and further makes clear that the development will assist in funding improvements to CTAs;
 - iv) Development within CTAs is fully and expressly anticipated in the plan; see ESD11. The supporting text to ESD11 explains that development may contribute to the objectives of CTAs and fund enhancements;
 - v) The inspector's report is crystal clear in its findings on the issue: see paragraphs 139 and 140;
 - vi) Both the claimants and first defendant participated fully in the examination and understood the background, the issues and the result.
36. In short, both parties at the examination understood the issue of building on "all or some" of the CTA was an issue which was before the second defendant. Paragraph 136 of the inspector's report, in particular, makes clear that the majority of the site is within the CTA but nevertheless the site is capable of accommodating 300 dwellings.
37. Further, paragraph 141 of the inspector's report deals with the balance between the need to deliver housing and environmental protection. It finds that environmental protection can only be delivered as an overall package of development with appropriate mitigation measures producing a net gain in biodiversity. Policies Bicester 13 and ESD11 when read together give effect to that part of the inspector's findings.
38. The interpretation adopted by the claimant and the first defendant ignores all of the context and the obvious alternative reading of the words in the policy.
39. The policy adopted by the first defendant, is entirely clear when read in full and in its proper context alongside the supporting text, the site allocation and other plans.
40. The claimants submit that there is no difficulty understanding the policy. The words mean what they say: there can be no built development on that part of the site which

sits within the CTA. There is nothing in the policy or the explanatory text that would allow some part of the CTA to be built upon. What was said by the parties pre-adoption becomes irrelevant once the plan is adopted: it is impermissible to rove through the contents of the background documents which would include the inspector's report and what was said at the examination. The first defendant is seeking to import ambiguity by reference to extraneous material to the plan itself.

41. The first defendant submits that at the time of the examination both the claimants and itself were of the view that the words used within the policy precluded built development in the CTA. They did not, as alleged by the second defendant, understand the words to mean that some but not all the CTA could be built upon. The interpretation of the second defendant would mean that the policy would become extremely difficult to apply, that such an interpretation would be contrary to that adopted in the sustainability appraisal, that it would be inconsistent with the similar wording in policy Bicester 12, and would result in a strained interpretation of the language used.

Discussion and Conclusions

42. In interpreting a policy in a development plan the judgment of Lindblom J (as he then was) in **Phides Estates Overseas Limited v Secretary of State for Communities and Local Government** [2015] EWHC 827 (Admin) makes it clear that where a policy is neither obscure nor ambiguous it is not necessary or appropriate to resort to other documents outside the local plan to help with the interpretation of policy. In [56] Lindblom J said:

“I do not think it is necessary, or appropriate, to resort to other documents to help with the interpretation of Policy SS2. In the first place, the policy is neither obscure nor ambiguous. Secondly, the material on which Mr Edwards seeks to rely is not part of the core strategy. It is all extrinsic – though at least some of the documents constituting the evidence base for the core strategy are mentioned in its policies, text and appendices, and are listed in a table in Appendix 6. Thirdly, as Mr Moules and Mr Brown submit, when the court is faced with having to construe a policy in an adopted plan it cannot be expected to rove through the background documents to the plan's preparation, delving into such of their content as might seem relevant. One would not expect a landowner or a developer or a member of the public to have to do that to gain an understanding of what the local planning authority had had in mind when it framed a particular policy in the way that it did. Unless there is a particular difficulty in construing a provision in the plan, which can only be resolved by going to another document either incorporated into the plan or explicitly referred to in it, I think one must look only to the contents of the plan itself, read fairly as a whole. To do otherwise would be to neglect what Lord Reed said in paragraph 18 of his judgment in Tesco Stores Ltd. v Dundee City Council: that ‘[the] development plan is a carefully drafted and considered statement of policy, published in order to inform the public of

the approach which will be followed by planning authorities in decision-making unless there is good reason to depart from it', that the plan is 'intended to guide the behaviour of developers and planning authorities', and that 'the policies which it sets out are designed to secure consistency and direction in the exercise of discretionary powers, while allowing a measure of flexibility to be retained'. In my view, to enlarge the task of construing a policy by requiring a multitude of other documents to be explored in the pursuit of its meaning would be inimical to the interests of clarity, certainty and consistency in the 'planned system'. As Lewison L.J. said in paragraph 14 of his judgment in R. (on the application of TW Logistics Ltd.) v Tendring District Council [2013] EWCA Civ 9, with which Mummery and Aikens L.JJ agreed, 'this kind of forensic archaeology is inappropriate to the interpretation of a document like a local plan ...'. The 'public nature' of such a document is, as he said (at paragraph 15), 'of critical importance'. The public are, in principle, entitled to rely on it 'as it stands, without having to investigate its provenance and evolution'."

43. It is, of course, permissible to look to the supporting text to a policy as an aid to interpretation: see R (Cherkley Campaign Limited) v Mole Valley District Council [2014] EWCA Civ 567 at [16].
44. The second defendant referred to other decisions dealing with the issue of construction of any document. I do not find them particularly helpful in the circumstances of the instant case. The most helpful is Cusack v Harrow Borough Council [2013] UKSC 40 where Lord Neuberger was dealing with the approach to construction and interpretation of any document. He referred to the intention of the drafter being determined by reference to the precise words used, their particular documentary and factual context and, where identifiable, their aim or purpose. That decision does not deal with the issue of interpretation of planning policy, which is the concern in this case, and thus does not take the issue of interpretation significantly further.
45. The other authorities relied upon by the second defendant are considerably less apposite. The first is Pepper v Hart [1992] 3 WLR 1032. That is cited as authority for the court having recourse to parliamentary material where there is ambiguity in legislation. There is no legislation to construe here. That decision is dealing with a very different situation to that which is facing the court in the current case. The other case relied upon is Sans Souci Limited v VRL Services Limited [2012] UKPC 6 and the judgment of Lord Sumption on the interpretation of a court order remitting an arbitration award. That judgement is not dealing with a document regulating the use of land in the public interest. Nor is it dealing with a document which is available for public inspection and which is to guide development in the public interest over the next few years. The judgment is not dealing with the interpretation of public documents. It is not on the point.
46. The starting point to be taken when interpreting planning policy seems to me to be the wording of the policy itself, assisted, if necessary, with words from the supporting text. If the words of the policy with the supporting text are not clear or are ambiguous

then, but only then, it may be permissible to have regard to documents incorporated within the plan itself. That is consistent with the approach in the case of **Phides**. It would be entirely unrealistic to expect any party reading the development plan, whether a member of the public, developer or land owner to have to resort to an investigation of other background documents. That is particularly so given the public interest in the role of planning. It follows that even if the policy is ambiguous or not clear I do not accept that it is appropriate to have resort to the various versions of the inspector's report to clarify the meaning as the first defendant invites the court to do. The extent to which one can have regard to other documents in determining the meaning of policy is not, in my judgment, at large but is circumscribed by the development plan and what is incorporated within it.

47. Adopting the approach of taking the disputed words of the policy as a starting point I reject the submission that the words used in Bicester 13, in themselves, and in their context, admit some built development within the CTA. The words used are perfectly clear; they do not permit any development within the CTA.
48. The policy is a housing allocation policy for 300 homes of which 30% are to be affordable. That built development is to take place within the allocated site which is edged red on the proposals map. Within the red line there are key site-specific design and place shaping principles which apply. One of those is that the part of the site within the CTA should be kept free from built development. That clearly refers to that part of the allocated site which is within the designation of CTA. It may be that the layout of any development would allow playing fields or public open space within the CTA so as not to adversely impact upon it but residential development or other forms of built development are not permissible under the policy as worded. In themselves, therefore, the words of the policy are clear.
49. Further, the wording makes sense in context. The provision of 300 homes elsewhere within the site can be used to produce funds to assist the targets of the CTA and to secure net biodiversity gains to the LWS. Whether that is what the inspector intended is a matter for the next issue to which I turn. But, in itself, I repeat, the policy is clear and not ambiguous. There is no need to have recourse to any document other than the CLP itself.
50. In considering the supporting text of the development plan the supporting paragraphs are entirely consistent with that interpretation. Paragraph C104 describes the physical location of the site and the degree to which it was affected by other designations. Paragraph C105 recites the wildlife interests. C106 sets out the risks of flooding and the fact that that causes a risk of harm to a large number of recorded protected species. Paragraph C107 notes the number of constraints but states that they can be addressed with appropriate mitigation measures in any proposal. The supporting text is, therefore, consistent with a significant housing allocation of 300 dwellings, the layout of which is to be tailored to take into account the various policy constraints within the allocated site.
51. Although the first defendant disagrees with the second defendant on reasons why the policy was ambiguous and agrees with the claimants that the policy should be remitted it had become a late, if somewhat tentative, convert to the view that policy Bicester 13 may be ambiguous. The first defendant contends that the question under the policy is whether all of the site within the CTA or part of the site within the CTA

should be kept free from built development. In my judgment, that is an entirely artificial approach to the words used. It is not compatible with the plain and ordinary meaning of the words of the policy.

52. There is no need, therefore, to go through the reasons why the first defendant submits that the second defendant is wrong in its interpretation.
53. The first defendant has sought to resolve the alleged ambiguity by reference to material which is extraneous to the plan itself. The transcript of the proceedings, the various versions of the inspector's report and the other documents referred to in Mr Peckford's witness statement are not incorporated into the plan nor specifically referred to in it. Accordingly, they do not fall within the category of documents to which resort may be had in a case of ambiguity which, as I have found, is not the case here.
54. Although policy ESD11 is part of the plan and regard needs to be had to it in interpreting policy Bicester 13 the wording of ESD11 is general in application and insufficient to displace the clear words of the site-specific allocation policy. In its adopted form the plan means that the restrictions upon development within CTAs generally, as set out within policy ESD11, have given way to the site specific conclusion that in the context of Gavray Drive there should be no development within the particular CTA covered by policy Bicester 13.
55. In short, the policy needs to be interpreted without regard to extraneous material; it is clear on its face in prohibiting any built development within that part of the site which falls within the CTA. There is nothing anywhere else within the plan or within the supporting text that would support built development within this particular CTA. The policy is clear and not ambiguous.

Issue Two: Was the Inspector's Report and Consequent Recommendation on Bicester 13 Irrational and/or Inadequately Reasoned?

56. The next question is whether it was a rational decision on the part of the inspector to recommend the adoption of policy Bicester 13 as worded in the light of his findings and conclusions in his report and/or whether he gave any or adequate reasons for recommending adoption of policy Bicester 13 as drafted?
57. The claimants submit that the inspector did not give any reasons as to why there should be no development within the CTA. All the reasons that he gave pointed in the opposite direction, namely, that there should be some development within the CTA area. The first defendant accepts that the reasoning given by the inspector is unsatisfactory.
58. The claimants draw attention to the indicative layout that it submitted to the examination, and which was referred to by the inspector in his report, which showed built development within that part of the allocation site that was within the CTA but outwith the LWS.
59. The second defendant submits that the claimants need to show that the inspector erred in law. Given the role of the inspector he made no error. The duty upon him is to examine the submitted plan for its soundness. His reasoning on whether the plan was

sound is clear. He addressed matters that were raised during the hearing session. It was open to the first defendant to make modifications to the plan which did not materially change it; in short it was open to the first defendant to clarify the policy.

Discussion and Conclusions

60. I have set out the full text of the inspector's report into the Gavray Drive site above. Within that he referred to indicative layouts demonstrating that, taking into account appropriate and viable mitigation measures, the site was capable of delivering around 300 homes at a reasonable, realistic density. The layouts that were before him were those submitted by consultants to the claimants. The revised master plan in the court hearing bundle (which was one of those submitted at examination) clearly shows some built development within that part of the CTA to the east of Langford Brook but no built development in the LWS within the CTA. The revised masterplan is the document that the inspector was referring to in paragraph 136 of his report.
61. In paragraphs 137 and 138 of his report the inspector went through other requirements that were necessary for policy Bicester 13 to be sound. They involved keeping that part of the allocation within the LWS free from built development, the absence of new housing in flood zone 3 and the use of Sustainable Drainage Systems ("SUDS") to address flood risks. Subject to those modifications, the inspector found the policy to be sound and that the site made a worthwhile contribution to new housing needs in Bicester and the district in a sustainable location. In so concluding, it is evident that the inspector took into account the indicative master plan supplied by the claimants as that was the only indicative layout before him. He seems to have relied on that to conclude that the site was capable of delivering some 300 homes.
62. The inspector then turned to suggestions before him by both the first defendant and members of the public that the developable area should be reduced. He discounted those suggestions in paragraph 139. The avoidance of any development in the whole of the River Ray CTA would, he found, significantly undermine the contribution of the site to the housing needs of Bicester. Such a reduced area would also potentially render the scheme unviable or, at the very least, unable to deliver a meaningful number of new affordable units. Further, a reduced area could materially diminish the potential for the scheme to contribute to enhancement of the LWS's ecological interest thereby achieving the main objective of the CTA. As a result, the requested reduction to avoid any development in the whole of the River Ray CTA would not represent a reasonable, realistic or more sustainable alternative to the proposal set out in the plan. In other words, the inspector understood that the policy to deliver around 300 homes was justified and sound when considered against reasonable alternatives, in this instance the alternative of no development within the CTA.
63. The inspector continued in his report to discount the suggestion that the whole of the land east of the Langford Brook should be retained as open space or designated as LGS. That was particularly the case as the proposal would enable the more important LWS to be protected with funding made available from the development (paragraph 140).
64. In paragraph 141 the inspector concluded that the most suitable balance was between the need to deliver new housing locally and protection and enhancement of environmental assets by the allocation of the site for 300 new homes on about 23

hectares. That could achieve a net gain in biodiversity which could be delivered as part of an overall package of development with appropriate mitigation measures. That was a matter for his planning judgment having considered and reached conclusions on all of the issues raised in the examination by the allocation of the site.

65. The inspector's overall reasoning was to retain the allocation as shown on the proposals map of the submitted CLP and to use the development proposed to deliver gains to enhance the LWS and produce a net gain in biodiversity as part of an overall package. That overall package centred on the delivery of around 300 homes. The inspector was satisfied that the indicative layouts showed that that was realistic and appropriate with viable mitigation measures. Notably those indicative layouts showed built form within the CTA.
66. The inspector's reasoning, therefore, is inimical with the first sentence of the key site-specific design and place shaping principles referring to keeping that part of the site within the CTA free from built development. He gave no reason at all to explain or justify the retention of that part of policy Bicester 13 that prevented built development in the CTA. As the claimants submit all his reasoning pointed the other way. Therefore, I find that the inspector failed to give any reasons for, and was irrational, in recommending the adoption of a policy that prevented built development in the CTA.
67. The inspector's findings were clear, both in rejecting the argument that there should be a reduction of the developable area to avoid any development in the whole of the CTA and on the absence of justification for the retention of the whole of the land to the east of the Langford Brook as public open space or its designation of LGS. His reasoning was that the LWS needed to be kept free from built development and protected, together with downstream SSSIs, through an ecological management plan which would ensure the long term conservation of habitats and species within the site.
68. Against that background it is difficult to understand how the inspector recommended that policy Bicester 13 should remain in its current form. Part of his modifications, consistent with his report, should have been to recommend the deletion of the first sentence of the third bullet point within the policy. That would have produced a justified and effective allocation consistent with national policy which was then sound and consistent with his report.
69. For those reasons the inspector erred in law in failing to give reasons for acting as he did, taking into account the duty upon him to examine the plan for soundness. Alternatively, the inspector was irrational in recommending as he did without supplying any reasons.
70. The first defendant had no legal power to make a modification to the plan which would have had the effect of deleting the disputed sentence as that would materially change the contents of the CLP.
71. It follows that some remedy is clearly appropriate. I turn now to consider which of the competing submissions of the claimant and first defendant is preferable.

Remedy

72. The claimants seek an Order that:

- i) Policy Bicester 13 adopted by the first defendant on 20 July 2015 be treated as not adopted and remitted to the second defendant;
 - ii) The second defendant appoint a planning inspector who recommends adoption of policy Bicester 13 subject to a modification that deletes from the policy the words “that part of the site within the Conservation Target Area should be kept free from built development”;
 - iii) The first defendant adopts policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the second defendant.
73. The first defendant submits that the second and third parts of the proposed Order are inappropriate as they ask the court to assume plan making powers and redraft the plan. They would constrain the second defendant and first defendant as decision makers and exclude the public from participation.
74. The first defendant submits that the extent to which policy Bicester 13 should allow housing development on the site or protect the site as an environmental resource is pre-eminently a matter of planning judgment. If the court were to require the policy’s adoption in the amended form that would restrike the planning balance and would trespass into a function which is that of the defendants.
75. The evidence before the court suggests that the final drafting of the policy was anything but an oversight. The first defendant had specifically queried the relationship of the disputed words and the conclusions in the inspector’s report. The inspector in response made no recommendations about deletion or modification of the disputed words in the policy. It is clear that their inclusion was deliberate.
76. Further, the first defendant submits that the claimants’ proposed Order is unsatisfactory in that it excludes the public from making representations on the amended wording of policy Bicester 13. The first defendant refers to the statutory framework requiring consultation during the preparation and revision of local plans.
77. Yet further, the claimants’ proposed Order raises issues about the sustainability appraisal which, in the addendum, noted that the policy requires that the part of the site within the CTA should be kept free from built development before concluding that “Overall the site is likely to have ... mixed effects, with potential for overriding minor positive effects overall.” Modification would, therefore, require consideration of whether a further sustainability appraisal was required.
78. Instead, the first defendant seeks an Order that the second defendant appoints a planning inspector to reconsider the way in which policy Bicester 13 treated the designated CTA, that the planning inspector appointed permit representations by all interested parties on the way in which policy Bicester 13 treated the CTA and how that policy should be drafted, that the planning inspector shall make recommendations in respect of modifications to policy Bicester 13, provide reasons for those recommendations and that the first defendant shall adopt policy Bicester 13 subject to whatever modification is recommended by the appointed planning inspector.
79. The second defendant does not support the Order proposed by the first defendant. That is because the process of examination of a development plan is holistic with all

parts of the plan interconnected. The exercise is resource intensive and here was fully and properly undertaken. The answer is fully contained within the inspector's report which sets out the inspector's planning judgement. There is, therefore, no need to return to a reopened examination.

80. In addition, there are good reasons why a reopened examination is not necessary, namely, the integrity of the plan process and clarity as to the outcome based on the inspector's report.
81. As to sustainability, without the first sentence of the third bullet point of policy Bicester 13, the policy is clear in that it says that the development must not adversely impact upon the CTA. It is difficult to see where a requirement for a further sustainability appraisal, in those circumstances, would come from. There has been no suggestion that the sustainability appraisal was not properly considered. The site itself was addressed in considerable detail by at least two ecologists at the examination hearing.
82. It follows that, if the policy is unambiguous, the claimants' draft Order is preferable and deals with all matters.

Discussion and Conclusions

83. Under section 113(7) of the PCPA the High Court may quash the relevant document and remit the document to a person with a function relating to its preparation, publication, adoption or approval. If the High Court remits the relevant document, under (7B) it may give directions as to the actions to be taken in relation to the document. 113(7B) reads:

“(7B) Directions under subsection (7A) may in particular—

(a) require the relevant document to be treated (generally or for specified purposes) as not having been approved or adopted;

(b) require specified steps in the process that has resulted in the approval or adoption of the relevant document to be treated (generally or for specified purposes) as having been taken or as not having been taken;

(c) require action to be taken by a person or body with a function relating to the preparation, publication, adoption or approval of the document (whether or not the person or body to which the document is remitted);

(d) require action to be taken by one person or body to depend on what action has been taken by another person or body.”

84. Those powers are exercisable in relation to the relevant document in whole or in part.
85. On this part of the case I am of the view that the approach of the claimants and the second defendant to the appropriate remedy is correct.

86. The reasons for that view are as follows. An extensive examination process has taken place into the plan as a whole. As part of that process the inspector has exercised and made clear his planning judgment on, amongst other matters, housing across the district. As part of that exercise his decision was to permit policy Bicester 13 to proceed on the basis that it made a valuable contribution of 300 houses to the housing supply in Cherwell District Council. That conclusion was reached having heard representations from the claimants, the first defendant and the public. The representations from the public argued that there should be reduced developable areas on the allocation site and that part of the site was suitable for designation as LGS. The public, therefore, have fully participated in the planning process. The error which I have found occurred was not as a result of the public having any inadequate opportunity to participate in the examination process.
87. There is no statutory requirement when remitting the relevant document to the second defendant to give directions which, in effect, require a rerun of part of the examination process that has already taken place. There may be circumstances where it is appropriate to do so where, for example, there is a flaw in the hearing process but this is not one of those cases. There was a full ventilation of issues as to where development should take place within the Bicester 13 allocation site, the importance of biodiversity and the ecological interests, LGS issues and whether there should be any built development within the CTA. Those are all matters upon which the inspector delivered a clear judgment. The difficulty has arisen because he did not translate that planning judgment into an appropriately sound policy.
88. In those circumstances, and for those reasons, I do not consider it appropriate to accede to the directions sought by the first defendant. If the matter were to be remitted as sought by the first defendant there would be a rerun of the same issues for no good reason, without any suggestion of a material change in circumstance, and at considerable and unnecessary expenditure of time and public money. I reject the contention that a further sustainability appraisal will be required. The residual wording of the policy is such that it secures the objective of any development having a lack of adverse impact upon the CTA.
89. The justice of the case here is met with the Order sought by the claimants and, if the policy has not been found to be ambiguous, which it has not, supported by the second defendant which gives effect to the planning judgment of the inspector.
90. Accordingly this claim succeeds. The Order should be in the terms of paragraphs 1, 2 and 3 of the draft submitted by the claimants. The parties are invited to draw a final agreed Order and should agree costs within seven days of the judgment being handed down, failing which the issue of costs will be determined on paper.

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**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
(PLANNING COURT)**

Claim No. CO/4622/2015

BEFORE THE HON. MRS JUSTICE PATTERSON DBE

BETWEEN :



**(1) JJ GALLAGHER LTD
LONDON AND METROPOLITAN DEVELOPMENTS LTD
(3) NORMAN TRUSTEES**

Claimants

- and -

**(1) CHERWELL DISTRICT COUNCIL
(2) SECRETARY OF STATE FOR COMMUNITIES AND LOCAL
GOVERNMENT**

Defendants

ORDER

UPON HEARING Counsel for the Claimants and for the First Defendant and for the Second Defendant

IT IS ORDERED THAT:

1. Policy Bicester 13 adopted by the First Defendant on 20th July 2015 be treated as not adopted and remitted to the Second Defendant;
2. The Second Defendant appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the policy the words "That part of the site within the Conservation Target Area should be kept free from built development";

3. The First Defendant adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the Second Defendant;
4. There be no order for costs as between the Claimants and the Second Defendant; and
5. The First Defendant to pay the Claimants' costs of £16,158.50 of the claim.

Signed:

Dated 18 February 2016

By the Court

Report to Cherwell District Council (Addendum - March 2016)

by Nigel Payne BSc (Hons), Dip TP, MRTPI, MCIM

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 18 May 16

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

ADDENDUM REPORT ON THE EXAMINATION INTO THE CHERWELL

LOCAL PLAN

Document submitted for examination on 31 January 2014

Examination hearings held between 3 June and 23 December 2014

File Ref: PINS/C3105/429/4

Addendum

1. This report is an addendum to my report of May 2015 containing my assessment of the Cherwell Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). This considered first whether the Plan's preparation complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considered whether the Plan was sound and whether it was compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. Following the Order of the High Court of Justice No. CO/4622/2015, dated 19 February 2016, I recommend that, in relation to Policy Bicester 13 – Gavray Drive, Main Modification No. 91, page 130, the first sentence of the third bullet point under "Key Site Specific Design and Place Shaping Principles" which states – "That part of the site within the Conservation Target Area should be kept free of built development." be deleted in the interests of soundness, clarity and to facilitate implementation of the policy and allocation in the plan.

Conclusion and Recommendation

3. **Policy Bicester 13 of the Plan has a deficiency in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of Policy Bicester 13 as submitted, in accordance with Section 20(7A) of the 2004 Act.**
4. **The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the amendment to the schedule of main modifications recommended in this addendum report relating to Policy Bicester 13 the Cherwell Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

Nigel Payne

Inspector

Cherwell Local Plan 2011-2031 (Part 1)
Policy Bicester 13 – Modified Policy For Adoption

Modification: Deleted text shown in tracked changes. There are no other modifications.

Reason: To comply with Order of the High Court of Justice, Case No. CO/4622/2015, 19 February 2016, and Inspector's Addendum Report on the Examination of the Cherwell Local Plan, 18 May 2016

Modified Policy:

**Strategic Development: Bicester
13 – Gavray Drive**

C.104 The majority of the site is part of the River Ray Conservation Target Area. Part of the site is a Local Wildlife Site and is situated to the east of Bicester town centre. It is bounded by railway lines to the north and west. The site comprises individual trees, tree and hedgerow groups, and

scrubland/vegetation. The Langford Brook water course flows through the middle of the site.

C.105 The central and eastern section of the site contains lowland meadow, a BAP priority habitat. There are a number of protected species located towards the eastern part of the site. There are several ponds and a small stream, known as the Langford Brook, which runs from north to south through the middle of the site. A

range of wildlife has been recorded including butterflies, great crested newts and other amphibians, reptiles, bats and birds.

C.106 There are risks of flooding on some parts of the site therefore mitigation measures must be considered. There is also a risk of harming the large number of recorded protected species towards the eastern part of the site. Impacts need to be

minimised by any proposal. Approximately

a quarter of the site is within Flood Zones 2 and 3 therefore any development would need to be directed away from this area.

C.107 Although there are a number of known constraints such as Flood Zone 3, River Ray Conservation Target Area and protected species, this could be addressed with appropriate mitigation measures by any proposal.

Policy Bicester 13: Gavray Drive

Development Area: 23 hectares

Development Description: a housing site to the east of Bicester town centre. It is bounded by railway lines to the north and west and the A4421 to the east

Housing

- Number of homes - 300 dwellings
- Affordable Housing - 30%.

Infrastructure Needs

- Education – Contributions sought towards provision of primary and secondary school places
- Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC11: Local Standards of Provision
 - Outdoor Recreation. A contribution to off-site formal sports provision will be required.
- Community – contributions towards community facilities
- Access and movement – from Gavray Drive.

Key site specific design and place shaping principles

- Proposals should comply with Policy ESD15.
- A high quality development that is locally distinctive in its form, materials and architecture. A well designed approach to the urban edge which relates to the road and rail corridors.
- ~~That part of the site within the Conservation Target Area should be kept free from built development.~~ Development must avoid

adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain.

- Protection of the Local Wildlife Site and consideration of its relationship and interface with residential and other built development.
- Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to protect and enhance biodiversity. The preparation and implementation of an Ecological Management Plan to ensure the long-term conservation of habitats and species within the site.
- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.
- The preparation of a structural landscaping scheme, which incorporates and enhances existing natural features and vegetation. The structural landscaping scheme should inform the design principles for the site.

Development should retain and enhance significant landscape features (e.g. hedgerows) which are or have the potential to be of ecological value.

A central area of open space either side of Langford Brook, incorporating part of the Local Wildlife Site and with access appropriately managed to protect ecological value. No formal recreation within the Local Wildlife Site.

- Provision of public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation.
- Provision of Green Infrastructure links beyond the development site to the wider town and open countryside.
- Retention of Public Rights of Way and a layout that affords good access to the countryside.
- New footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities.
Access should be provided over the railway to the town centre.
- A linked network of footways which cross the central open space, and connect Langford Village, Stream Walk and Bicester Distribution Park.
- Ensure that there are no detrimental impacts on downstream Sites of Special Scientific Interest through hydrological, hydro chemical or sedimentation impacts.
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities.

- **A legible hierarchy of routes to encourage sustainable modes of travel.
Good accessibility to public transport services with local bus stops provided. Provision of a transport assessment and Travel Plan.**
- **Additional bus stops on the A4421 Charbridge Lane will be provided, with connecting footpaths from the development. The developers will contribute to the cost of improving local bus services.**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment.**
- **Provision of public art to enhance the quality of the place, legibility and identity.**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.**
- **Take account of the Council's SFRA for the site.**
- **Consideration of flood risk from Langford Brook in a Flood Risk Assessment and provision of an appropriate buffer. Use of attenuation SuDS techniques (and infiltration techniques in the south eastern area of the site) in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's SFRA.**
- **Housing must be located outside Flood Zone 3 and the principles set out in Policy ESD 6 will be followed.**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing.**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.**

The Cherwell Local Plan 2011 – 2031

Extract from adopted Local Plan Part 1 - Policy ESD11

your place • your space •
your look • your say



Part 1
Adopted 20 July 2015

July 2015

Page 155

Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

- **Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution**
- **Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably**
- **A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management.**

Policy ESD 11: Conservation Target Areas

B.240 Conservation Target Areas in Oxfordshire have been mapped by the Thames Valley Environmental Records Centre (TVERC) in consultation with local authorities and nature conservation organisations in Oxfordshire. The Target Areas have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK BAP priority habitats, and this is their principle aim. They therefore have a major role to play in achieving Strategic Objective 15 (Section A: Strategy for Development in Cherwell). Addressing habitat fragmentation through the linking of sites to form strategic ecological networks can help species adapt to the impact of climate change, and therefore Conservation Target Areas can also contribute to the achievement of Strategic Objective 11. Conservation Target Areas represent the areas of greatest opportunity for strategic biodiversity improvement in the District and as such development will be expected to contribute to the achievement of the aims of the target areas through avoiding habitat fragmentation and enhancing biodiversity.

B.241 Ten Conservation Target Areas lie wholly or partly within Cherwell District. The boundaries of the Conservation Target Areas are indicated on the Policies Map (Appendix 5: Maps).

B.242 General targets for maintenance, restoration and creation of habitats have been set for each area, to be achieved through a combination of biodiversity project work undertaken by a range of organisations, agri-environment schemes and biodiversity enhancements secured in association with development. These targets are in the process of being made more specific in terms of the amount of each habitat type to be secured within each Conservation Target Area (see Wild Oxfordshire's website <http://wildoxfordshire.org.uk/biodiversityconservation-target-areas>).

Habitat improvement within each area will contribute towards achieving County targets, which in turn will contribute towards regional biodiversity targets identified by the South East England Biodiversity Forum. A lead partner has been appointed for several of the Conservation Target Areas to co-ordinate action.

B.243 Biodiversity enhancements sought in association with development could include the restoration or maintenance of habitats through appropriate management, new habitat creation to link fragmented habitats, or a financial contribution towards

biodiversity initiatives in the Conservation Target Area. Biodiversity enhancement within the Conservation Target Areas will be considered through the review of the current Planning Obligations Draft SPD and the funding of infrastructure through CIL or other tariff system. Biodiversity offsetting is

being explored at national level through a number of pilot projects, as a way of compensating for biodiversity loss in an effective way. If this initiative proves successful the approach could be used to secure strategic biodiversity improvement.

Policy ESD 11: Conservation Target Areas

Where development is proposed within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted. Where there is potential for development, the design and layout of the development, planning conditions or obligations will be used to secure biodiversity enhancement to help achieve the aims of the Conservation Target Area.

Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB)

B.244 Cherwell contains one area of national landscape importance - the Cotswolds Area of Outstanding Natural Beauty (AONBs). National designations including AONBs are to be prioritised for landscape protection as set out in national planning guidance, with the NPPF indicating that great weight should be given to conserving landscape and scenic beauty in those areas.

B.245 Only a small part of Cherwell District, around the village of Epwell, is included in the Cotswolds AONB, as shown on the Policies Map (Appendix 5: Maps). The area of AONB straddles the boundary of Sibford and Wroxton wards.

B.246 Proposals for development in the AONB should be small-scale and sustainably located and designed. Proposals which support the economies and social well-being of the AONB and its communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aim of conserving and enhancing natural beauty.

B.247 The Cotswolds AONB Management Plan was prepared by the Cotswold Conservation Board and was adopted by the Council for use as supplementary guidance. The Management Plan was updated and adopted by the Board in March 2013. The main principles are that development within the AONB will:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines

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CHERWELL LOCAL PLAN 2011-2031 PART 1 SUSTAINABILITY APPRAISAL (SA) ADOPTION STATEMENT, ADDENDUM, JUNE 2016

-
1. The Cherwell Local Plan 2011-2031 Part 1 was adopted on 20 July 2015. Its adoption included the preparation and publication of a Sustainability Appraisal Adoption Statement in compliance with SEA Regulation 16. The July 2015 SA adoption statement explains:
 - How environmental (and sustainability) considerations have been integrated into the plan
 - How the Environmental Report (contained within the SA Report) has been taken into account during preparation of the plan
 - How the opinions expressed by the public, consultation bodies and where appropriate other European Member States, during consultation on the plan and Environmental/SA Report have been taken into account
 - The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with
 - The measures that are to be taken to monitor the significant environmental and sustainability effects of the implementation of the plan.
 2. This statement is an addendum to the July 2015 Sustainability Appraisal Adoption Statement and is made in response to the Order (No. CO/4622/2015) of the High Court of Justice dated 19 February 2016 and subsequent Planning Inspector's Addendum Report (18 May 2016) into the Examination of the Cherwell Local Plan. It records the High Court conclusions on the Sustainability Appraisal process and amends Table 3.1 of the SA Adoption Statement to reflect changes to the Local Plan.
 3. On 19 February 2016 the High Court of Justice ordered that Policy Bicester 13 of the Adopted Cherwell Local Plan 2011-2031 be treated as 'not adopted' and remitted to the Secretary of State for Communities and Local Government. It also ordered that the Secretary of State appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the policy the words: **'That part of the site within the Conservation Target Area should be kept free from built development'**.
 4. The On 18 May 2016 an addendum to the Local Plan Inspector's report was received. The appointed Inspector stated:

'Following the Order of the High Court of Justice No. CO/4622/2015, dated 19 February 2016, I recommend that, in relation to Policy Bicester 13 – Gavray Drive, Main Modification No. 91, page 130, the first sentence of the third bullet point under "Key Site Specific Design and Place Shaping Principles" which states – "That part of the site within the Conservation Target Area should be kept free of built development." be deleted in

the interests of soundness, clarity and to facilitate implementation of the policy and allocation in the plan.'

5. In his conclusion and recommendation, the Inspector states '...I conclude that with the amendment to the schedule of main modifications recommended in this addendum report relating to Policy Bicester 13 the Cherwell Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.'
6. The High Court Judge considered (CO/4622/2015, 18 February 2016, para. 81) the effect of the ordered modification and noted: *'As to sustainability, without the first sentence of the third bullet point of policy Bicester 13, the policy is clear in that it says that the development must not adversely impact upon the CTA. It is difficult to see where a requirement for a further sustainability appraisal, in those circumstances, would come from. There has been no suggestion that the sustainability appraisal was not properly considered. The site itself was addressed in considerable detail by at least two ecologists at the examination hearing '.* With regard to sustainability, the Judge then concluded (para. 88) *'I reject the contention that a further sustainability appraisal will be required. The residual wording of the policy is such that it secures the objective of any development having a lack of adverse impact upon the CTA'.*
7. The following addition to Table 3.1 of the SA Adoption Statement is therefore made.
Table 3.1 shows stages of Local Plan Part 1 preparation and corresponding SA stages and how the SA Reports have been taken into account.

Addition to Table 3.1 of the SA Adoption Statement

Time period	Plan-making stage	SA/SEA stage
July 2015 to December 2016	High Court Challenge Order of the High Court of Justice No. CO/4622/2015, 19 February 2016, and Addendum Report on the Examination of the Cherwell Local Plan, 18 May 2016	The Court Order and Addendum to the Inspector's Report result in the deletion of the words 'That part of the site within the Conservation Target Area should be kept free from built development' from the third bullet point of the Key Site Specific Design and Place Shaping Principles of Local Plan Policy Bicester 13. The High Court concluded that no further SA stages are required (JJ Gallagher Ltd & Ors v Cherwell District Council & Anor, Court of Appeal - Administrative Court, February 18, 2016)

Cherwell District Council

Council

19 December 2016

Council Tax Reduction Scheme 2017-2018 and Council Tax Discounts 2017-2018

Report of Chief Finance Officer

This report is public

Purpose of report

To provide members with an update on the consultation process that has taken place on the proposals for a Council Tax Reduction Scheme for 2017-2018 and to seek approval for a Council Tax Reduction Scheme for the year 2017-2018 on the recommendation of the Executive and Budget Planning Committee.

To provide members with an update of Council Tax discounts and seek approval for the Council Tax discounts for the year 2017-18.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2017 to 31 March 2018 as set out in the report and implement the scheme with effect from 1 April 2017.
- 1.2 To grant delegated authority to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2017 in consultation with the Lead Member for Financial Management.
- 1.3 To review the proposed level of Council Tax discounts for 2017-2018 and to approve the following:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

2.0 Introduction

- 2.1 In December 2015 members approved a Council Tax Reduction Scheme (CTRS) for Cherwell District Council for the financial year 2016-2017. The scheme mirrored the previous Council Tax Benefit (CTB) scheme in that the maximum Council Tax liability to be included in any assessment for working age customers is 100%.
- 2.2 Funding for the new scheme is based on a fixed cash grant based on approximately 90% of the previous CTB subsidy giving a funding shortfall for Cherwell of £742,430. The funding shortfall is mostly offset by changes to locally set Council Tax discounts.

3.0 Report Details

Council Tax Reduction Scheme (CTRS) 2017-2018

- 3.1 The Government has stated that the funding levels for Council Tax Reduction will remain the same in 2017-2018. The 10% reduction in funding for 2016-2017 of £742,430 has been offset by changes to locally set Council Tax discounts.
- 3.2 As the funding for the CTRS is a fixed grant the cost of any increase in the level of demand will be borne by the council. The CTRS caseload is regularly monitored and there has been a small decrease in the number of live cases from 7,513 in April 2015 to 7,193 in July 2016.
- 3.3 In October 2016 members of Executive were asked to consider a report outlining the various options for a Council Tax Reduction Scheme for 2017-2018 including financial modelling. Members agreed, for consultation purposes, option one which is no change to the current Council Tax Reduction Scheme or Council Tax Discounts.
- 3.4 This means that the level of support received by those currently on CTRS will not change unless they have a change in their circumstances. The only change required would be the changes to the Regulations to reflect changes such as benefit uprating.

Consultation Process.

- 3.5 Members agreed a consultation process on the option of no change to the current CTRS. The consultation began on 5 October 2016 and ended on 17 October 2016.
- 3.6 The consultation process included detailed information and a response form on the website. Targeted consultation also took place with 750 households across the district who were invited to take part in the survey.
- 3.7 Consultation has also taken place with the major preceptors.
- 3.8 A total of 54 responses were received although not all questions were answered by the respondents. A summary report of the results can be found at Appendix A of this report. The majority of people who completed the survey are happy with the proposals for Council Tax Reduction Scheme for 2017-2018. The key findings are as follows:

- All of the 54 responses came from individuals rather than on behalf of organisations.
- 24 of the 52 respondents (46.2%) felt that the Council should continue with the current scheme.
- If the Council were to consider other options to help pay for the scheme 28 the respondents (54%) felt that the level of support for working age households should be reduced, 9 respondents (18%) felt that Council Tax should be increased and 11 (22%) were in favour of reduction in funding for other services.

3.9 Following the consultation process members of Executive agreed to recommend to Council the option of no change to the Council Tax Reduction scheme for 2017-2018 with changes to the Regulations to reflect the changes to Housing Benefit uprating and for delegated authority to be given to the Section 151 Officer to make any changes to the CTRS Regulations up to and including 31st January 2017 in consultation with the Lead Member for Financial Management.

Council Tax Reduction Scheme Regulations

- 3.10 There will continue to be national regulations related to CTRS which the Council must adhere to including the national scheme for those people who have attained the qualifying age for State Pension Credit.
- 3.11 There are existing regulations for our local scheme for 2016-2017. If the recommendation for no change is agreed then the regulations will require some technical changes for uprating by DCLG and Department for Work and Pensions.

Council Tax Discounts

- 3.12 The Local Government Finance Act 2012 abolished certain exemptions with effect from 1 April 2013 and replaced them with discounts which can be determined locally. Council approved a number of small changes to discounts in order to meet the funding requirements of the Council Tax Reduction Scheme.
- 3.13 Council determined that furnished chargeable dwellings that are not the sole or main residence of an individual (second homes) should no longer receive a discount. If we continue to set the discount at zero it is estimated that this will result in additional income of £76,755.
- 3.14 Council also determined the discount in respect of unoccupied and substantially unfurnished properties should be reduced to 25% for a period of 6 months and thereafter to zero. Current estimations indicate that this will result in additional income of around £308,018
- 3.15 Council further exercised its discretion to determine that chargeable dwellings which are vacant and undergoing major repair to render them habitable should attract a discount of 25% for a period of 12 months and thereafter to zero. This will result in additional income of £22,162
- 3.16 The Local Government Finance Act 2012 also allows for an Empty Homes Premium to be charges on long term empty properties that is those that have been empty and unfurnished for two years or more. If this remains unchanged it is estimated this

would result in additional income of £120,843. If this causes more long term empty properties to be brought back into use it will have a beneficial impact on New Homes Bonus.

Financial Implications of the recommendation for CTRS 2017-2018

- 3.18 The recommendation for no change to the current Council Tax Reduction Scheme or Council Tax Discounts would have the following financial impact:

	Based on 100%
Overall funding loss	742,430
Second homes income	-76,755
Empty homes income with discount of 25% for 6 months	-308,018
Uninhabitable homes discount of 25% for 12 months	-22,162
Long term empty premium income	-120,843
Total funding gap	214,652
Total funding gap for SNC	17,172

4.0 Conclusion and Reasons for Recommendations

- 4.1 The proposal is to keep the same Council Tax Reduction Scheme for 2017-2018 with changes to the Regulations to reflect the changes such as uprating. Consultation has taken place with residents and major preceptors.
- 4.2 Members are now required to agree a Council Tax Reduction Scheme for the 2017-2018 financial year and are asked to give delegated Authority to the Section 151 Officer to make amendments to the CTRS Regulations up to and including 31 January 2017 in consultation with the Lead Member for Financial Management.
- 4.3 Members are also asked to agree that Council Tax Discounts for 2017-2018 are set at the levels detailed in the report.

5.0 Consultation

Budget Planning Committee and Executive

A report on the results of the consultation for a Council Tax Reduction Scheme for 2017-2018 has been considered by Budget Planning Committee and Executive who recommended a no change scheme to Council.

Public and major preceptors

Consultation with anyone affected by the proposed new scheme has taken place.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: To not agree any of the options for a new scheme. This would have financial implications for the Council and those residents affected by wider Welfare Reform.

7.0 Implications

Financial and Resource Implications

- 7.1 These are contained within the report.

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 0030 0106

paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Council is required to approve a Council Tax Reduction Scheme on an annual basis. Failure to do so will affect the reputation of the Council and will have a financial implication for residents. The Council must take due account of any responses to a consultation process before determining its position.

Comments checked by:

Kevin Lane, Head of Law and Governance 0300 0030107

kevin.lane@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.3 An equality impact assessment has been undertaken on the Council Tax Reduction Scheme for 2017-2018. It is proposed that the scheme remains unchanged in 2017-2018 and no change has arisen from the consultation exercise.

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 0030 0106

paul.sutton@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

This links to the Council's priority of protecting our quality of life.

Lead Councillor

Councillor Ken Attack Lead Member for Financial Management

Document Information

Appendix No	Title
A	Results of Consultation Process
Background Papers	
None	
Report Author	Belinda Green, Joint Revenues and Benefits Manager
Contact Information	01327 322182 belinda.green@cherwellandsouthnorthants.gov.uk

Appendix A

Council Tax Reduction Scheme

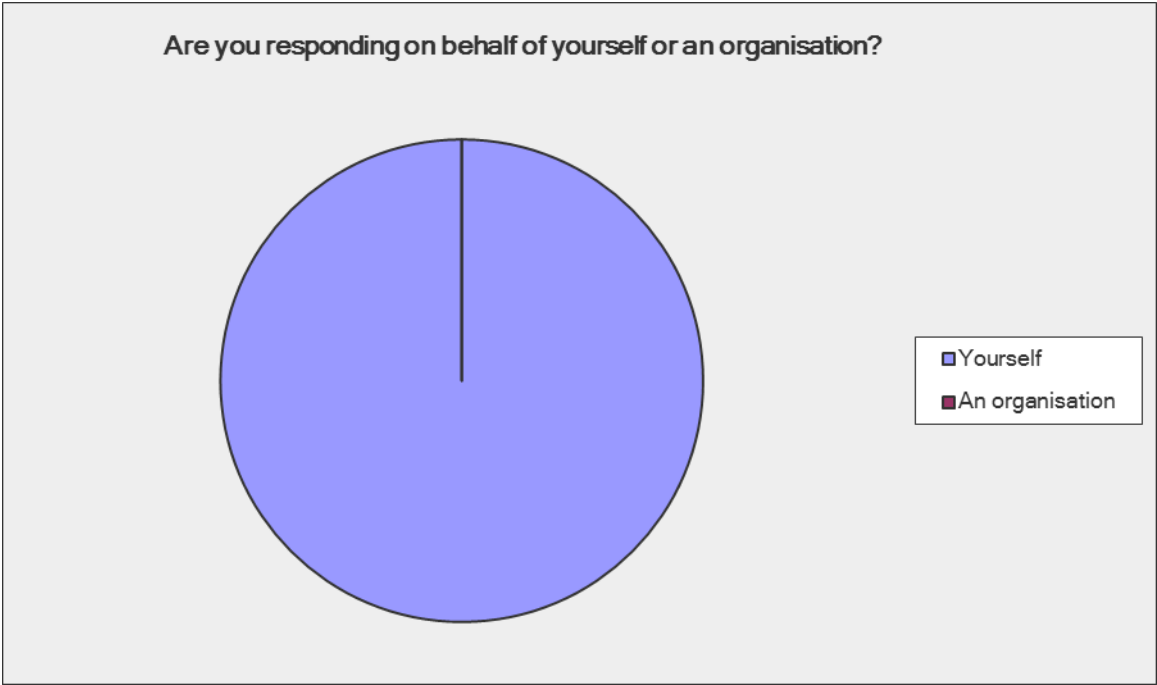
2017-2018: Public Consultation

54

Total Responses received

Q1: Are you responding on behalf of yourself or an organisation?

54 Answered on behalf of an individual



Q2: CURRENT SCHEME: Do you agree that the Council should continue with the current scheme which provides the same level of financial support as was provided by Council Tax?

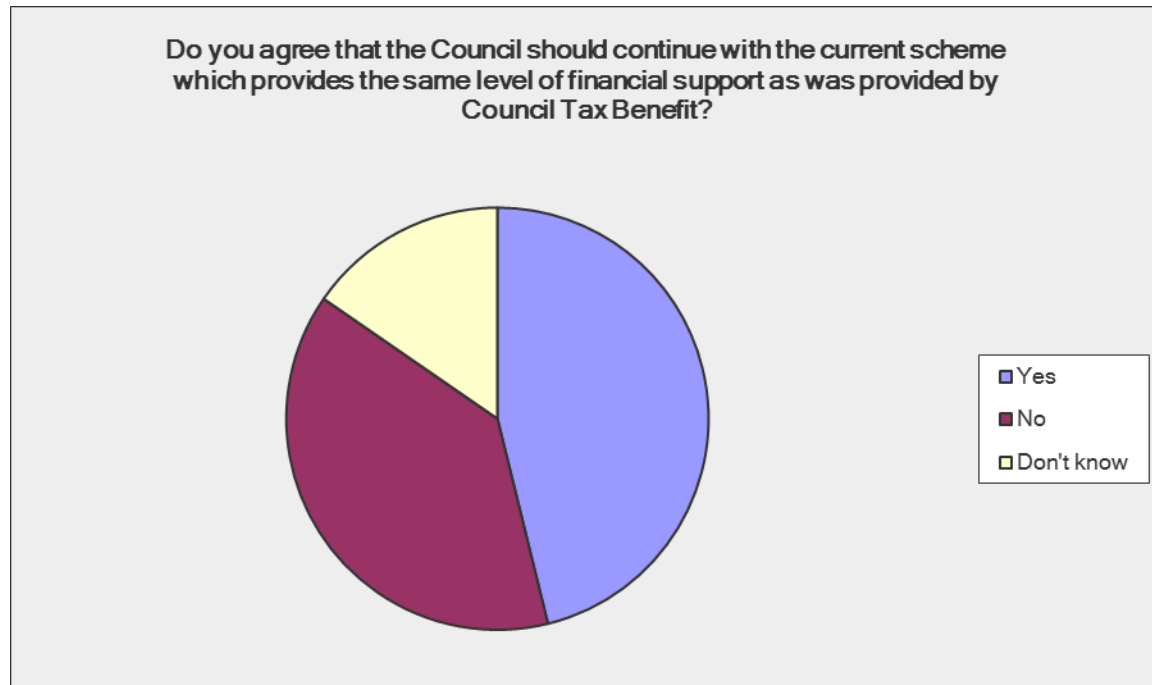
Answered: 52 Skipped: 2

Yes 46.2% - 24 responses

No 38.5% - 20 responses

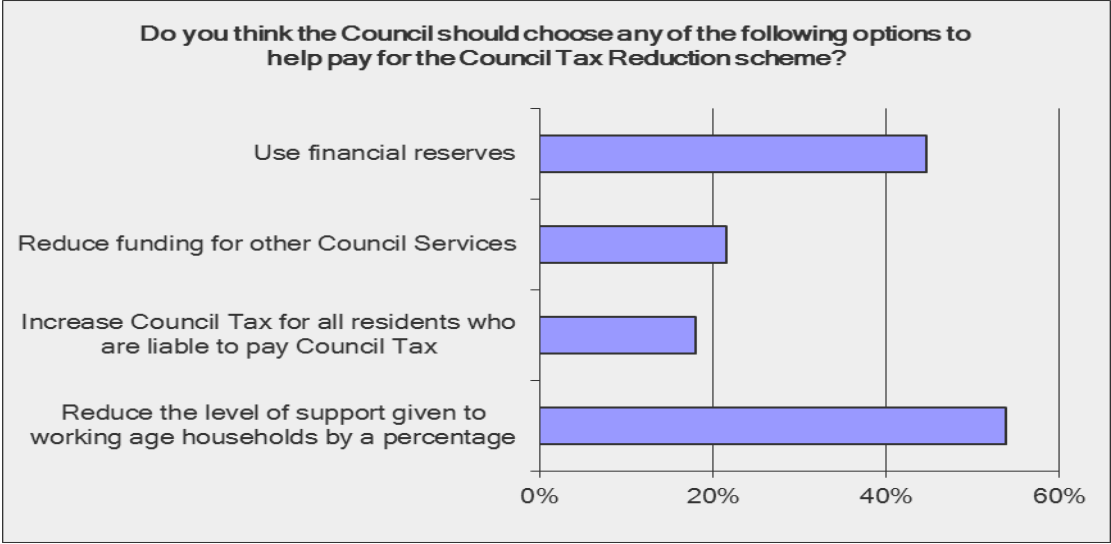
Don't know 15.4% – 8 responses

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Q3: OTHER OPTIONS: Do you think the Council should choose any of the following options to help pay for the Council Tax Reduction Scheme?

- Use reserves: 45% 21 responses
- Reduce funding for other services: 22% - 11 responses
- Increase Council Tax 18% - 9 responses
- Reduce level of support for working age households 54% - 28 responses



Please use the space below to make any further comments

- Local politicians have to relay to their political masters that reducing local government capacity to provide services is a false economy.
- All people of working age should have to pay a percentage.
- Council Tax is more than one tenth of my wage each month but as I am a home owner well jointly with bank I don't receive any help.
- I think everyone should at least contribute a small sum as every household benefits from the services provided.
- Do not sacrifice social care for our elderly to support younger people who could easily work – there are loads of jobs in Cherwell and unless medically unfit then everyone should work at contribute a bit to the community.
- Ensuring that all working age households contribute will encourage them to appreciate the difficult choices that local authorities have to make. An increase in Council Tax sanctioned by referendum would be deeply undemocratic when many of those voting would not be subject to any increase in charges. If they continue to receive 100% protection via the CTR scheme.
- I have little knowledge of tax reduction scheme.
- If you are needing to use financial reserves – make sure it is no more than 10% of the reserves.
- Give higher tax to very rich people.
- The council should consider providing support only to those households who are the lowest level of council tax in any region.
- Was invited to claim benefit via age concern.

Cherwell District Council

Council

19 December 2016

Community Governance Review Update

Report of Chief Executive

This report is public

Purpose of report

To provide an update on the Community Governance Review (CGR) to be undertaken and to request that an amended Terms of Reference document be approved.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the amended Terms of Reference for the Community Governance Review (appendix 1)
- 1.2 To delegate authority to the Chief Executive to amend the timetable for the Review, if required

2.0 Introduction

- 2.1 The last Community Governance Review for Cherwell was completed in 2013. This resulted in various changes across the district, including changes to parish boundaries and increased numbers of Parish Councillors.
- 2.2 In October 2016, Council approved a Terms of Reference (ToR) document for the review. Since then, a number of parish councils have expressed a wish to be included in the review. Officers also wish to amend other sections of the ToR, so it is necessary for the document to be updated and return to Council for approval.

3.0 Report Details

Community Governance Review – Parishes to be included

- 3.1 Following consideration of the draft Terms of Reference at the last meeting of Council, four further parishes have expressed an interest in having their number of Parish Councillors reviewed – Fritwell, Tadmarton, Weston-on-the-Green and Yarnton.

- 3.2 Stratton Audley were already included in the draft ToR, having contacted the Democratic and Elections team over the summer regarding an increase of parish councillors. Upper Heyford were also already included.
- 3.3 The main changes to the ToR are in the 'Consultation' paragraph, the 'Timetable for Review' paragraph, and an additional paragraph 'who undertakes the review?'.
- 3.4 The Consultation paragraph has been updated to give more detail on how exactly consultation will be carried out during the review.
- 3.5 The Timetable paragraph has been amended to give a later start date for the main part of the review. This does not impact on the overall end date for the review, or the implementation of any changes agreed.
- 3.6 It is requested that authority be delegated to the Chief Executive to amend the timetable further should it be required, for example lengthening or adding a consultation period.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Cherwell District Council committed to undertake a further CGR relating to Upper Heyford at the conclusion of the previous review in 2013.

5.0 Consultation

None specifically for this stage of the CGR. Details of consultation as part of the review are included in the Terms of Reference document.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to conduct a CGR. This is rejected as CDC has previously committed to a CGR for Upper Heyford.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 0030106,
paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Council is empowered to undertake a Community Governance Review by the Local Government and Public Involvement in Health Act 2007. In undertaking the review it must take steps to ensure that the outcome of the review reflects the identities and interests of the area being reviewed and the need to ensure effective and convenient community governance. Statutory guidance on the process can be found at <https://www.gov.uk/government/publications/community-governance-reviews-guidance>

Comments checked by:

Kevin Lane, Head of Law and Governance – 0300 0030107
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

None

Document Information

Appendix No	Title
Appendix 1	Amended Terms of Reference for Community Governance Review
Background Papers	
None	
Report Author	Emma Faulkner – Democratic and Elections Officer
Contact Information	Tel: 01327 322043 Email: emma.faulkner@cherwellandsouthnorthants.gov.uk

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Cherwell District Council

**Local Government and Public Involvement in Health Act 2007
Community Governance Review**

Terms of Reference

Introduction

Cherwell District Council has resolved to undertake a Community Governance Review (CGR) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007 to consider the following Parish matters:

Table 1

Parish/Area	Matters to be considered
Fritwell	The number of Parish Councillors for the Parish Council, following a request from the Clerk for an increase in numbers
Stratton Audley	The number of Parish Councillors for the Parish Council, following a request from the Clerk for an increase in numbers
Tadmarton	The number of Parish Councillors for the Parish Council, following a request from the Clerk for a decrease in numbers
Weston-on-the-Green	The number of Parish Councillors for the Parish Council, following a request from the Clerk for an increase in numbers
Yarnton	The number of Parish Councillors for the Parish Council, following a request from the Clerk for an increase in numbers
Upper Heyford	Splitting the existing Parish area into two, creating a new parish for the 'Heyford Park' area; To determine a name for the new Parish; Cherwell District Council agreed to complete a further CGR on this issue at the conclusion of the last CGR in 2013

The Council will undertake the review in accordance with the Guidance on community governance reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England (LGBCE) in March 2010 ("the guidance")

What is a Community Governance Review?

A CGR is a review of the whole or part of the Council area to consider one or more of the following:

Creating, merging, altering or abolishing parishes

The naming of parishes and the style of new parishes

The electoral arrangements for parishes, such as the ordinary year of election, council size, number of councillors to be elected to the council and parish warding
Grouping parishes under a common parish council or de-grouping parishes

The Council is required to ensure that community governance within the area under review will be:

Reflective of the identities and interests of the community in that area; and
Is effective and convenient

In doing so the Review is required to take into account:

The impact of existing community governance arrangements on community cohesion; and
The size, population and boundaries of any local community or proposed parish or town Council

Why is the Council undertaking the review?

The guidance states that it is good practice for principal councils (in this context that means this council) to undertake CGRs every 10-15 years. The last review was concluded in December 2013, and during that time the Council committed to undertake a further CGR within 5 years specifically for Upper Heyford.

As the Council has received the request from Stratton Audley regarding number of Parish Councillors, the review will be widened to look at such requests from other Parishes if they so wish. A review of parish boundaries, other than those at Upper Heyford, will not be considered as part of this review.

Who undertakes the review?

A working group has been established to deal with the day to day work of the review, in conjunction with officers from the Democratic and Elections team. The Working Group will be responsible for considering each request and consultation responses received, before formulating recommendations to Council. The final decision relating to each recommendation sits with full Council.

Consultation

A full consultation document will be produced, detailing the proposals for each of the areas specified in table 1. The document will be emailed to the parishes concerned, published on a dedicated 'Community Governance Review' page on the Cherwell District Council website, and paper copies will also be available on request for anybody without access to the internet.

With regard to Upper Heyford, a specific document will be produced outlining the implications of splitting the parish. The document will be delivered to every address in the parish, and will include a pro-forma style return slip and pre-paid envelope so that residents can let the Council know if they support the proposed split. Officers from Democratic and Elections will also look to hold consultation 'drop-in' events in the parish, the details of which are to be finalised.

Appendix 1

All consultation documents will also be available via the consultation portal on the Cherwell District Council website, so that people can respond electronically if they so wish.

All consultation responses will be logged and reported back to the working group, and full Council. Names and addresses of individual respondents will not be included in the central log for data protection purposes. Responses received from parish councils will be highlighted as such, and will be assumed to be an official response on behalf of the whole parish council.

Timetable for the Review

The 2007 Act requires that a principal council must complete a CGR within 12 months of the date of publication of terms of reference. The proposed timetable below complies with the legal requirement.

19 December 2016	Consideration of Terms of Reference by full Council
3 January 2017	Final Terms of Reference Published
October to December 2016	Work on consultation document for all Upper Heyford residents. Information gathering from Parishes who have requested a review of Parish Councillor numbers.
w/c 9 January 2017 (exact date to be determined)	Meeting with working group ahead of start of consultation
16 January 2017 to 17 March 2017 (8 weeks)	Consultation period with residents of all affected areas
20 February 2017	Update report to Full Council
Between 20 March & 7 April 2017 (exact date to be determined)	Meeting with working group to discuss consultation responses received, recommendations formulated
16 May 2017	Report to Council with recommendations
19 June – 4 August 2017 (6 weeks)	Consultation on recommendations
Between 21 August & 8 September 2017 (exact date to be determined)	Meeting with working group to discuss consultation responses received, recommendations finalised
w/c 25 September 2017	Final Recommendations published; Community Governance Review order drafted
16 October 2017	Final report to Council, finalise CGR order

How to respond

If you have any questions or comments on these terms of reference, or the Community Governance Review process as a whole, please email democracy@cherwellandsouthnorthants.gov.uk, or write to:

CGR
Democratic and Elections Team
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

[Date to be inserted]

Cherwell District Council

Council

19 December 2016

<p>Calendar of Meetings 2017/18 and Draft Calendar of Meetings 2018/19</p>

Report of Head of Law and Governance

This report is public

Purpose of report

Council is asked to consider the calendars of meetings for the municipal year 2017/18 and draft calendars for the municipal year 2018/19.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2017/18 (Appendix 1) and the draft calendar of meetings for the municipal year 2018/19 (Appendix 2).
- 1.2 To approve the joint committees calendar of meetings for the municipal year 2017/18 (Appendix 3) and the draft joint committees calendar of meetings for the municipal year 2018/19 (Appendix 4), subject to similar agreement by South Northamptonshire Council.

2.0 Introduction

- 2.1 It is necessary for the Council to agree a Calendar of Meetings to enable the business of the Council to be programmed appropriately in conjunction with its statutory requirements and the Executive's and Committee's work programmes and to enable the Joint Management Team and Officers to programme key dates into their work plans.
- 2.2 The draft Cherwell District Council (CDC) 2017/18 calendar of meetings was approved by Council in February 2016. The calendar has been slightly amended from the draft version and a revised 2017/18 calendar of meetings is attached at Appendix 1. The draft 2018/19 calendar of meetings is attached at Appendix 2.

- 2.3 The calendars of meetings have been prepared in conjunction with the calendars of meetings for South Northamptonshire Council (SNC) to ensure that the Joint Management Team and shared officers are able to attend relevant meetings at either authority.
- 2.4 The draft calendar of meetings for joint committees with South Northamptonshire Council (Joint Commissioning Committee, Joint Councils Employee Engagement Committee and the Joint Scrutiny Committee) for the municipal year 2017/18 was agreed by the respective CDC and SNC Council meetings in February 2016. The calendar has been slightly amended from the draft version and a revised 2017/18 joint committee calendar of meetings is attached at Appendix 3. The draft 2018/19 joint committee calendar of meetings is attached at Appendix 4.

3.0 Report Details

Cherwell District Council Meeting Calendar

- 3.1 The Cherwell District Council calendars of meetings have been prepared on the basis of the considerations set out below:
- Meeting dates for Committees reflecting the dates in previous years as far as possible.
 - Meeting dates are set to ensure linked committees follow in a timely manner for items that will be considered by more than one Committee.
 - Council meetings being held on Mondays with the exception of:
 - The 2017/18 Annual Council meeting will be held on Tuesday 16 May 2017. This is to allow time for political groups to consider appointments to committees.
 - The 2018/19 Annual Council meeting will be held on Tuesday 15 May 2018. This is to allow for the inclusion of proportionality calculations following the local elections on Thursday 3 May 2018.
 - Meetings of Executive being held on the first Monday of each month with the following exceptions: August and May when no meetings are scheduled.
 - Planning Committee meetings every four weeks with the exception of December /January and April/May/June in both years when the cycle varies between three weekly and five weekly due to the festive season and elections respectively. In all cases the four weekly cycle is reinstated as soon as possible.
 - Meetings of the Overview and Scrutiny Committee and the Budget Planning Committee are scheduled to tie in with key activities undertaken by each Committee e.g. performance monitoring, budget preparation, business plan review and will assist with work programme planning. The scheduling ensures that meetings are held before Executive meetings to enable feedback from the respective Committees to Executive.

- The Accounts, Audit and Risk Committee meeting five times plus an informal meeting prior to the June meeting in 2017/18 and the May meeting in 2018/19 to review the accounts. In 2018/19 the meeting dates of the Committee have been adjusted to take into account the change of deadline (from the end of June to the end of May) for the Statement of Accounts to be approved by the Chief Finance Officer and submitted to the external auditor and the change to the deadline (from the end of September to the end of July) for approval of the final audited Statement of Accounts.
- Licensing Committee, Licensing Sub-Committee, Personnel Committee, Standards Committee and Appeals Committee meetings will be arranged as business requires.
- Two Parish Liaison meetings being held in each municipal year:

2017/18

Wednesday 7 June 2017

Wednesday 8 November 2017

2018/19

Wednesday 6 June 2018

Wednesday 7 November 2018

These meetings are arranged by the Community Infrastructure Officer.

- Executive Business Planning Meetings (BPM) are administered by the PA to the Leader. Dates will be advised in due course.

Joint Committees with South Northamptonshire Council (SNC)

3.2 The joint committee calendars of meetings have been prepared on the basis of the considerations set out below:

- Meetings held on Thursdays and rotating between the CDC and SNC council offices as far as practicable.
- Meetings of the Joint Councils Employee Engagement Committee (JCEEC) and the Joint Commissioning Committee (JCC) held bi-monthly on the same date.
- The Joint Scrutiny Committee (JSC) will meet quarterly.
- Joint Appeals Committee meetings will be arranged as required. No meetings are currently scheduled.

3.3 In addition to the above joint committees, the following informal sub-groups of the JCC are administered by the Business Transformation Team.

- Transformation Joint Working Group (TJWG): This sub-group oversees the detail of the transformation programme, the development of business cases and any other proposals relating to transformation and organisational change. Meetings are held at 9am on the first Wednesday of the month at Bodicote House.

- **Commercial Development Panel:** This Panel oversees any developmental work that is undertaken on commercial ideas, including the detailed oversight of workstream 11 (commercial development) and any opportunity for commercialising existing services. The group consists of 3 members from SNC and three members from CDC. Meeting dates will be notified to Panel members.
- **Transformation Reference Group:** This is an informal group consisting of 12 members from each council, but open to all Members. The Group will meet twice a year and provide an opportunity for questions and answers and any updates around the transformation programme.

2017/18

Thursday 25 May 2017, 6pm, The Forum

Thursday 11 January 2018, Bodicote House

2018/19

Thursday 24 May 2018, 6pm, The Forum

Thursday 10 January 2019, 6pm, Bodicote House

- 3.4 In addition to the above joint committees/informal groups, ad hoc Member and group briefings take place for matters of significance. Members will be notified of dates when these are arranged.
- 3.5 Following the change to the Chief Executive's appraisal process, agreed at the 21 July 2016 meeting of the Joint Commissioning Committee (Minute 24), the meetings of the Joint Appraisal Sub-Committee have been removed from the meeting calendar.

Amendments to the Calendars of Meetings

- 3.6 Members are reminded that the Council's Constitution sets out that no alterations to the dates and times of meetings shall take place unless Council, the Committee or Sub-Committee agrees an ad-hoc change or the Chairman of the relevant Committee or Sub-Committee, after consultation with the Head of Law and Governance, concurs with either a cancellation, or an alternative date or time.
- 3.7 Once agreed, all meeting dates will be added to the Council's website. If there are any changes to meeting dates Members will be notified and the website updated accordingly.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is believed that the proposed calendars of meetings for the municipal years 2017/18 and 2018/19 as set out in the appendices will provide a suitable decision making framework for Cherwell District Council.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

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

Option 1: To amend dates in the proposed calendar. It should be noted that any changes to the calendar of meetings may have a knock-on effect to the meeting cycle or performance targets / statutory deadlines which may in turn require the whole calendar to be redrafted.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:
Paul Sutton, Chief Finance Officer,
0300 003 0107 paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

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

Comments checked by:
Kevin Lane, Head of Law and Governance, 0300 003 0106,
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.3 The Council needs to have in place a programme of meetings to ensure effective and efficient decision making.

Comments checked by:
Kevin Lane, Head of Law and Governance, 0300 003 0106,
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Agreement of a calendar of meetings has significant implications for the Council's business planning and the programming of work.

Lead Councillor

None

Document Information

Appendix No	Title
1	Proposed CDC calendar of meetings for the municipal year 2017/18
2	Proposed draft CDC calendar of meetings for the municipal year 2018/19
3	Proposed joint committee calendar of meetings for the municipal year 2017/18
4	Proposed draft joint committee calendar of meetings for the municipal year 2018/19
Background Papers	
None	
Report Author	Natasha Clark, Interim Democratic & Elections Manager
Contact Information	01295 221589 Natasha.clark@cherwellandsouthnorthants.gov.uk

Cherwell District Council Calendar of Meetings 2017/18¹

Council	Executive	Planning Committee	Accounts, Audit & Risk Committee	Overview & Scrutiny Committee	Budget Planning Committee
<i>Mon, 6.30pm</i>	<i>Mon, 6.30pm</i>	<i>Thurs, 4pm</i>	<i>Weds, 6.30pm</i>	<i>Tues, 6.30pm</i>	<i>Tues, 6.30pm</i>
2017 Tuesday 16 May AGM 17 July 16 October 18 December 2018 26 February 2018/19 Tuesday 15 May 2018 AGM	2017 5 June 3 July 4 September 2 October 6 November 4 December 2018 8 January 5 February 5 March 3 April (Tuesday, due to Bank Holiday)	2017 18 May 8 June 6 July 3 August 31 August 28 September 26 October 23 November 14 December 2018 18 January 15 February 15 March 12 April	2017 28 June 5pm - informal review of accounts 28 June 27 September 22 November 2018 24 January 14 March	2017 30 May 11 July 29 August 10 October 21 November 2018 23 January 20 February 27 March	2017 23 May 25 July 30 August (Wednesday) 26 September 31 October 28 November 2018 30 January 27 February
Democratic Contact Officer: Natasha Clark 01295 221589	Democratic Contact Officer: Natasha Clark 01295 221589	Democratic Contact Officer: Aaron Hetherington 01295 227956	Democratic Contact Officer: Aaron Hetherington 01295 227956	Democratic Contact Officer: Emma Faulkner 01327 322043	Democratic Contact Officer: Lesley Farrell / Joel Bliss; 01295 221591 / 01295 221869

¹ Meetings are subject to change and cancellation. Members will be notified and the website updated accordingly.

NOTES: Chairman and Vice-Chairman for all Committees for the municipal year 2017/18 will be appointed at the first meetings of Committees held at the conclusion of the Annual Council meeting on Tuesday 16 May 2017.

Licensing Committee, Licensing Sub-Committees, Personnel Committee, Appeals Panel and Standards Committee meetings will be arranged as required.

Democratic Contacts:

Licensing Committee and Licensing Sub-Committee: Louise Aston – 01295 221601 / Aaron Hetherington – 01295 227956

Personnel Committee: Louise Aston – 01295 221601

Standards Committee: Sharon Hickson – 01295 221554

Appeals Panel: Natasha Clark – 01295 221589

Executive BPM meeting dates: 2017/18: TBC

Please note that this the Informal Executive is administered by the PA to the Leader of the Council

Parish Liaison Meeting: Wednesday 7 June 2017
 Wednesday 8 November 2017

Parish Liaison Meeting Contact: Kevin Larner, Community Infrastructure Officer – 01295 221706

Cherwell District Council Calendar of Meetings 2018/19¹

Council	Executive	Planning Committee	Accounts, Audit & Risk Committee	Overview & Scrutiny Committee	Budget Planning Committee
<i>Mon, 6.30pm</i>	<i>Mon, 6.30pm</i>	<i>Thurs, 4pm</i>	<i>Weds, 6.30pm</i>	<i>Tues, 6.30pm</i>	<i>Tues, 6.30pm</i>
2018 Tuesday 15 May AGM 16 July 15 October 17 December 2019 25 February 2019/20 Tuesday 14 May 2019 AGM	2018 4 June 2 July 3 September 1 October 5 November 3 December 2019 7 January 4 February 4 March 1 April	2018 17 May 14 June 5 July 2 August 30 August 27 September 25 October 22 November 13 December 2019 17 January 14 February 14 March 11 April	2018 30 May 5pm - <i>informal review of accounts</i> 25 July 21 November 2019 23 January 14 March	2018 29 May 10 July 28 August 9 October 20 November 2019 22 January 19 February 26 March	2018 22 May 24 July 29 August (Wednesday) 25 September 30 October 27 November 2019 29 January 26 February
Democratic Contact Officer: Natasha Clark 01295 221589	Democratic Contact Officer: Natasha Clark 01295 221589	Democratic Contact Officer: Aaron Hetherington 01295 227956	Democratic Contact Officer: Aaron Hetherington 01295 227956	Democratic Contact Officer: Emma Faulkner 01327 322043	Democratic Contact Officer: Lesley Farrell / Joel Bliss; 01295 221591 / 01295 221869

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NOTES: Chairman and Vice-Chairman for all Committees for the municipal year 2018/19 will be appointed at the first meetings of Committees held at the conclusion of the Annual Council meeting on Tuesday 15 May 2018.

Licensing Committee, Licensing Sub-Committees, Personnel Committee, Appeals Panel and Standards Committee meetings will be arranged as required.

Democratic Contacts:

Licensing Committee and Licensing Sub-Committee: Louise Aston – 01295 221601 / Aaron Hetherington – 01295 227956

Personnel Committee: Louise Aston – 01295 221601

Standards Committee: Sharon Hickson – 01295 221554

Appeals Panel: Natasha Clark – 01295 221589

Executive BPM meeting dates: 2018/19: TBC

Please note that this the Informal Executive is administered by the PA to the Leader of the Council

Parish Liaison Meeting: Wednesday 6 June 2018
 Wednesday 7 November 2018

Parish Liaison Meeting Contact: Kevin Larner, Countryside Infrastructure Officer – 01295 221706

CDC/SNC Joint Meetings Calendar of Meetings 2017/18¹

Transformation Joint Working Group (TJWG) ²	Joint Councils Employee Engagement Committee (JCEEC)	Joint Commissioning Committee (JCC)	Joint Scrutiny Committee (JSC)
First Wednesday of the month, 9am Bodicote House	Thursday, 5pm The Forum or Bodicote House	Thursday, 6.30pm The Forum or Bodicote House	Thursday, 6.30pm The Forum or Bodicote House
7 June 2017 5 July 2017 2 August 2017 6 September 2017 4 October 2017 November 2017 6 December 2017 January 2018 7 February 2018 7 March 2018 4 April 2018	1 June 2017 – Bodicote House 20 July 2017 – The Forum 21 September 2017 – Bodicote House 7 December 2017 – The Forum 1 February 2018 – Bodicote House 5 April 2018 – The Forum	1 June 2017 – Bodicote House 20 July 2017 – The Forum 21 September 2017 – Bodicote House 7 December 2017 – The Forum 1 February 2018 – Bodicote House 5 April 2018 – The Forum	22 June 2017 – The Forum 14 September 2017 – Bodicote House 30 November 2017 – The Forum 22 March 2018 – The Forum
Contact Officer: Karyn Panting, Business Transformation Project Support Officer 01789 260505	Democratic Contact Officer: Lesley Farrell, 01295 221591	Democratic Contact Officer: Natasha Clark, 01295 221589	Democratic Contact Officer: Lesley Farrell, 01295 221591 Natasha Clark, 01295 221589

¹ Please note that meeting dates are subject to change and cancellations. Members will be advised accordingly and the websites updated.

² The TJWG is an informal sub-group of JCC to oversee the detail of the transformation programme, the development of business cases and any other proposals relating to transformation and organisational change.

NOTES: Joint Appeals Committee meetings will be arranged as required. No meetings are currently scheduled.

Commercial Development Panel: This is an informal sub-group of the JCC to oversee any developmental work that is undertaken on commercial ideas, including the detailed oversight of workstream 11 (commercial development) and any opportunity for commercialising existing services. The group consists of 3 members from SNC and three members from CDC. The Panel is administered by the Business Transformation Team and meeting dates will be notified to Panel members.

Transformation Reference Group: This is an informal group consisting of 12 members from each council, but open to any Members. The Group will meet twice a year and provide an opportunity for questions and answers and any updates around the transformation programme.

Dates for 2017/18: Thursday 25 May 2017, 6pm, The Forum
Thursday 11 January 2018, 6pm, Bodicote House

In addition to the above joint committees/groups, ad hoc Member and group briefings take place for matters of significance. Members will be notified of dates when these are arranged.

CDC/SNC Joint Meetings Calendar of Meetings 2018/19¹

Transformation Joint Working Group (TJWG) ²	Joint Councils Employee Engagement Committee (JCEEC)	Joint Commissioning Committee (JCC)	Joint Scrutiny Committee (JSC)
First Wednesday of the month, 9am Bodicote House	Thursday, 5pm The Forum or Bodicote House	Thursday, 6.30pm The Forum or Bodicote House	Thursday, 6.30pm The Forum or Bodicote House
6 June 2018 4 July 2018 1 August 2018 5 September 2018 3 October 2018 November 2018 5 December 2018 January 2019 6 February 2019 6 March 2019 3 April 2019	7 June 2018 – Bodicote House 19 July 2018 – The Forum 20 September 2018 – Bodicote House 6 December 2018 – The Forum 31 January 2019 – Bodicote House 28 March 2019 – The Forum	7 June 2018 – Bodicote House 19 July 2018 – The Forum 20 September 2018 – Bodicote House 6 December 2018 – The Forum 31 January 2019 – Bodicote House 28 March 2019 – The Forum	21 June 2018 – The Forum 13 September 2018 – Bodicote House 29 November 2018 – The Forum 21 March 2019 – The Forum
Contact Officer: Karyn Panting, Business Transformation Project Support Officer 01789 260505	Democratic Contact Officer: Lesley Farrell, 01295 221591	Democratic Contact Officer: Natasha Clark, 01295 221589	Democratic Contact Officer: Lesley Farrell, 01295 221591 Natasha Clark, 01295 221589

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Dates for 2018/19: Thursday 24 May 2018, 6pm, The Forum
Thursday 10 January 2019, 6pm, Bodicote House

In addition to the above joint committees/groups, ad hoc Member and group briefings take place for matters of significance. Members will be notified of dates when these are arranged.