

Public Document Pack



Committee: Executive
Date: Monday 5 December 2016
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)
Councillor Ken Atack	Councillor Colin Clarke
Councillor John Donaldson	Councillor Tony Ilott
Councillor Kieron Mallon	Councillor D M Pickford
Councillor Lynn Pratt	

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. Petitions and Requests to Address the Meeting

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

4. Urgent Business

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

5. **Minutes** (Pages 1 - 12)

To confirm as a correct record the Minutes of the meeting held on 7 November 2016.

6. **Chairman's Announcements**

To receive communications from the Chairman.

7. **'Making' (Adoption) of the Bloxham Neighbourhood Plan** (Pages 13 - 92)

6.35pm

Report of Head of Strategic Planning and the Economy

Purpose of report

To propose the Executive recommends the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 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 recommend to Council 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 recommend to Council 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 recommend to Council 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 adopted and published by Council.

8. **Kidlington Framework Masterplan** (Pages 93 - 102)

6.45pm

** 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 approval of the Kidlington Framework Masterplan so that it can be presented to Council for adoption.

Recommendations

The meeting is recommended:

- 1.1 To approve changes to the draft Kidlington Framework Masterplan (Appendix 1) following consultation.
- 1.2 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.
- 1.3 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

9. Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD) (Pages 103 - 108) 6.55pm

** 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 approval of proposed changes to the draft Banbury Vision & Masterplan Supplementary Planning Document (SPD) following stakeholder and public consultation and to propose the Executive recommends adoption of the Masterplan incorporating these changes at the meeting of the Full Council on 19 December 2016.

Recommendations

The meeting is recommended:

- 1.1 To approve changes to the draft Banbury Masterplan Supplementary Planning Document (at Appendix 1) following consultation.
- 1.2 To recommend Council agree to adopt the Banbury Masterplan (Appendix 1) as a Supplementary Planning Document at the meeting of Full Council on 19 December 2016.
- 1.1 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

10. Re-adoption of Policy Bicester 13 of the adopted Cherwell Local Plan 2011-2031 (Pages 109 - 158) 7.05pm

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

The meeting is recommended:

- 1.1 To note 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 To recommend to Council to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Appendix 5) 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 To note that, upon adoption by Council, Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.

11. Community Lottery (Pages 159 - 180)

7.15pm

Report of Commercial Director

Purpose of report

To gain agreement to launch an online and fully automated Cherwell Lottery that will help fund discretionary support to voluntary and community (VCS) organisations active in Cherwell and to enable such organisations to raise funds directly for themselves.

The proposal is for the Council to be an enabler and use the services of an External Lottery Manager (ELM) to run the lottery.

Recommendations

The meeting is recommended:

- 1.1 To agree the proposal that an online Cherwell Lottery be launched as detailed in the attached business case. This includes a financial contribution and in-kind support, subject to this being funded from existing resources.
- 1.2 That subject to procurement, due diligence and the with the guidance contained in the Joint Contract Procedure Rules, the Council uses an external lottery manager (ELM) to run and operate the lottery and shares the risk of running it with them.
- 1.3 That the Council agrees to provide £3K for set-up costs and £1k for the annual license and administration costs. In the first year the Council allocates £1.5K for marketing funded from existing resources, and £350 annually for on-going marketing (the majority of marketing material is paid for by the External Lottery Manager).

- 1.4 To agree that an annual review of the Cherwell Lottery is reported to Executive on the anniversary of its launch.

12. Contract Award - Debt and Money Advice Service (Pages 181 - 188) 7.20pm

Report of Chief Finance Officer and Head of Regeneration & Housing Services

Purpose of report

To seek approval for the contract award for the provision of Debt and Money Advice services across the Cherwell District.

Recommendations

The meeting is recommended to:

- 1.1 Approve the award of a contract for the provision of Debt and Money advice across all areas of the Cherwell District to North Oxfordshire and South Northants Citizens Advice (formerly known as Citizens Advice Bureau). The bid includes partnership working with Bicester Citizens Advice who will provide services in Bicester and Kidlington. The contract will operate for a period of two years from 1 April 2017 and includes an option to extend the contract for a further one year from 1 April 2019.

13. Council Tax Reduction Scheme and Council Tax Discounts 2017-2018 (Pages 189 - 200) 7.25pm

Report of Chief Finance Officer

Purpose of report

To provide members with a review of Council Tax discounts and to seek approval to recommend the proposed level of Council Tax discounts for the 2017-2018 financial year to Council.

To provide 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 to recommend the proposed Council Tax Reduction Scheme to Council.

Recommendations

The meeting is recommended:

- 1.1 To approve the option of no change to the Council Tax Reduction Scheme for 2017-2018 and to amend the Council Tax Reduction Scheme Regulations for Pensioners in line with uprating announced by DCLG and to uprate the Working Age Regulations in line with Housing Benefit as confirmed by Department for Work and Pensions.
- 1.2 To recommend to Council an unchanged Council Tax Reduction Scheme for 2017-2018.

- 1.3 To recommend to Council that delegated authority be given to the Chief Finance Officer to make any changes to the Council Tax Reduction Scheme Regulations up to and including 31 January 2017 in conjunction with the Lead Member for Financial Management.
- 1.4 To review the proposed level of Council Tax discounts for 2017-2018 and make recommendations to Council as follows:
 - 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. .

14. Quarter 2 2016/17 Performance Update (Pages 201 - 248) 7.30pm

Report of Director of Strategy and Commissioning

Purpose of report

To provide an update on the Cherwell Business Plan progress to the end of Quarter Two 2016/17.

Recommendations

The meeting is recommended to:

- 1.1 Note the exceptions highlighted and proposed actions.
- 1.2 Note that any feedback on performance issues from Overview & Scrutiny Committee at its meeting on 22 November 2016 will be provided directly to The Leader.

15. Quarter 2 2016-17 - Revenue and Capital Budget Monitoring Report (Pages 249 - 262) 7.35pm

Report of Chief Finance Officer

Purpose of report

This report summarises the Council's Revenue and Capital position as at the end of the first three months of the financial year 2016-17 and projections for the full year.

Recommendations

The meeting is recommended:

- 1.1 To note the projected revenue and capital position at September 2016.

16. **Notification of Urgent Action: Free Parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017** (Pages 263 - 266) **7.40pm**

Report of Director of Operational Delivery

Purpose of report

To report the urgent action which was taken by the Director of Operational Delivery in consultation with the Leader relating to offering free parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017.

Recommendation

The meeting is recommended:

- 1.1 To note the urgent action taken by the Director of Operational Delivery in consultation with the Leader to offer free parking for Small Business Saturday on 3 December 2016 and Free After Three parking in January 2017.

17. **Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team** (Pages 267 - 276) **7.45pm**

Report of Head of Strategic Planning and the Economy and Head of Development Management

Purpose of report

This report presents the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District and South Northamptonshire Councils (hereafter Cherwell or CDC and South Northamptonshire or SNC respectively).

The report recommends the formation of a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and in doing so seeks the Executive's agreement for the non-staffing elements of the business cases.

The proposal is part of the wider transformation programme across the two Councils.

Recommendations

The meeting is recommended:

- 1.1 To consider the attached final business case and the consultation responses in relation to non-staffing matters as outlined in section 5.1.
- 1.2 To note that the business case will be considered by the Joint Commissioning Committee with regard to staffing matters on 1 December 2016. This will include consideration of the consultation responses from affected staff and trade union representatives.

- 1.3 To approve and implement the proposed final business case to create a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC, subject to similar consideration and approval by SNC Cabinet on 12 December 2016 and approval of the staffing implications by the Joint Commissioning Committee.
- 1.4 To delegate to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

18. Exclusion of the Press and Public

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

1 – Information relating to any individual

2 – Information which is likely to reveal the identity of an individual

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

4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

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

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

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

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

19. Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team - Exempt Appendices (Pages 277 - 330)

(Meeting scheduled to close at 7.50pm)

Information about this Agenda

Apologies for Absence

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

Declarations of Interest

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

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

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

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

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

Evacuation Procedure

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

Access to Meetings

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

Mobile Phones

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

Queries Regarding this Agenda

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

Sue Smith
Chief Executive

Published on Friday 25 November 2016

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Agenda Item 5

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 7 November 2016 at 6.30 pm

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

Councillor Ken Atack, Lead Member for Financial Management
Councillor Colin Clarke, Lead Member for Planning
Councillor Tony Ilott, Lead Member for Public Protection
Councillor D M Pickford, Lead Member for Housing
Councillor Lynn Pratt, Lead Member for Estates and the Economy
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

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

Apologies for absence: Councillor John Donaldson, Lead Member for Housing
Councillor Kieron Mallon, Lead Member for Banbury Futures

Officers: Sue Smith, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Karen Curtin, Commercial Director
Ian Davies, Director of Operational Delivery
Kevin Lane, Head of Law and Governance / Monitoring Officer
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda items 7, 8 and 9
Jackie Fitzsimons, Shared Public Protection Manager, for agenda items 10 and 11
Natasha Clark, Interim Democratic and Elections Manager

73 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or requests to address the meeting.

75 **Urgent Business**

There were no items of urgent business.

76 **Minutes**

The minutes of the meeting held on 3 October 2016 were agreed as a correct record and signed by the Chairman.

77 **Chairman's Announcements**

The Chairman made the following announcement:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

78 **Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper**

The Head of Strategic Planning and the Economy submitted a report to seek approval of an Options Paper for the Partial Review of Local Plan Part 1 for formal public consultation.

Resolved

- (1) That the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need be noted.
- (2) That the Partial Review of the Cherwell Local Plan 2011 – 2013 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper be approved for formal public consultation.
- (3) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the Partial Review of the Cherwell Local Plan 2011 – 2013 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper before formal consultation commences.
- (4) That the Head of Strategic Planning and the Economy be authorised to produce a summary booklet to support public consultation.

Reasons

An Options consultation paper for the Partial Review of the adopted Cherwell Local Plan Part 1 (2011-2031) is presented for approval. The Options Paper presents alternatives on how Cherwell District might accommodate its 'share' of the unmet housing need arising from Oxford, as apportioned by the Oxfordshire Growth Board. The Options Paper concerns: 1) the level of housing the district is being asked to accommodate; 2) a draft vision and draft

objectives; 3) 'areas of search'; 4) potential strategic development sites; and, 5) the emerging evidence base. The Executive's approval of the Options Paper is sought to proceed to public consultation.

Alternative options

Option 1: To delay the Options Paper to enable further evidence to be considered

A consultation now will provide officers the opportunity to consider whether the options / alternatives identified are reasonable, to acquire further information in testing options/alternatives, and to meet the deadline for Submission for examination (20 July 2017). A delay would make it very difficult to meet the two year review programme that the Council has committed to within paragraph B.95 of the adopted Cherwell Local Plan 2011-2031 (Part 1).

Option 2: To reconsider the content of the Options Paper

The Options Paper has been produced having regard to national policy and guidance, the county-wide work for the Oxfordshire Growth Board, public consultation on issues, site submissions, engagement with prescribed bodies, emerging evidence and Local Plan Part 1. It is considered by officers to be an appropriate consultation document.

79

Community Infrastructure Levy (CIL) Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD)

The Head of Strategic Planning and the Economy submitted a report to seek Member endorsement to consult the public for six weeks on the Community Infrastructure Levy (CIL): Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD).

In introducing the report, the Lead Member for Planning, Councillor Clarke, explained that this was the second of two formal consultations on a potential CIL charge for Cherwell to be followed by an examination in public.

The Developer Contributions SPD formed part of the Council's Local Development Framework and its content would be subject to one formal consultation.

Resolved

- (1) That the Community Infrastructure Levy (CIL) Draft Charging Schedule, which also includes a Draft CIL Regulation 123 list and Draft Instalments Policy, be approved for a six week public consultation.
- (2) That the Draft Developer Contributions Supplementary Planning Document be approved for a six week public consultation.
- (3) That the Head of Strategic Planning and the Economy be authorised to make any necessary minor and presentational changes to the Community Infrastructure Levy (CIL) Draft Charging Schedule and

Draft Developer Contributions Supplementary Planning Document before formal consultation commences.

Reasons

A Draft Charging Schedule and a Draft Developer Contributions SPD are presented for approval to proceed to formal consultation.

Once adopted and subject to consultation, CIL and the Developers Contributions SPD will operate alongside each other forming the package of contributions or obligations expected to come forward from development proposals to mitigate the impact of development and help fund infrastructure needed to support growth. They are not intended to provide all the funding needed but could help maximise resource income which would otherwise not be available.

Alternative options

Option 1: Not consulting on the proposed documents

Officers consider that without proceeding with this consultation the Council will not be able to assess the potential benefits of implementing CIL. Consultation will help ensure a robust and transparent process.

The current Draft Planning Obligations SPD (July 2011) is now out of date, it carries little weight in decision making and its continued use will potentially make it more difficult for the Council to secure S106 developer contributions in the future.

Option 2: Amending the proposed documents

The two documents proposed for consultation were prepared having regard to national policy guidance, informal engagement with key stakeholders and updated development evidence. It is considered by officers that they present an appropriate balance between ensuring that 'as a whole' the economic viability of development proposals is not detrimentally affected and the desire to fund infrastructure.

Proceeding to consultation will provide a further opportunity for stakeholders and members of the public to address matters formally and inform the preparation of both documents.

80

A Business Improvement District (BID) for Banbury

The Head of Strategic Planning and the Economy submitted a report to seek approval to proceed with the preparation of a Business Improvement District (BID) for Banbury.

Resolved

- (1) That the Banbury Business Improvement District (BID) feasibility report be noted.

- (2) That agreement be given to commit resources to move to phase two, preparing the Banbury Business Improvement District (BID) Business Plan and preparation for the Ballot.

Reasons

The proposal for a BID for Banbury is judged to have sufficient business support to proceed.

A BID for Banbury is expected to assist businesses and the Council to work together to strengthen the town centre in particular and Banbury in general by increasing the marketing of the town and undertaking a series of activities to increase footfall into the town centre and so assist improve the vitality of the town centre, as new town centre investment at Castle Quay two comes on stream.

A BID for Banbury will assist Banbury to compete with neighbouring towns.

Alternative options

Alternative Option: To not proceed into stage two of the assessment.

This is not recommended as not proceeding will forgo the opportunity to support a business led project that has the potential to draw additional resources into action that would promote the town to the benefit of all stakeholders.

The proposed recommendation to proceed to the next stage is considered to be an appropriate response to the findings of the feasibility study.

81

Banbury Town Centre Public Spaces Protection Order (PSPO)

The Public Protection Manager submitted a report to propose the making of a Public Spaces Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

Resolved

- (1) That the making of a Public Spaces Protection Order in Banbury Town Centre (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That authority be delegated to the Public Protection Manager to take all necessary steps to enforce the Public Spaces Protection Order in Banbury including the necessary authorisation of individual officers to issue fixed penalty notices.

Reasons

The evidence from the consultation supports the proposal for making the PSPO.

The inclusion of the Fixed Penalty Notice provisions is in line with the Council's Enforcement Policy and the Regulators Code. A Fixed Penalty Notice provides for an additional sanction as part of a stepped approach to enforcement and is a proportionate, cost effective means of seeking to ensure compliance with the Order.

Alternative options

Option 1: Not to confirm the PSPO which will mean that without a PSPO, the local authority will continue to work with the police, within current legislation. Reasons for rejection: The current legislation dates to the 1824 Vagrancy Act, and is only enforceable by a police officer. The Council does not have any authority to prosecute begging, or enforce drink related disorderly behaviour. With regard to drinking, this report has previously alluded to the fact that a drink banning order is limited to irresponsible drinking only. As it is not a ban the police will only react to problematic or disorderly drinkers. In choosing to continue within current legislation, this will be a missed opportunity to address what appears to be an escalating activity

82 Joint Anti-Social Behaviour Policy

The Public Protection Manager submitted a report to consider a draft Joint Anti-social Behaviour Policy, for Cherwell District Council and South Northamptonshire Council subject to public and stakeholder consultation.

Resolved

- (1) That the draft Joint Anti-social Behaviour Policy (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That authority be delegated to the Public Protection Manager to consider responses and, if necessary, amend the policy in consultation with the Lead Member for Public Protection.
- (3) That authority be delegated to the Public Protection Manager to take all necessary steps to enforce the policy including the setting of the amounts of fixed penalties and the authorisation of individual officers to issue fixed penalty notices.

Reasons

The current CDC and CNC policies need updating as they do not reflect current legislation or practice.

In April 2016, a new shared Public Protection Service with South Northamptonshire Council was formed including a new shared Safer Communities Team.

The draft policy seeks to set out a common approach for dealing with anti-social behaviour for each local authority, so that a proportionate and consistent service is delivered in the communities of both councils.

In developing the policy, regard has been given to the Regulators Code and the joint corporate Enforcement Policy.

Alternative options

The only alternative is to reject the proposal and retain two individual updated policies, one for each Council.

Rejecting the new shared policy will require separate updated policies for each Council so that both Councils carry out regulatory activities in a way which is accountable, consistent, fair, proportional and transparent.

83

Tenancy Strategy 2017

The Head of Regeneration and Housing submitted a report to provide Executive with an overview of the changes to Tenancy Strategy for approval to consult.

Resolved

- (1) That wider consultation of the draft revised Tenancy Strategy be approved.
- (2) That agreement be given to another report being presented to Executive following consultation on the draft Tenancy Strategy.

Reasons

The Tenancy Strategy forms an important part of the Council's vision for the provision of Affordable Housing in the District and it complements the objectives within the Housing Strategy. It provides an overview to Registered Providers the expectations on its partners in delivering affordable housing as well as the Council's willingness to work positively with new ways of delivery, while safeguarding the interests of some of the District's more vulnerable residents.

To a large extent the fundamental principles which the Council approved in its Tenancy Strategy in 2012 are still relevant and there is no proposal within this review and redraft to change any of those positions. Therefore this is more a refresh of the 2012 Strategy rather than a change in position.

Given the fast changing environment in housing and related policy, the Strategy will be reviewed on an annual basis to ensure it remains relevant and in line with the Council's requirements.

Alternative options

Option 1: To agree for officers to consult on the draft Tenancy Strategy

Option 2: Not to consult on the Tenancy Strategy

Option 3: Not to proceed with review of the current Tenancy Strategy and instead continue with the existing one.

84 **Local Development Company**

The Commercial Director and Head of Regeneration and Housing submitted a report to seek approval in principle for the establishment of a local development company with South Northamptonshire Council to act as an investment vehicle for the councils and to provide housing which meets housing need not met by the current market.

Resolved

- (1) That the establishment of a local development company with South Northamptonshire Council be agreed in principle.
- (2) That approval be given to officers to complete further work to prepare a full business case for the local development company to be considered by South Northamptonshire Cabinet and by Cherwell District Council Executive in due course.

Reasons

This report is requesting Executive members to agree in principle to establishing a local development company with South Northamptonshire Council, such an approval is being sought as the local development company offers a future opportunity to:

- Generate income for the Council to contribute towards closing the financial gap in the Council's medium term financial plan;
- Provide housing which meets housing need not currently met by the current market.

Alternative options

Option 1: Not to support the establishment of a local development company but this would reduce the opportunities available to the Council to generate income and to address gaps in the current local housing market.

85 **Results of the Customer Satisfaction Survey 2016**

The Director – Strategy and Commissioning submitted a report which provided a summary of the key messages from the Annual Customer Satisfaction Survey which was undertaken in July 2016. This report also outlined some recommended actions to develop the Annual Customer Satisfaction Survey as an integral part of Cherwell District Council's consultation with residents.

Resolved

- (1) That the report be noted.

- (2) That appropriate results be used in the setting of Business Plan and Service Plan objectives and targets.
- (3) That it be agreed that the 2016 results be used as a baseline for future target setting and benchmarking (given the change in methodology for identifying and receiving information from respondents).
- (4) That the action plan for reviewing and developing the survey content for 2017/18 be agreed.

Reasons

While key results have shown a dip in performance when compared to the performance last year, it is critical to consider the improvement in the number and range of respondents we now are using. Instead of asking a very small sample of people who have volunteered to respond, we are posing the questions to a far broader set of respondents and getting a more representative view of satisfaction from Cherwell residents.

The annual satisfaction survey is a core method of getting feedback from our residents. By reviewing the question base to align it with key service requirements for customer opinion and also the aims and priorities of the Corporate Business Plan, we will improve the quality of information we receive and the decisions that are made based on feedback and satisfaction data. A more concise survey may also improve response rates.

Alternative options

Retaining the current survey will mean that we don't utilise the survey fully as a source of customer feedback information

Using the wider respondent base has meant a dip in results this year but provides a more accurate reflection of opinion in the district. Reverting to a more select group of respondents could potentially mask issues.

86

Bicester Healthy New Town Status

The Director of Operational Delivery submitted a report to inform of progress in implementing the Bicester Healthy New Town Programme and to ask Executive to endorse its proposed delivery plan.

Resolved

- (1) That the progress in the implementation of Bicester's Healthy New Town Programme be noted.
- (2) That the programme's proposed delivery plan be endorsed.

Reasons

Good progress has been made in identifying a clear focus for the Healthy New Town Programme that reflects local priorities and which can result in

meaningful and positive change for Bicester residents. Clarification of the aims of the programme and its objectives will enable the programme to be effectively evaluated to assess its impact.

Following final feedback from the Bicester Partnership Group, the programme delivery plan will be submitted to NHS England for approval with a view to implementation commencing from 1 November 2016.

Alternative options

Option 1: Not to endorse the detailed HNT Programme Delivery Plan co-produced with local partners and Bicester stakeholders. This is not proposed due to the relevance of this programme to Bicester, the importance of local people understanding and knowing how it can make a difference, and the need for a detailed delivery plan to secure funding from NHS England.

87

Business Rates Pooling Update

The Chief Finance Officer submitted a report to seek approval in principle for the Council to continue to participate in a business rates pool.

Resolved

- (1) That the Council remain in a business rates pool for participating authorities in Oxfordshire, noting the risks and benefits, be endorsed and approved 'in principle'.
- (2) That delegated authority be granted to the Chief Finance Officer (S151 Officer), in consultation with the Lead Member for Financial Management, to conclude necessary due diligence each year and confirm the Council's final intention on whether or not to participate in an Oxfordshire business rates pool (however constituted) in future years. This is subject to the Government not changing the current arrangements for pooling and if the arrangements were to change then a report would be brought back to Members for consideration.

Reasons

It appears that the Council's financial interests will best be maximised by continuing to participate in a pooling arrangement. Given the lack of formal guidance from DCLG for confirming the Council's position and due to the fact that we may need to act quickly should DCLG require confirmation, it is necessary and appropriate to grant delegated authority to determine this to the Chief Finance Officer (S151 Officer) in consultation with the Lead Member for Financial Management. This arrangement should be ongoing but be subject to the Government not changing the current arrangements for pooling. If the arrangements were to change then a report will be brought back to Members for consideration.

Alternative options

Option 1: To not approve the recommendations set out above. Based on current informal guidance, CLG are not asking for confirmation at the moment but this situation may change and urgent action will then be needed to inform CLG on whether or not to remain in the North Oxfordshire Pool.

The meeting ended at 7.20pm

Chairman:

Date:

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Cherwell District Council

Executive

5 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

To propose the Executive recommends the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 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 recommend to Council 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 recommend to Council 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 recommend to Council 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 adopted and published by Council.

2.0 Introduction

- 2.1 On the 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 Plan referendum regulations.
- 2.6 The Bloxham Neighbourhood Plan proposed to be made is attached 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 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 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 attached at Appendix 3.
- 3.8 The local planning authority is also required to publish the neighbourhood development plan on the Council's website and notify any person who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.

4. Conclusion and Reasons for Recommendations

- 4.1 Local planning authorities are required by statute to 'make' any neighbourhood plan if more than half of those voting in the referendum vote in favour of the plan. Of those eligible to vote, 877 voted in favour of the Plan with 26 against. This gives a majority vote of 97%.
- 4.2 Executive is therefore requested to recommend the 'making' (adoption) of the Bloxham Neighbourhood Plan at the meeting of the Full Council on 19 December 2016.

5.0 Consultation

- 5.1 Councillor 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, Head of Finance and Procurement, 0300 003 0306

Paul.Sutton@cherwellandsouthnorthants.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, Law and Governance, 01295

221687, Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key decision

Financial Threshold Met No

Community Impact Threshold Met: No

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 Bloxham Neighbourhood Plan for 'making'
Appendix 2	Declaration of results of poll
Appendix 3	Draft Decision Statement for 'making' of the Neighbourhood Plan
Background Papers	
None	
Report Author	Chris Thom, Principal Planning Officer
Contact Information	chris.thom@cherwell-dc.gov.uk 01295 221849

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Bloxham Neighbourhood Plan 2015 – 2031



Version to be made
November 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 will then be 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

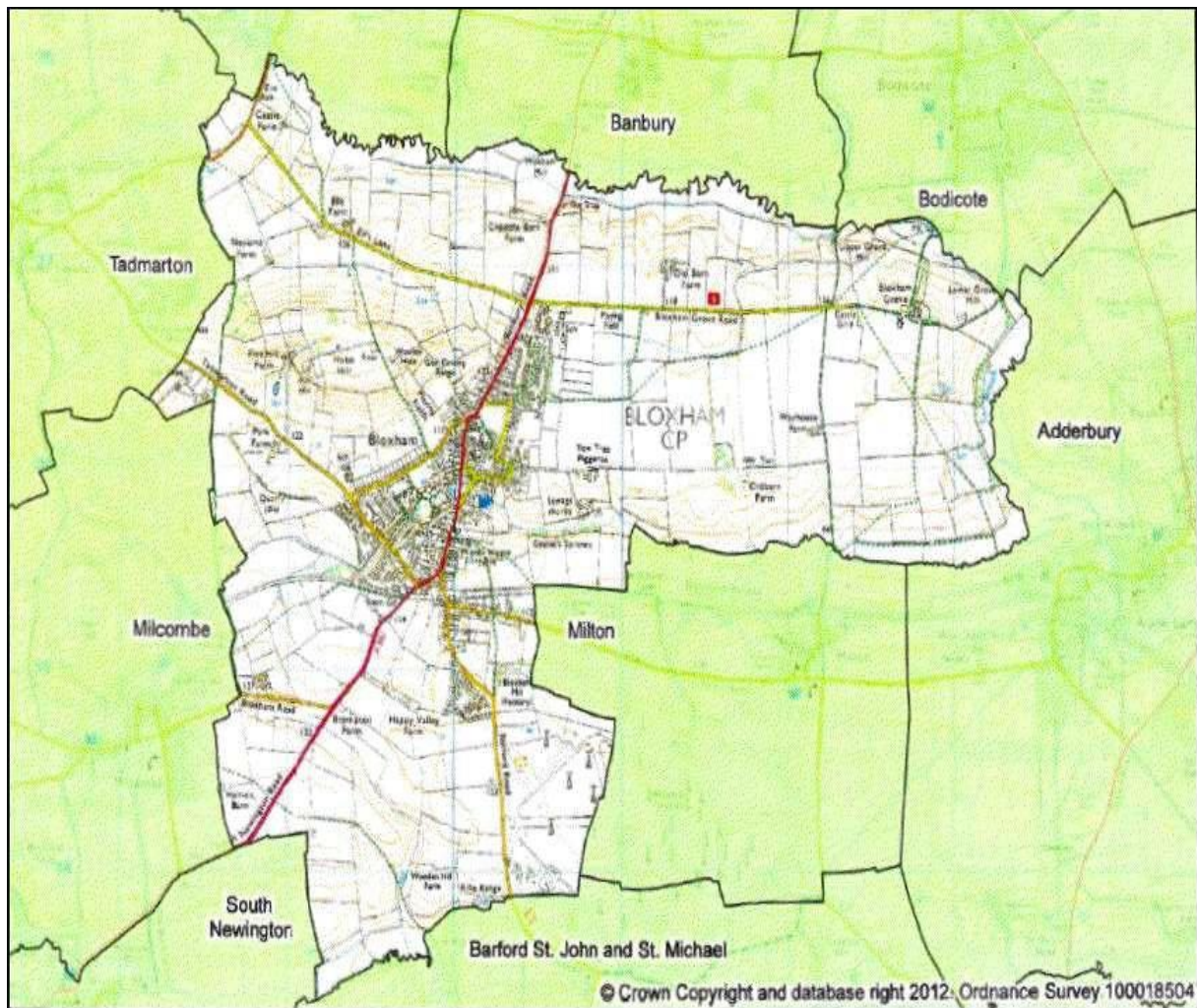
We have produced a Sustainability Report which sets out further contextual information about the policies in the Plan and forms part of the evidence base for it. The report is available at <http://bloxhamneighbourhoodplan.co.uk/submission-of-publication-version-of-the-plan/>

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)

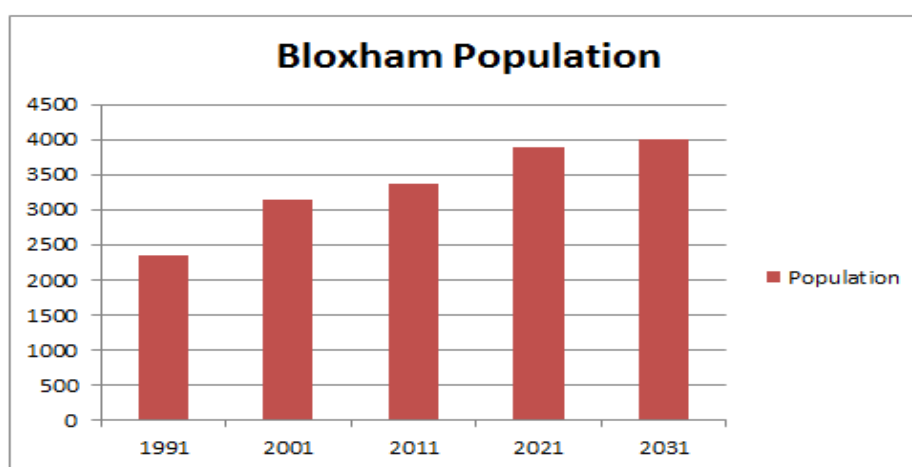
The local Banbury to Chipping Norton bus service provides the public transport link between these two urban centres and stops at Bloxham en route. Work destinations beyond Banbury include Oxford, Stratford, Coventry, Birmingham and London. There is a generally good rail service from Banbury to these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

2.3 The Demographic Context

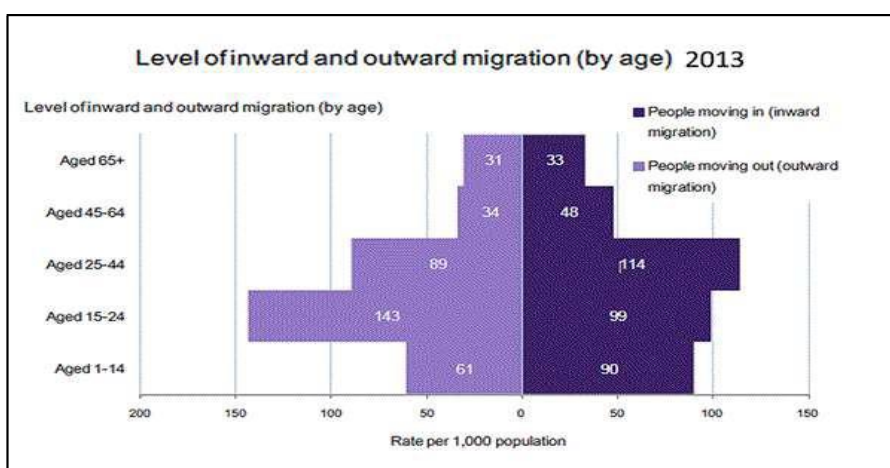
Population: Bloxham is a village where the population³ remained broadly unchanged between 1801 and 1961 since when it has grown at a significant rate.

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

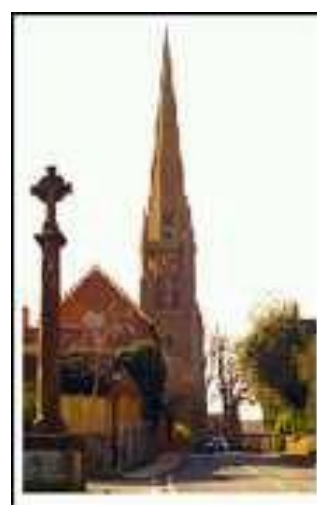
³ A vision of Britain through time - Bloxham

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.

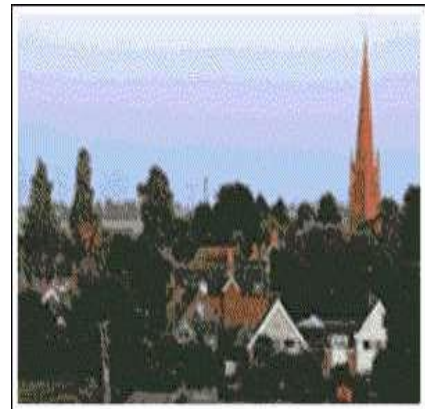


The mid-19th century saw the foundation of Bloxham School: a public school, which became a major landowner and significant employer within the village. The main school buildings still impart a striking visual impact that plays a significant role in defining the 'sense of place' of Bloxham.

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.



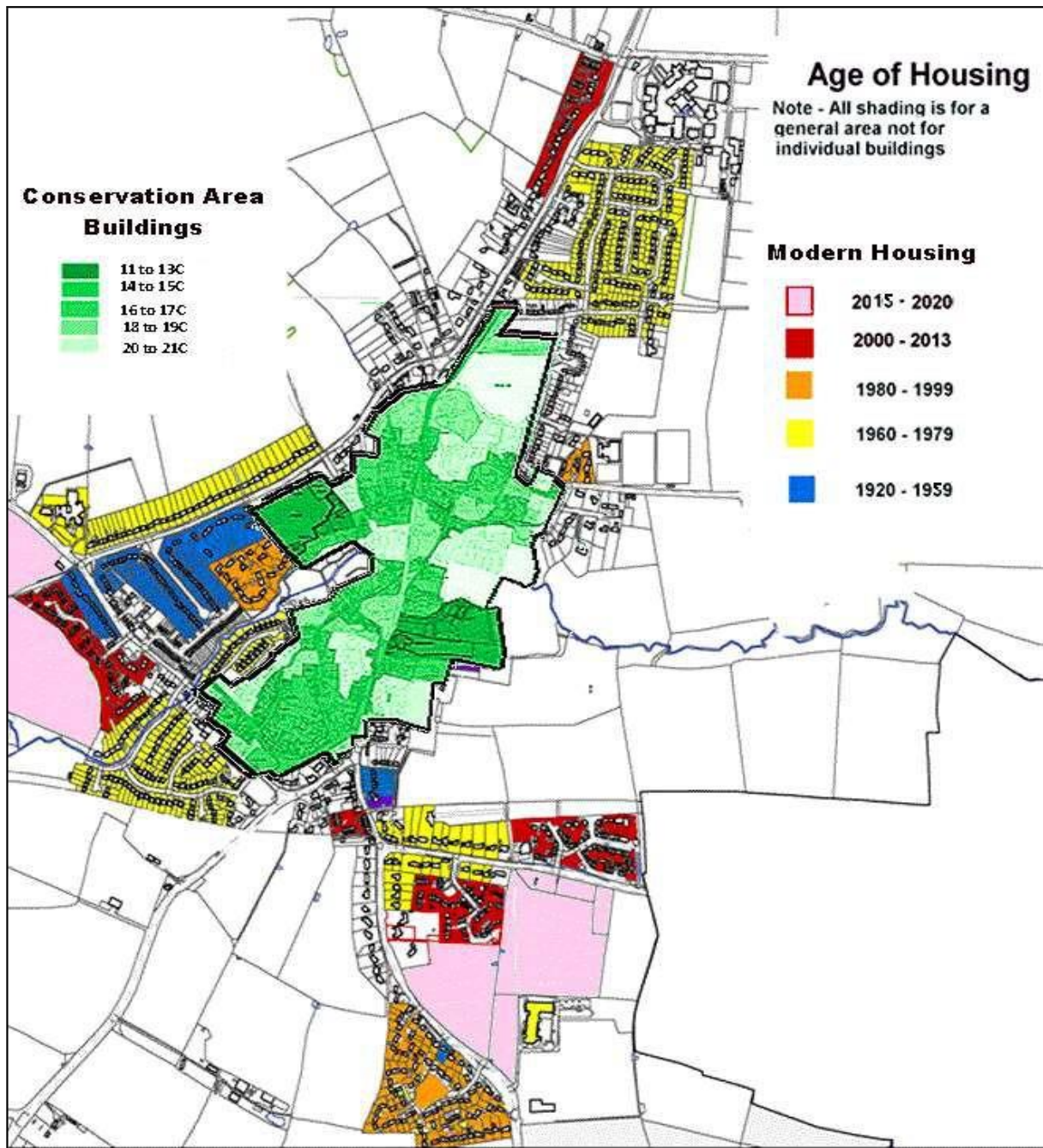
Despite on-going expansion, it remains a largely cohesive community with a 'rural sense of place' the preservation of which features highly in this plan.





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.

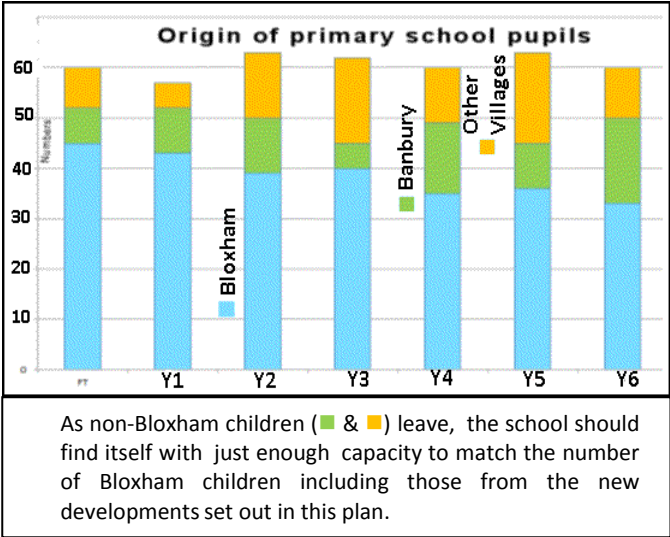


Since 2000, Bloxham has seen extensive development mainly at its southern end with house builders gaining permissions for more than 450 homes. These developments exhibit a variety of styles and a recurrent theme of this Plan is the avoidance of cumulative urbanisation that fails properly to respect our 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.

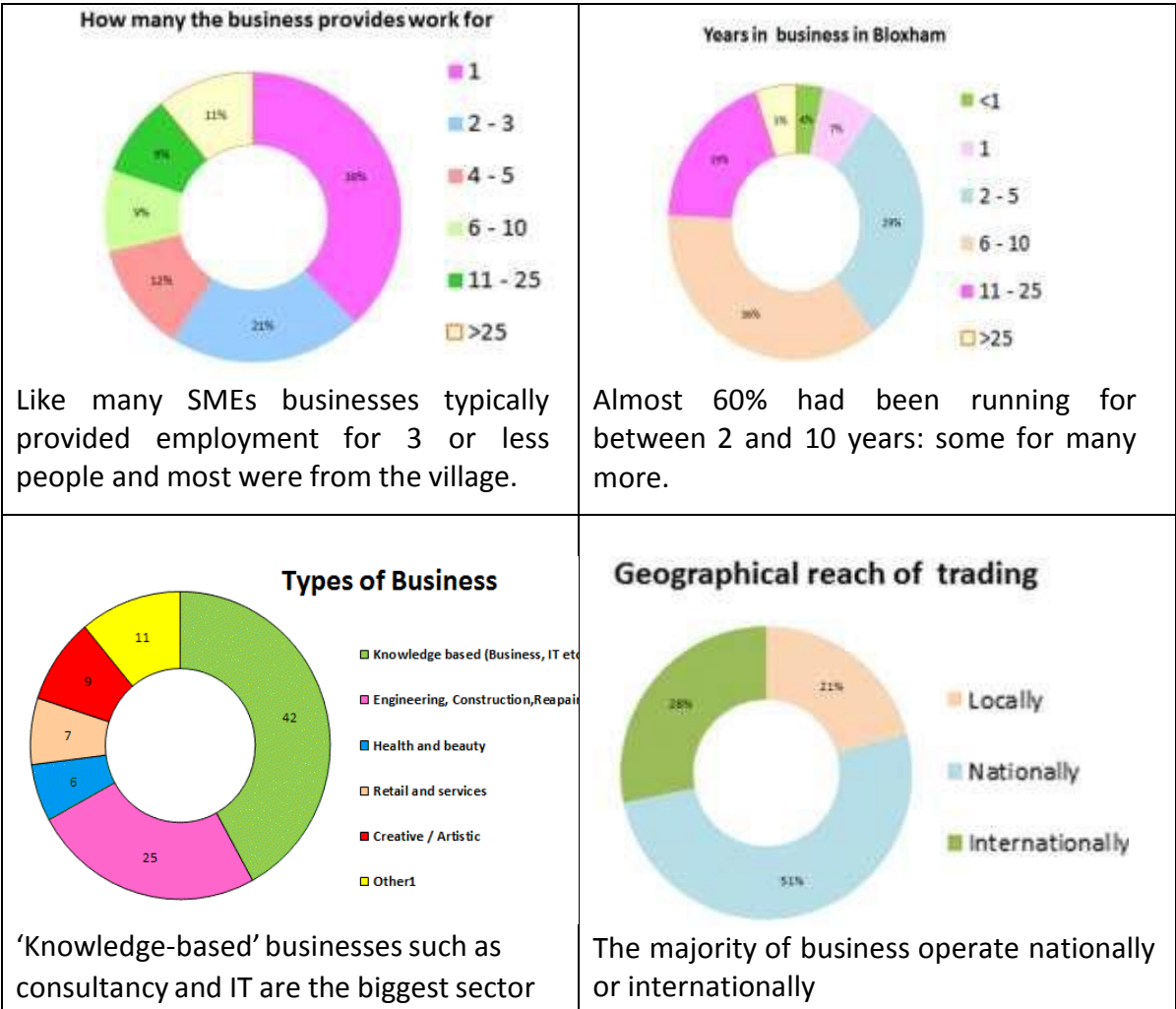
2.5.3 Bloxham School

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

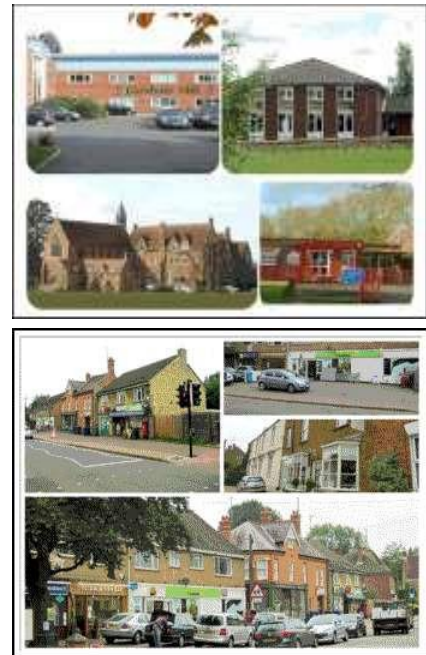
Bloxham has a well-qualified and entrepreneurial population with residents more likely than average to be self-employed or running a PAYE registered business. An estimated 250+ businesses operate in or from the village many from individual homes or from Bloxham Mill Business Centre. Of the 70 that replied 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.

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.

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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
	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

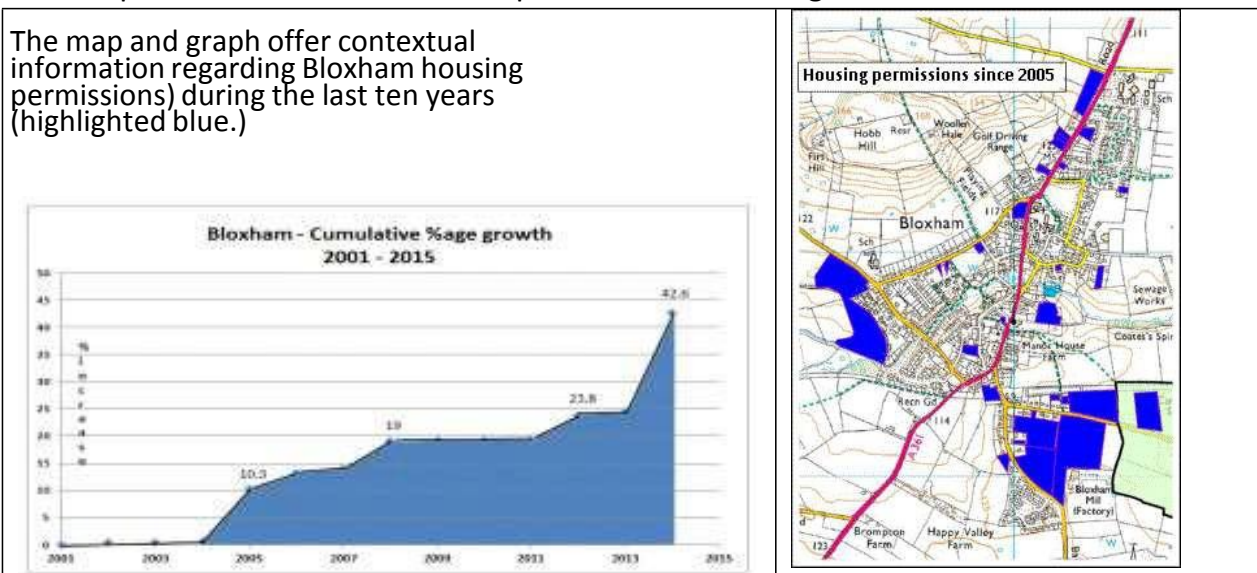
There are five elements to policies in this area:

- 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 19 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.

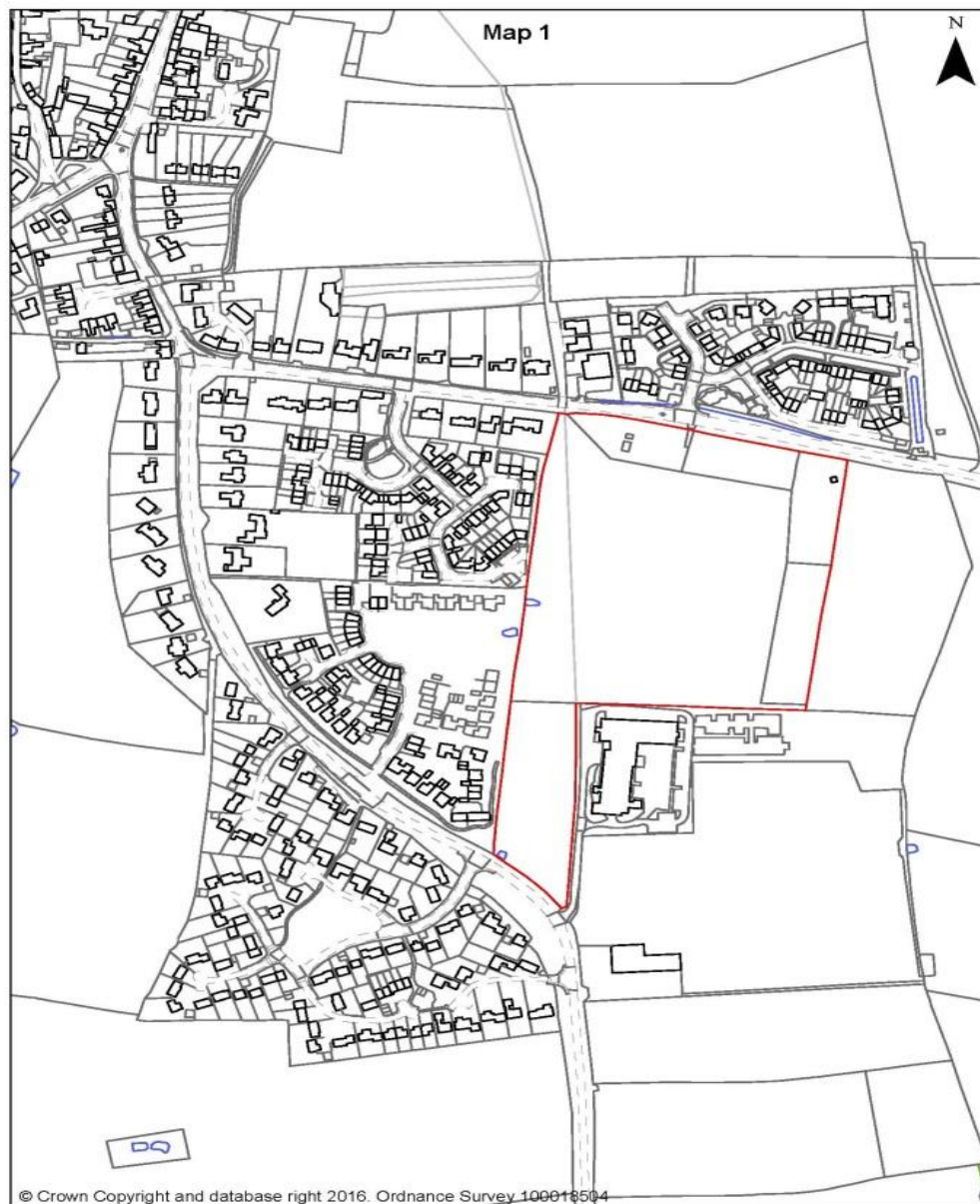
We consider policies BL1 and BL2 are consistent with each of the following:

<p>✓ NPPF</p>	<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>
<p>✓ Adopted Local Plan (2015)</p>	<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 and B) 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

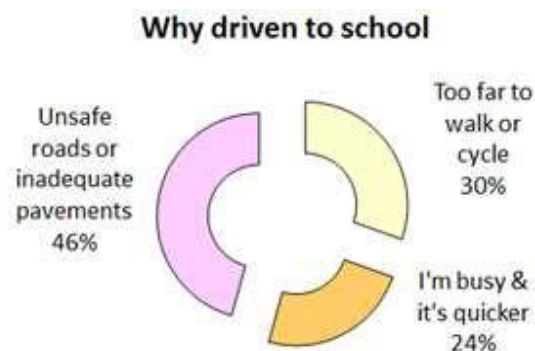
BL1 Development of approximately 85 dwellings is supported to the south of Milton Road as shown on Map 1 subject to compliance with the other policies of this Plan.



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

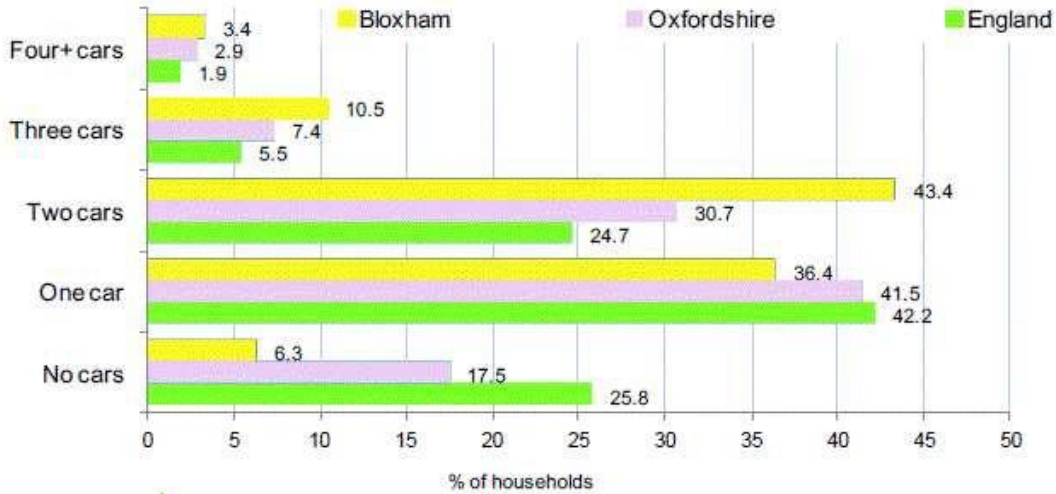
¹⁵ Planning update – March 2015: parking

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%)

Carownership



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.

¹⁸ BNDP Infrastructure and Business Report – Flooding

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

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.

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.

²⁰ Next steps to zero carbon homes

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.

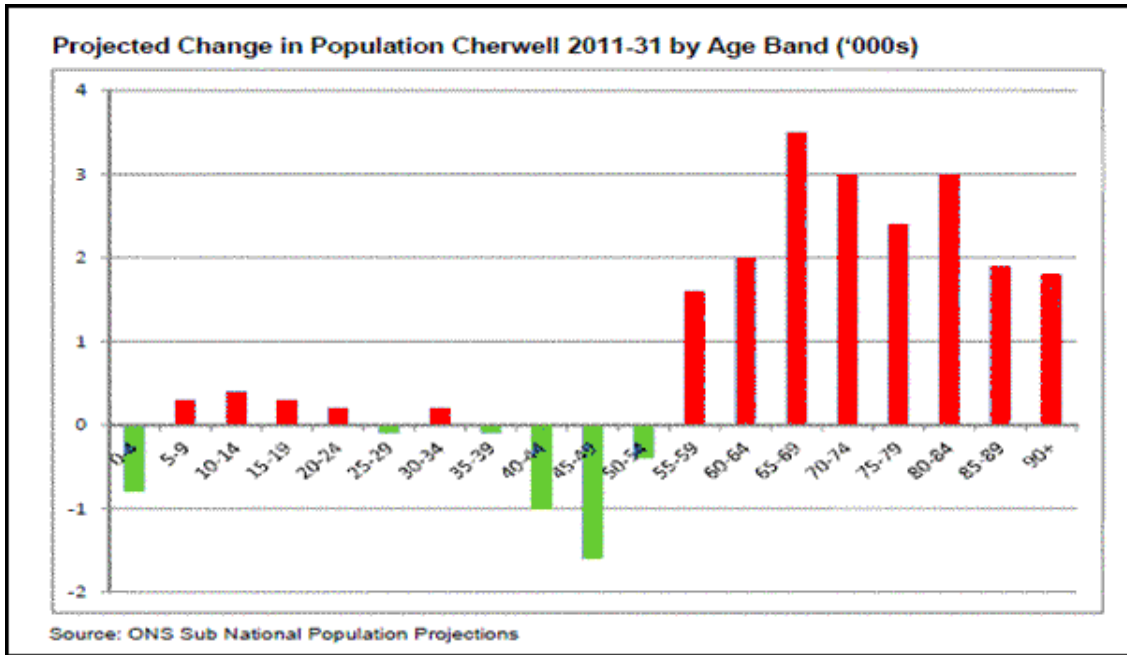
The use of sustainable urban drainage systems will be encouraged where appropriate.

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:

<p>✓ NPPF</p>	<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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²³Page 35 Strategic Housing Market Assessment review and update 2012

<p>✓ Adopted Local Plan(2015)</p>	<p>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</p>
<p>✓ SHMA 2014</p>	<p>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</p>
<p>✓ Community Support</p>	<p>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.</p>
<p>✓ Building Regs</p>	

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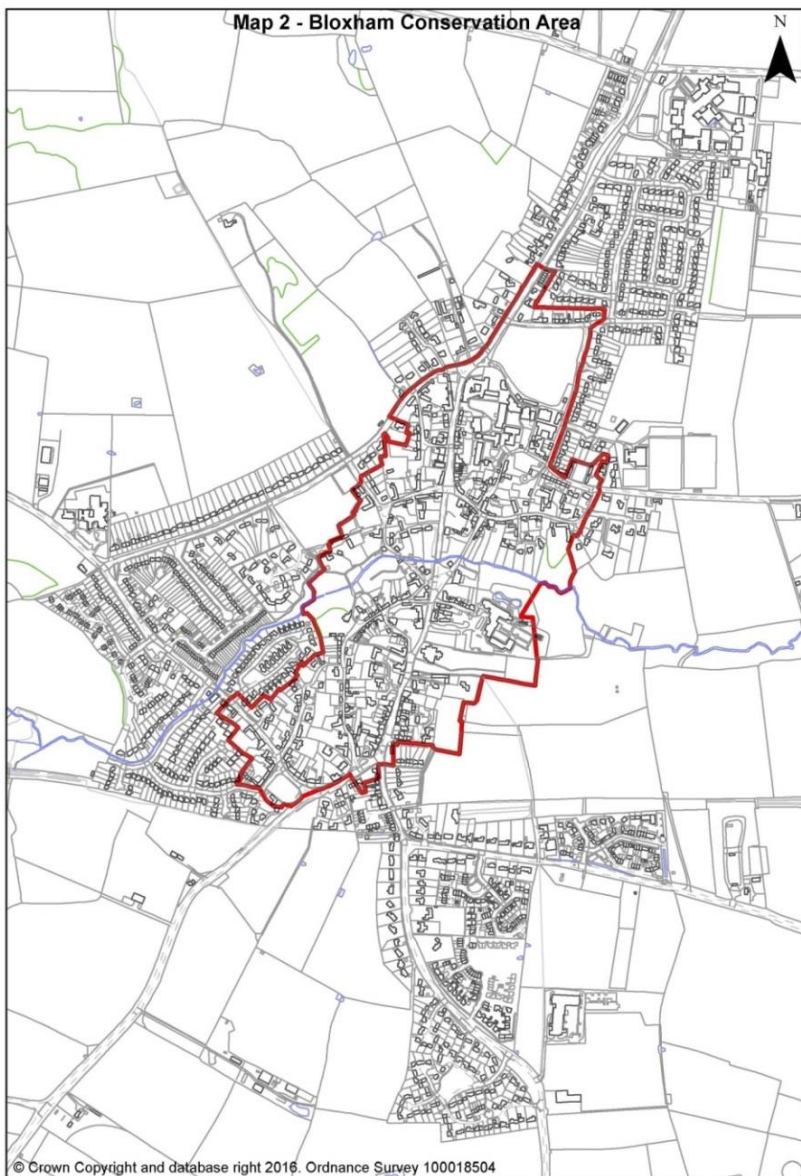
²⁴ Policy statement on the conservation area

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>

townhouse designs are appropriate for use in Bloxham.
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.

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

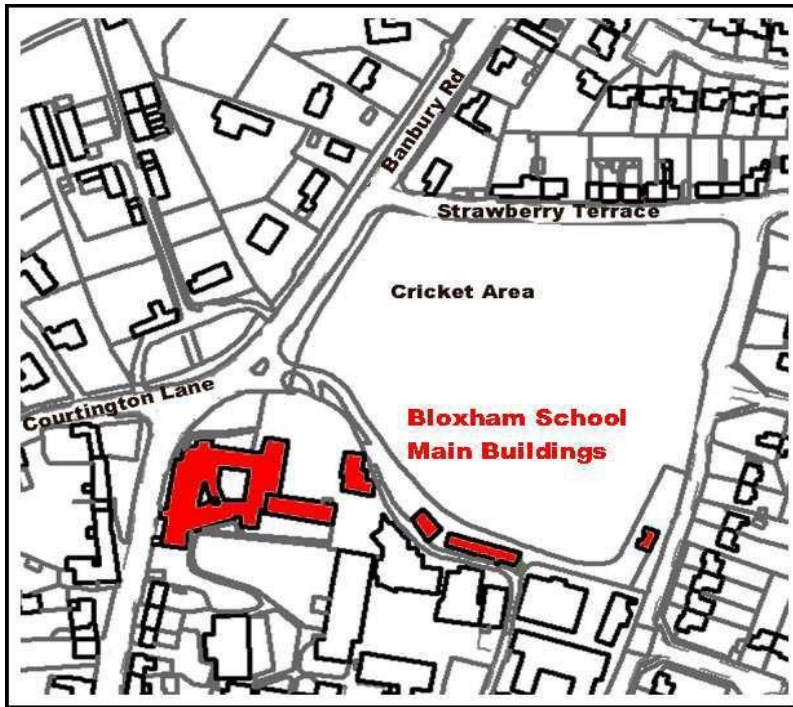
²⁷Cherwell Open Space Assessment (2011)

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



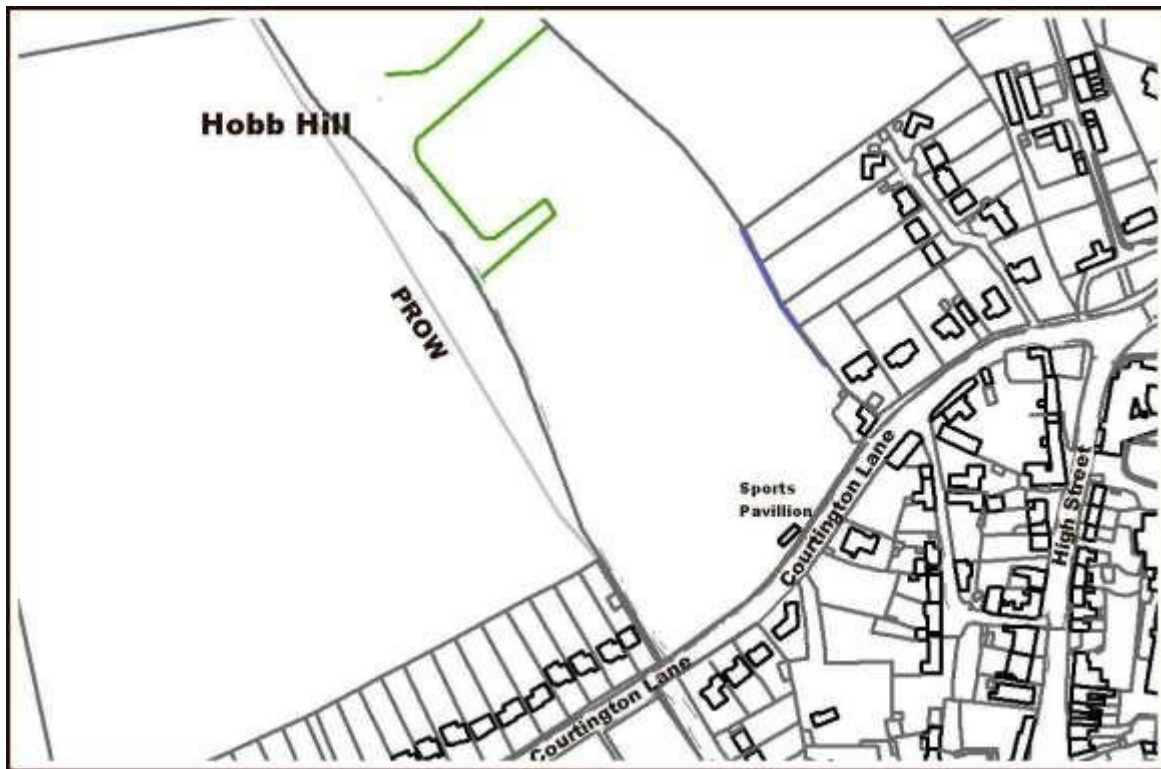
The CPRE Consultation comment states, 'Few other villages have such a statement of arrival.'
It has dominated the northern approach for around 150 years and regularly appears on school marketing materials. It is an area significant for its beauty and holds an important place in the history of the village.



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



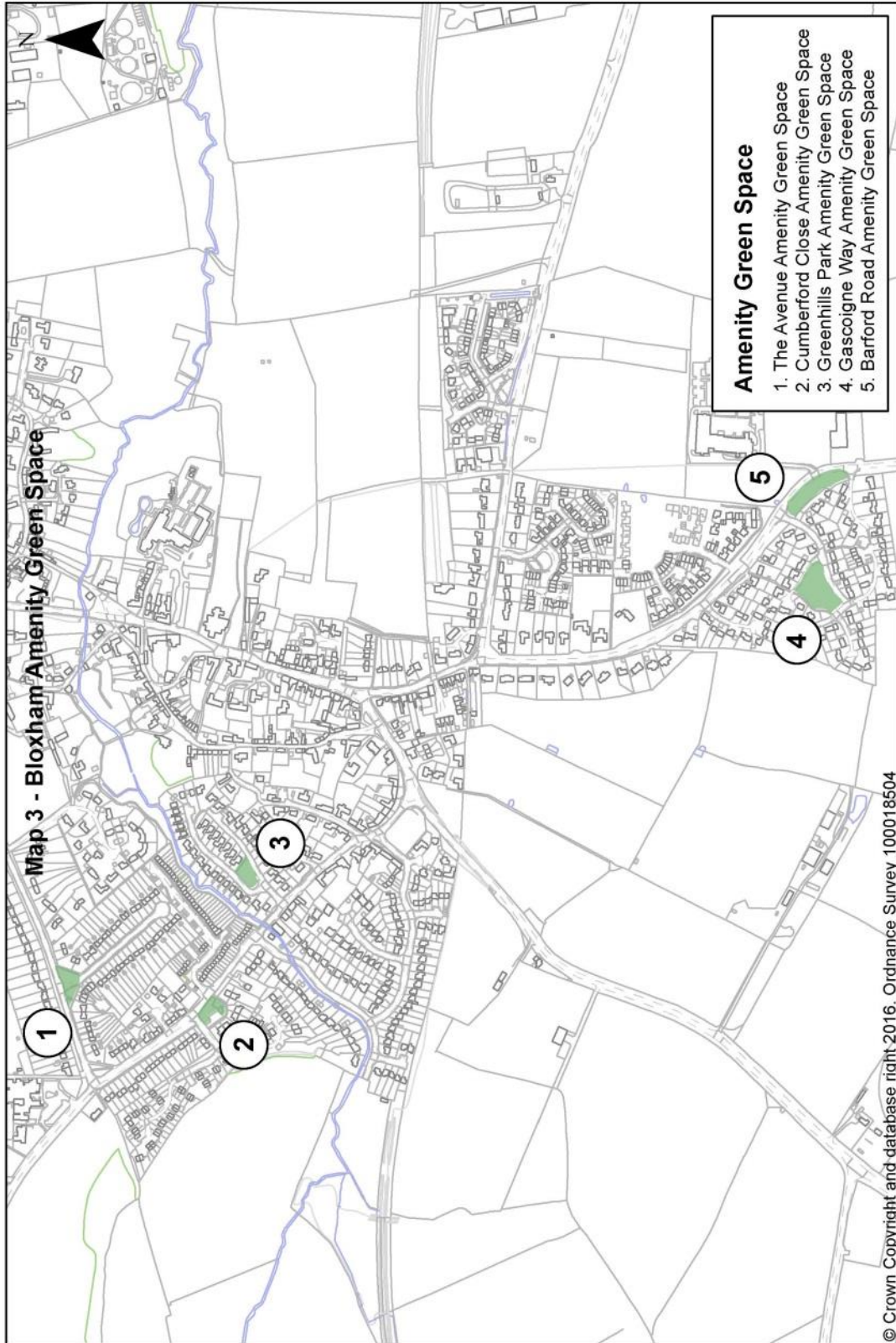
Elephant & Castle

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

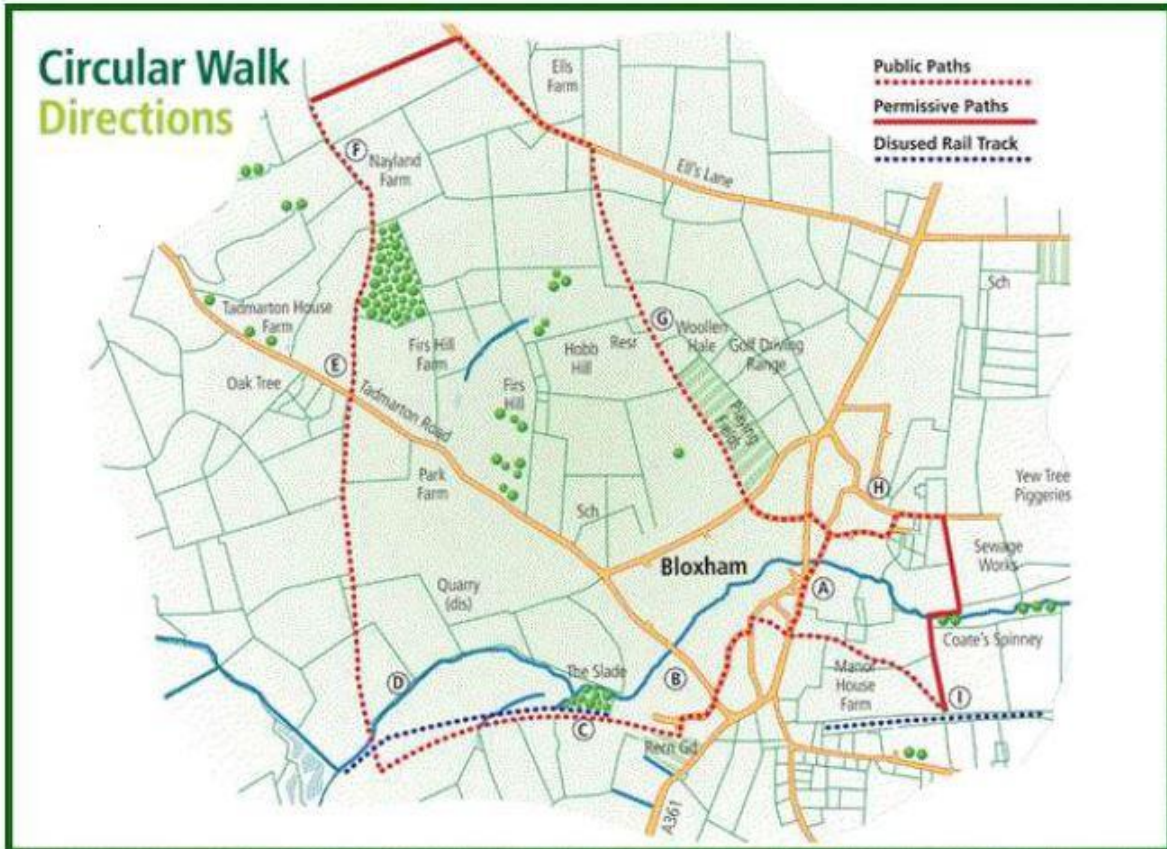
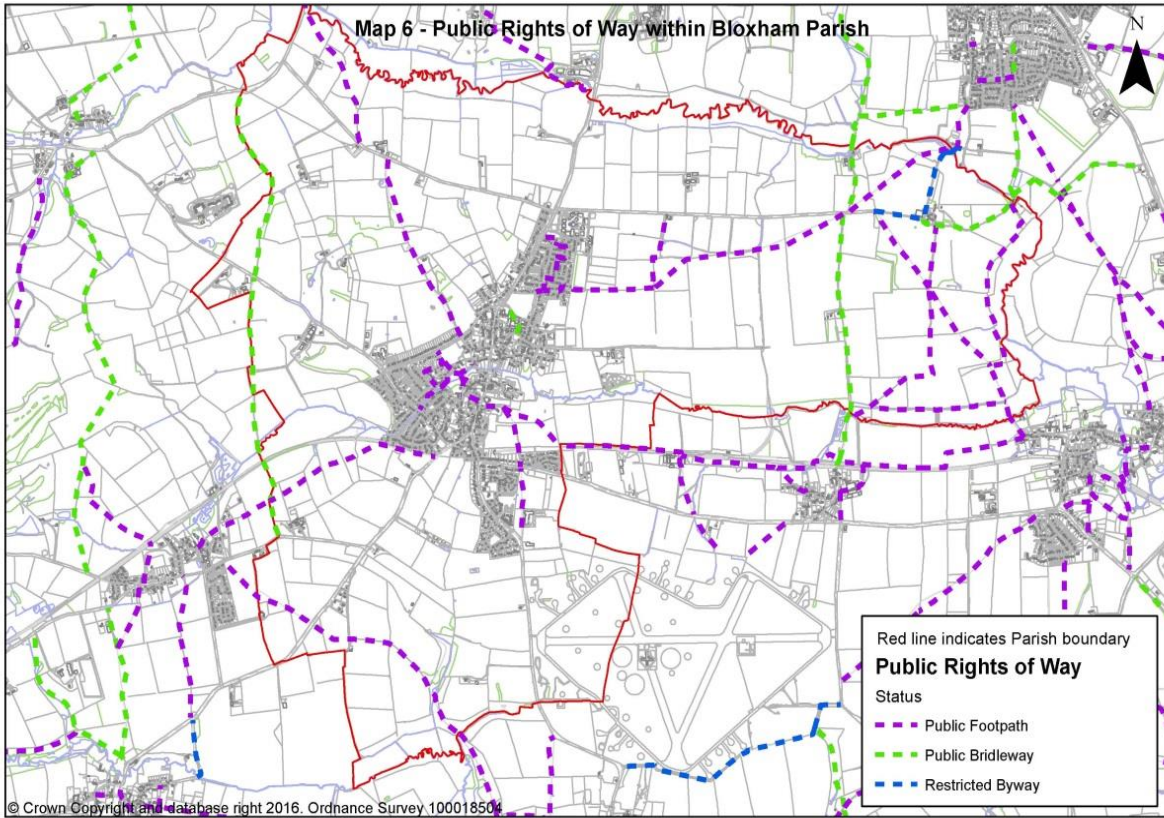
The map of Oxfordshire PROW can be found on the Oxon C.C. site³¹

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.

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

³⁰ Oxfordshire Rights of Way Management Plan 2015-25

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

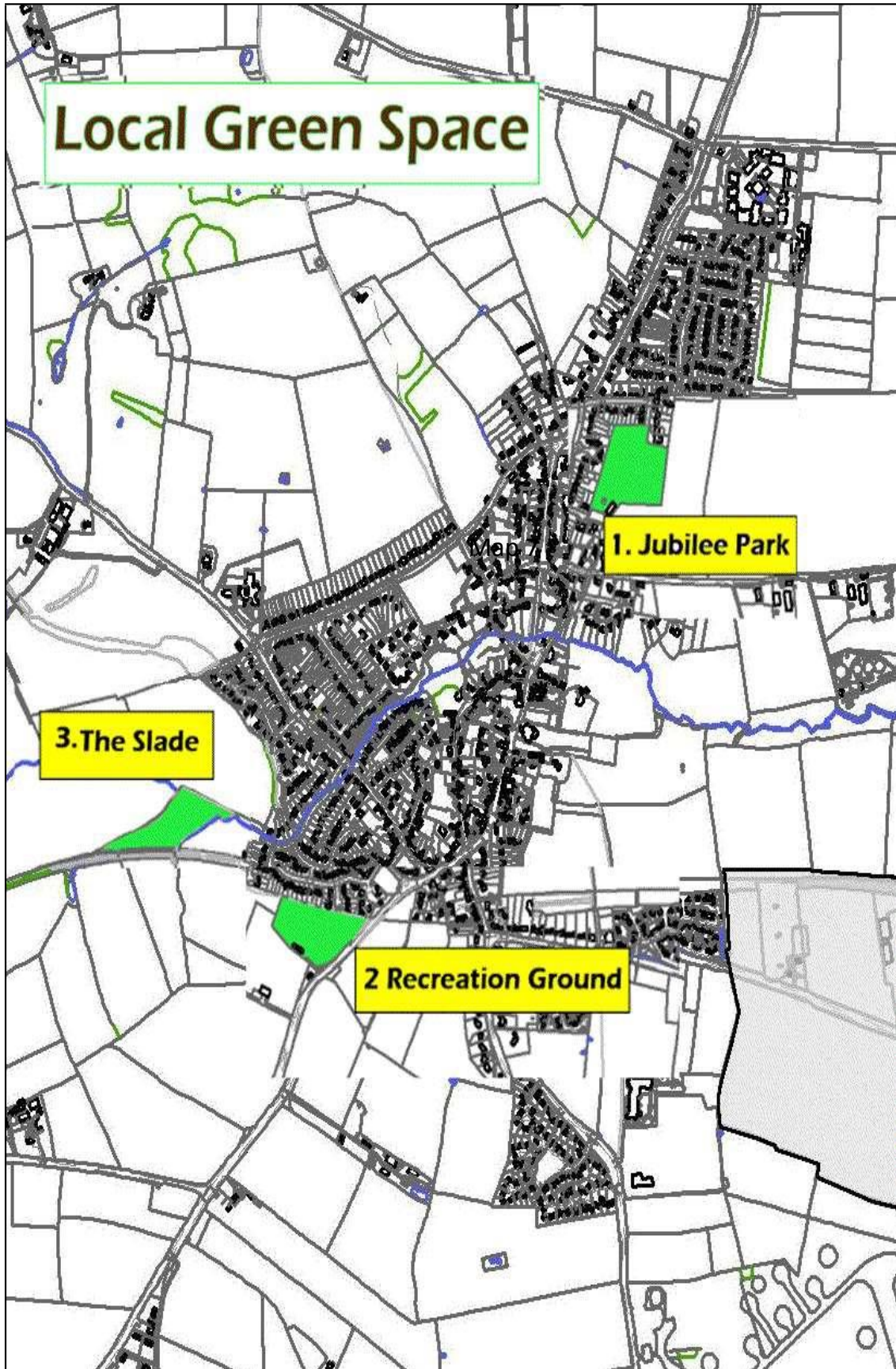


We consider these policies consistent with the following:

✓ 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.**



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](#)

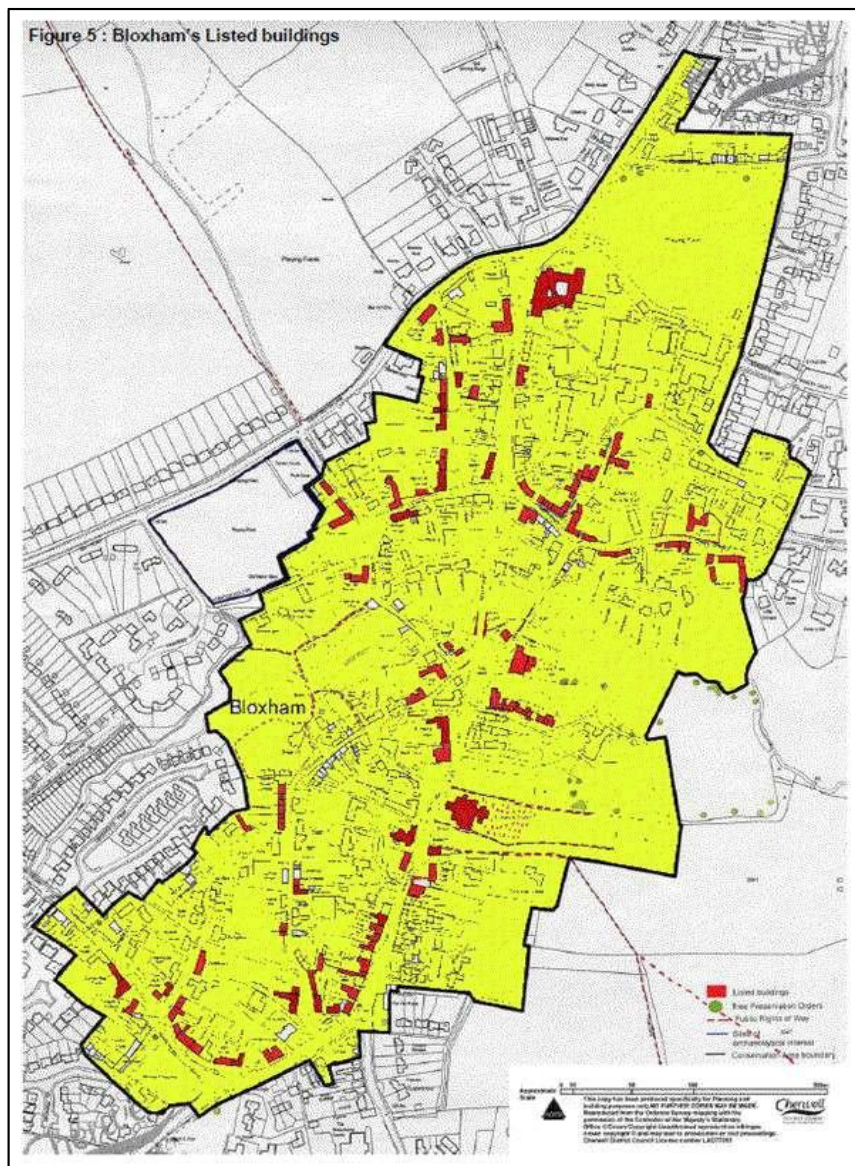
Appendices

Appendix 1 The BNDP Sustainability Report

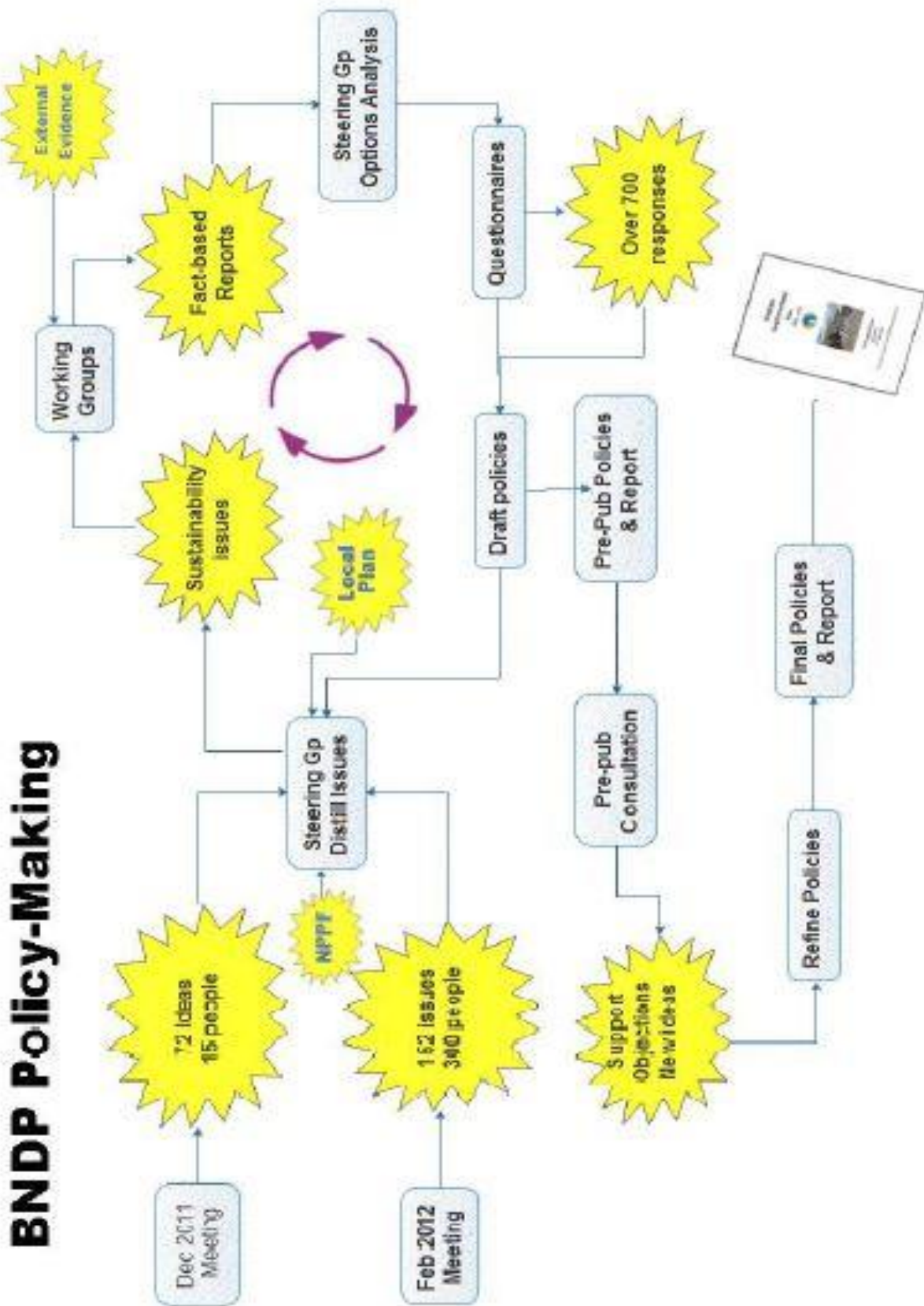
This is available as a separate document. It contains summarised evidence that impinges upon every policy in this Plan.

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



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).

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

Executive

5 December 2016

Kidlington Framework Masterplan

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of the Kidlington Framework Masterplan so that it can be presented to Council for adoption.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve changes to the draft Kidlington Framework Masterplan (Appendix 1) following consultation.
- 1.2 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.
- 1.3 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

2.0 Introduction

- 2.1 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 now presented for approval.

2.4 Upon approval by the Executive it is intended that the Framework Masterplan be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It does 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 **Page 94** 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 approval before seeking adoption by Council. 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. 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 for approval. Upon approval by the Executive it is intended that the Framework Masterplan be presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the Masterplan would have statutory status as planning guidance. It does 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 as set out in section 3 of the report

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 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.

Option 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, 0300 0030106

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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:

Kevin Lane, Head of Law and Governance – Tel: 0300 0030107

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8.0 Decision Information

Key Decision:

Financial Threshold Met: No

Community Impact Threshold Met: Yes

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 (draft 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

Executive

5 December 2016

Adoption of the Banbury Vision and Masterplan Supplementary Planning Document (SPD)
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Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of proposed changes to the draft Banbury Vision & Masterplan Supplementary Planning Document (SPD) following stakeholder and public consultation and to propose the Executive recommends adoption of the Masterplan incorporating these changes at the meeting of the Full Council on 19 December 2016.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve changes to the draft Banbury Masterplan Supplementary Planning Document (at Appendix 1) following consultation.
- 1.2 To recommend Council agree to adopt the Banbury Masterplan (Appendix 1) as a Supplementary Planning Document at the meeting of Full Council on 19 December 2016.
- 1.1 To authorise the Head of Strategic Planning and the Economy to publish an Adoption Statement and to make any further minor changes to the Masterplan before the meeting of the Full Council.

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 are 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 (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 at the meeting of the Full Council on 19 December 2016 is recommended.

5.0 Consultation

Public consultation as set out in section 3

Internal briefing: Councillor Colin Clarke, Lead Member for Planning and Banbury Developments Board

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 recommend adoption of 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.

Option 2: Not to recommend adoption of 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 recommended for adoption and adopted which would involve a delay to the timetable.

7.0 Implications

Financial and Resource Implications

7.1 Preparation of the Masterplan can be met from existing budgets.

Comments checked by: Paul Sutton, Chief Finance Officer, 0300 0030106, paul.sutton@cherwellandsouthnorthants.gov.uk

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.

Comments checked by: Kevin Lane, Head of Law and Governance, 0300 0030107, kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All (including all Banbury wards 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	Banbury Vision and Masterplan
Appendix 2	Consultation Statement
Appendix 3	SEA Screening Document
Background Papers	
None	
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Cherwell District Council

Executive

5 December 2016

<p style="text-align: center;">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

The meeting is recommended:

- 1.1 To note 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 To recommend to Council to adopt Policy Bicester 13 of the Cherwell Local Plan 2011-2031 (Appendix 5) 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 To note that, upon adoption by Council, Policy Bicester 13 will be inserted as modified into the published Cherwell Local Plan 2011-2031.

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. The advice of Counsel has been taken in the report's preparation.
- 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.

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 Members are advised to recommend to Council that it formally adopts 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 Executive is advised to recommend to Council 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:

Kevin Lane, Head of Law and Governance, Tel. 01295 221661

Kevin.Lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision:

Financial Threshold Met: No

Community Impact Threshold Met: Yes

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
Background Papers	
None	
Report Author	David Peckford, Planning Policy Team Leader
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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

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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.**

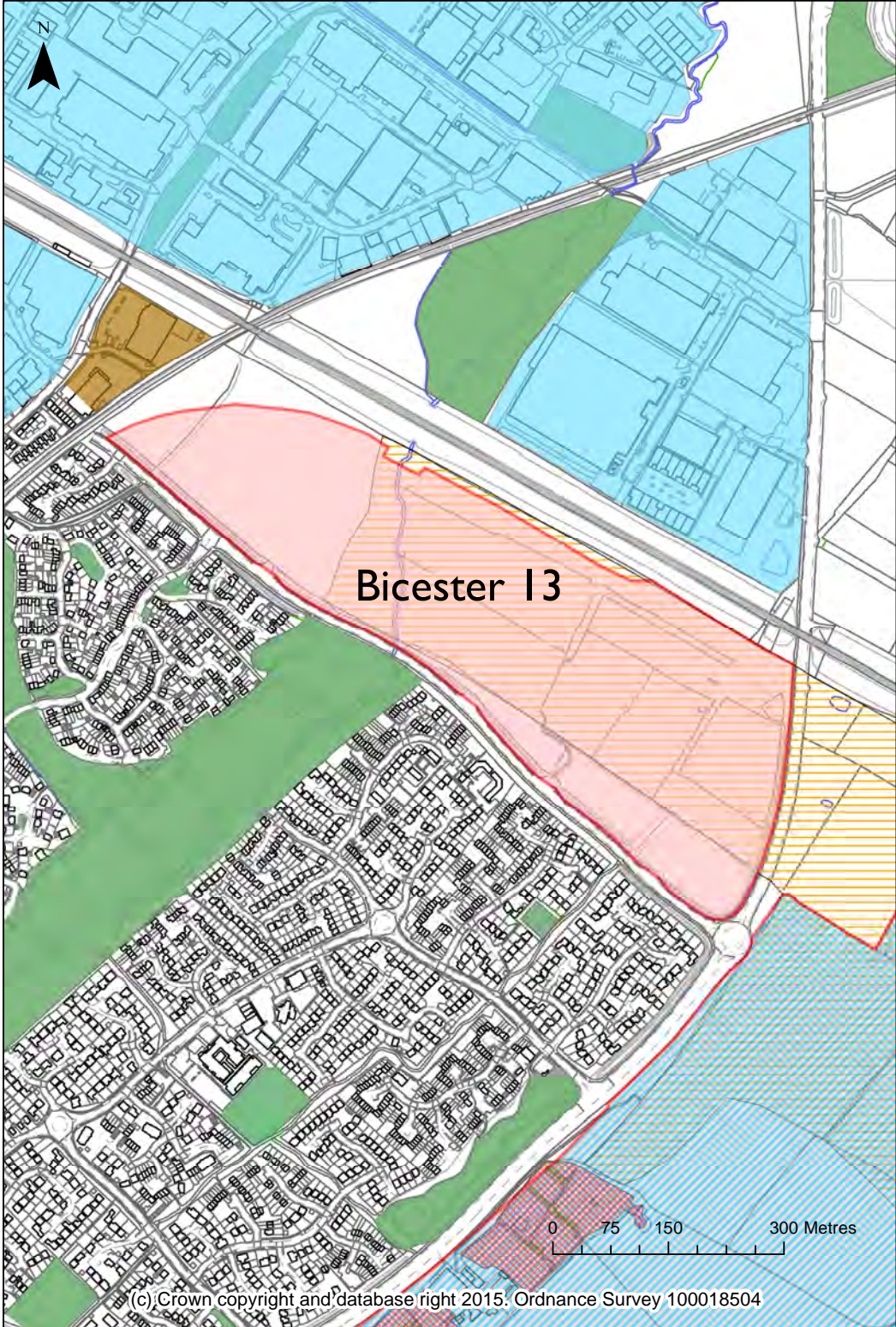
Key site specific design and place shaping principles

- **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 with 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

your place • your space •
your look • your say

Extract from adopted Local Plan Part 1 - Policy ESD11



Part 1
Adopted 20 July 2015

- **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	<p>High Court Challenge</p> <p>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</p>	<p>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.</p> <p>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)</p>

Cherwell District Council

Executive

5 December 2016

Community Lottery

Report of Commercial Director

This report is public

Purpose of report

To gain agreement to launch an online and fully automated Cherwell Lottery that will help fund discretionary support to voluntary and community (VCS) organisations active in Cherwell and to enable such organisations to raise funds directly for themselves.

The proposal is for the Council to be an enabler and use the services of an External Lottery Manager (ELM) to run the lottery.

1.0 Recommendations

The meeting is recommended:

1. 1 To agree the proposal that an online Cherwell Lottery be launched as detailed in the attached business case. This includes a financial contribution and in-kind support, subject to this being funded from existing resources.
- 1.2 That subject to procurement, due diligence and the with the guidance contained in the Joint Contract Procedure Rules, the Council uses an external lottery manager (ELM) to run and operate the lottery and shares the risk of running it with them.
- 1.3 That the Council agrees to provide £3K for set-up costs and £1k for the annual license and administration costs. In the first year the Council allocates £1.5K for marketing funded from existing resources, and £350 annually for on-going marketing (the majority of marketing material is paid for by the External Lottery Manager).
- 1.4 To agree that an annual review of the Cherwell Lottery is reported to Executive on the anniversary of its launch.

2.0 Introduction

2.1 The Community Lottery business case brings together information from councils who have provided a community lottery and the provider of External Lottery Management (ELM). A Cherwell Lottery has the potential to help the VCS sector operating within Cherwell by helping address funding pressures they may be facing. This could benefit all people and communities in the district.

3.0 Report Details

3.1 The Community Lottery Business Case is included as Appendix A which contains detailed information on the following areas:-

- Background to Lotteries
- The Lottery Market Place
- Initial Proposition;
- Proposed Form of the Lottery
- Delivery Options
- Ticket Price, Proceeds Apportionment and Prize Structure
- Number Selection & Prize Structure
- Gambling Responsibility and Risk

3.2 The Community Lottery has been used by a low number of Councils to raise funds for VCS organisations, for example Aylesbury Vale District Council (AVDC) raised over 65K in 2015 for the VCS who joined their 'Vale Lottery'. The number of Council's taking up Community Lotteries is growing, currently there are now 6 with the very recent (October 2016) new Lottery at Corby Borough Council.

3.3 Move from 'Provider to Enabler'; the aims of the Community Lottery would be:

- *Delivering the proceeds locally:* a Council lottery would deliver benefits only to VCS causes that provide benefits for the people and communities in the CDC district.
- 50% of proceeds would be given to nominated VCS organisations, with the additional benefit that a minimum of 10% (although it can be an option to have all 60% given) would be allocated to the central fund from which the Council can choose which VCS to allocate funds to.
- *Delivering winners locally:* whilst anyone could play, it is likely that players will be locally based (or has a local connection).
- Helping to shift residents' perceptions: of what a Council can do and is here for.
- Opportunity to review the current grant process in both Councils.

3.4 The proposal is to use the services of an ELM to run the lottery. Notwithstanding the appointment of an ELM, the Council would retain obligations to the Gambling Commission to ensure that the lottery is conducted in a lawful and fully compliant way.

3.5 The proposal is that the ELM would carry out all day-to-day management, including processing new players, distributing prizes, income for VCS organisations (once the

Councils have approved the monthly payments to CVS organisations) and assisting players should they experience difficulties.

- 3.6 All sales for the lottery would operate through a dedicated website (specific organisations would have their own landing pages on this website) and be funded via ticket sales made by online payment (payment card) or direct debit. This approach is needed to keep operating costs at a minimum. If a player does not have access to the internet the ELM will organise to input their details onto the online system (i.e. through phone call) to facilitate their request.
- 3.7 The Ticket Price is £1 – the minimum play would be £1 ticket per week per player, this would equate to a minimum monthly expenditure of £4.33 per player (this being 52 weeks x £1 divided by 12 months).

Players can purchase multiple tickets/support multiple organisations.

- 3.8 The proposal would use the Australian Super 66 Lotto results to provide the winning numbers for the proposed Lottery. The Super 66 is played in all parts of Australia, except New South Wales, and draws take place on Saturdays.
- 3.9 Lotteries are the most common type of gambling activity across the world, and considered to be a 'low risk' form with respect to the emergence of problem gambling. This is due to its relatively controlled form.
- 3.10 The Council would 'buy-in' the skills and expertise from the ELM and would share the risk with them in delivering the lottery.
- 3.11 Licence holders and operators must comply with legislation and are regulated by the Gambling Commission. To minimise risks such as underage gambling, weak financial management and potential fraud, the proposed Cherwell Lottery operate within the law and follow the Gambling Commission's operational guidelines.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The success of the AVDC lottery has been reviewed and is considered to be robust; within the first six months, their lottery has exceeded all expectations with 115 organisations having joined (their target was just 10-20).
- 4.2 This report recommends that a local community lottery be created for CDC.
- 4.3 This report recommends that the ticket price is set at £1 per ticket.
- 4.4 The recommendation is to use the services of an External Lottery Manager (ELM) to run the lottery.
- 4.5 This report recommends that CDC Council agrees to provide £3K for set-up costs and £1k for the annual license and administration costs. In the first year the Council allocates £1.5K each for marketing funded from existing resources, and £350 annually for on-going marketing.

5.0 Consultation

None

6.0 Alternative Options

Option 1: Not to agree the proposals. This is not recommended as the proposal will help to fund discretionary support to the voluntary and community organisations and enable such organisations raise funds directly for themselves. All funds raised through the lottery would be spent within the district and benefit local people and communities.

7.0 Implications

Financial and Resource Implications

- 7.1 This proposal would help fund discretionary support to the VCS and enable such organisations raise funds directly for themselves.
- 7.2 All funds raised through the lottery would be spent within the district and benefit local people and communities. Apart from licensing and promotion costs, the lottery would be self-funding.
- 7.3 As set out in the full Business Case, the estimated costs to the Council (which can be met from existing approved budgets) are:
- £1,000 annually for licensing and administration costs
 - Start up (off one) cost of ELM Setup Fee £3,000

There will also be an estimated cost of £1,500 for marketing in the first year, with on-going estimated £350 annually to promote the CDC lottery. The ELM will provide marketing material directly to the council as well as those VCS who have joined the lottery; the funds the Council set aside would be used for branded materials (for example pull up banners).

- 7.4 Inevitably, some officer time would be required to establish the lottery and ensure its administration. This can be managed within existing resources of the Grants Officer (Joint worker) with the support of the Commercial Development Team.
- 7.5 The jackpot is an insured prize. It is a guaranteed payout of £20,000 per winner (even if multiple people win the jackpot it is not shared or rolled over). This arrangement protects the lottery from financial difficulty.
- 7.6 The Council will conduct due financial diligence on the External Lottery Manager (ELM).

Comments checked by:

Paul Sutton, Head of Finance and Procurement,

Tel: 0300 003 0106, E-mail: paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.7 Licence holders and operators must comply with legislation and are regulated by the Gambling Commission. To minimise risks such as underage gambling, weak financial management and potential fraud, the proposed Cherwell Lottery will operate within the law and follow the Gambling Commission's operational guidelines. The procurement process for the ELM will comply with the guidance contained in the Joint Contract Procedure Rules. Detailed advice on the licensing requirements has been provided by a solicitor in the shared legal team.

Comments checked by:

Kevin Lane, Head of Law and Governance,

Tel: 0300 0030 107, Email: kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key decision

Financial Threshold Met No

Community Impact Threshold Met: No

Wards Affected

None directly.

Links to Corporate Plan and Policy Framework

Link to CDC Business Plan Strategic Priority: Thriving Communities

Document Information

Appendix No	Title
A	CDC Community Lottery Business Case
B	CDC current VCS allocations
Background Papers	
None	
Report Author	Claire Taylor Assistant Director Commercial Development and Innovation
Contact Information	claire.taylor@cherwellandsouthnorthants.gov.uk Tel: 0300 0030113

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Cherwell District Council
COMMUNITY LOTTERY
BUSINESS CASE

1 Purpose of the Lottery

1.1 To help fund discretionary support for local voluntary and community sector (VCS) organisations and enable such organisations to raise funds directly for themselves. The Council would not take any of the proceeds for themselves.

1.2 All funds raised by the lottery would be spent within the district and provide benefits to the people and communities of CDC district.

1.3 This report has been written with guidance from Mendip District Council and Aylesbury Vale District Council (AVDC).

2 Executive summary

2.1 In the medium-term, as budget pressure continues to grow on all aspects of the council's work, there will inevitably be an impact on the funding available for the VCS sector. Historically CDC provides support to VCS but does have a grants scheme. The CDC Lottery could be used to support existing contracts/service level agreements/grants (Current cost is £135,343.00: existing VCS receptive of monies in Appendix B (restricted)).

2.2 A CDC Lottery has the potential to help all VCS organisations active in the district by helping address any funding pressures they are facing. The lottery proposal would also help move the Council from 'provider' to 'enabler'. The AVDC have published that in their scheme (2015) they raised £65,000 pa, with over 120 VCS benefiting.

2.3 By agreeing the proposal, the council would adopt a proactive approach and be one of the first council in the country to run a lottery. The proposal is to use a model similar to that launched by AVDC. Namely to seek a license from the Gambling Commission and to 'buy-in' the skills and expertise of an External Lottery Manager (ELM) to run and market the lottery.

3 Supporting information

3.1 The council are exploring new income streams, streamlining processes, reducing costs and working innovatively in partnership - this work is completed through the newly created (August 2016) Commercial Development Team and the Transformation Team and this is some of ways for addressing the financial challenges we face over the coming years following the government's decision to

reduce the level of grants to local authorities.

3.2 This fits with the changing business model of the Council which is moving away from being the provider of all services to one where there is a mix of delivery models for buying and selling services, as well as moving customers towards more 'self-help' digital options.

3.3 Inevitably, in the medium-term, the amount of funding available for VCS organisations will be impacted. With this in mind, the Council has been investigating ways to address this position. A CDC Lottery would create new income stream for VCS organisations helping them address funding pressures and provide benefits to the people and communities in the district.

4 Background to Lottery

4.1 Lottery have long been a way of enabling smaller organisations to raise income. All local authority lottery must be licensed by the Gambling Commission and are regulated by the Gambling Act 2005.

4.2 There are different types of lottery available. In this instance, we are only discussing 'society lottery' which are promoted for the benefit of the non-commercial society. A society is deemed to be non-commercial if it is established and conducted for the following purposes and activities:

- Charitable purposes;
- To enable participation in or support of sports, athletics or cultural activities;
- Any other non-commercial purpose, other than that of private gain.

4.3 In all cases, local authority lottery must deliver a minimum of 20% of gross proceeds to community and voluntary causes – this business case recommends a minimum of 50% of proceeds going to such causes.

It is proposed that the CDC Lottery would split each £1 from the purchase of tickets as below:



5 The Lottery Market Place

5.1 There are three well-known national lotteries running in England and Wales – these are the National Lottery, Health Lottery and the Postcode Lottery. The table below provides background statistics regarding these providers for comparison.

Provider	Odds of jackpot win	Odds of any prize win	% share to CVS orgs	% to operator/owner
Euromillions	1:116m	1:13	28%	22%
National Lottery	1:14m	1:54	28%	22%
Health Lottery	1:2m	1:209	20%	22%
Postcode Lottery	No data available		27.5%	32.5%

5.2 In the Cherwell district there are no Community Lottery specifically based in the district, but some that cover the whole of the Thames Valley:

- Thames Valley Air Ambulance (£1,000 top prize)
- Thames Valley Hospice Lottery (£1,000 top prize)

There are only four other councils known to be a licensed lottery operator in the country (AVDC; Mendip District Council; Portsmouth City Council; Melton Borough Council).

5.3 A local authority lottery requires a set of aims or a unique selling point that resonates with lottery players. It is believed there is a place for a lottery that focuses on the following aims:

- *Delivering the proceeds locally* – a Council lottery would deliver benefits only to VCS causes that provide benefits the people and communities in the CDC district. Unlike any other lottery provider, players can be assured that the proceeds will stay within the district of their choice.
- *Maximising benefits to the community* – to bolster support and help continue the good work the Council already does, there is a need for significant support and benefits to be provided by the VCS sector. This proposal would result in 60% of proceeds being given to VCS organisations, with the additional benefit that none of the proceeds being generated is taken by the Council.

- *Minimising costs* - whatever delivery route is adopted, set-up costs have to be minimised. This means the lottery will need to be largely self-financing and any funding distribution mechanism should tap into existing distribution routes.
- *Delivering winners locally* – whilst anyone could play (players don't have to live in either the CDC district), it is likely that players will be locally based (or have a local connection) hence it will be easier to maximise the value from winners' stories and encourage more participation.
- *Facilitating a wider benefit* – whilst the lottery will help current funding to VCS organisations, it will also enable such organisations to fundraise in partnership with us. This can be seen as the council enabling VCS organisations to help themselves by reducing barriers to securing lottery-type funding, such as making access to funding easier and allowing freedom on how the money can be spent. It will also open up a way for voluntary and community organisations to create new links with repeat donors and reach out a much wider audience.
- *Helping to shift residents' perceptions* - of what a Council can do and is here for. This is in line with the changing business model for the Council towards adopting a more commercial approach to service delivery, as well as moving customers towards more 'self-help' options.

6 Proposed Form of the Lottery

6.1 The proposal is to use a model similar to that launched by AVDC. This is an online lottery due to the high costs of distribution and sales if it was run in any other way. The benefit of this approach is that this model has a proven track record of delivering a successful product which is achieving the aims of their lottery, i.e. helping deal with the pressure on their community funding budgets and enabling VCS organisations gain access to new funding streams.

6.2 The proposed lottery would create a new funding stream for the VCS active in the CDC district and provide them with a platform to fundraise independently.

Players can choose to buy a ticket to support either:

The Central Fund – this operates district-wide and players do not specify an organisation to benefit from the 60% of their ticket purchase. All the monies raised would be distributed direct to VCS organisations active in the CDC district through a new grant scheme – the details of how this would work are to be developed. As the lottery grows, it could also help towards the cost of

funding and support arrangements the Council may have with the VCS sector. This approach may also help organisations who may have fewer local supporters and/or less ability to generate funding support because of the nature and/or size of their service(s).

The Umbrella Scheme – this allows players to support a specific organisation and, in turn, this motivates participating organisations to encourage more players to support them and therefore generate more income for themselves. VCS organisations would need to meet criteria (see Annexe A) set by the license holder (i.e. the Council) before they can ‘sign-up’. Support would include their own branded web page on the lottery website and regularly updated bespoke marketing materials to help them engage with players. This option would help remove barriers for organisations who may struggle to access other funding streams or aspire to run their own lottery (barriers for them might include difficulties in holding their own license or setting up the infrastructure to run it). Organisations keep 50% of all ticket sales generated through their page and another 10% goes to the Central Fund.

The Council would control which organisations can join the umbrella scheme and VCS organisations would need to meet certain criteria in order to join. Annexe A sets out the draft criteria.

6.3 All sales for the lottery (no matter which of the two versions the player chooses) would operate through a dedicated website (specific organisations would have their own landing pages on this website) and be funded via ticket sales made by online payment (payment card) or direct debit. This approach is needed to keep operating costs at a minimum.

Delivery Options

6.4 The Council would have to apply to the Gambling Commission for a license to run a lottery and be the overall license holder.

6.5 The proposal is to use the services of an External Lottery Manager (ELM) to run the lottery. This is the most common form of lottery provision for Council. In terms of procurement rules, the provision of lottery services is a public service concession. However, under the current Concessions Contracts Regulations 2016, specifically under Regulation 10(13), lottery services are expressly excluded from being governed by the procurement rules. Page 170 Council would be an enabler and

would not be taking any money. All that would be required is a contract between the Council and the ELM. Notwithstanding the appointment of an ELM, the Council would retain obligations to the Gambling Commission to ensure that the lottery is conducted in a lawful and fully compliant way.

6.6 The Council has reviewed use of an ELM and considered the approach taken by AVDC. We have had informal discussions with both AVDC and an ELM and consider that appointing an ELM would be the most cost-effective solution and would provide the necessary skills and expertise required to establish and run the lottery.

There is no requirement to carry out a competition to appoint an ELM because of the exclusion of lottery services from the procurement rules; however the Councils' procurement guidelines will be followed. The Council must satisfy itself that any ELM considered holds a valid operating license, personal management licenses (if appropriate) and will conduct the Council's lottery in a lawful and compliant way. The Council will be required to complete due diligence on any ELM being considered.

6.7 The proposal is that the ELM would carry out all day-to-day management, including processing new players, distributing prizes, income for VCS organisations (once the Council have approved the monthly payments to CVS organisations) and assisting players should they experience difficulties. The ELM will also provide significant tailored marketing support to the VCS organisations and the Council. The ELM will send newsletters to all community and voluntary organisations signing up to the lottery providing updates on their lottery.

The resource implications for the Council are detailed in Section 11.

7.11 Ticket Price, Proceeds Apportionment and Prize Structure

Ticket Price £1 – the minimum play would be £1 ticket per week per player, this would equate to a minimum monthly expenditure of £4.33 per player (this being 52 weeks x £1 divided by 12 months).

Players can purchase multiple tickets/support multiple organisations.

7.12 Research shows that ticket price has a significant bearing on the success of a lottery the £1 cost would also create us in positive competition with the National Lottery (£2).

7.13 The public's perception of appropriate lottery ticket pricing is considered to be the most significant factor when selecting a preferred model for the lottery.

7.14 ***This report recommends that the ticket price is set at £1 per ticket.***

7.15 Based on the above, the CDC Lottery would operate as below:

- Ticket price - £1 per week
- Draw frequency – once per week
- With 2 delivery options – CDC Lottery and CDC Umbrella Scheme (see 4.12 above for details)

Proceeds Apportionment				
	Umbrella Scheme (Specific Org/Cause)		CDC Lottery (Unspecified Org/Cause)^a	
	<i>% allocation</i>	<i>£ allocation per ticket</i>	<i>% allocation</i>	<i>£ allocation per ticket</i>
Specific community and voluntary organisations	50	£0.50	-	-
Prizes	20	£0.20	20	£0.20
CDC Lottery community and voluntary organisations	8	£0.08	58	£0.58
External Lottery Provider	18	£0.18	18	£0.18
VAT	4	£0.04	4	£0.04
Totals	100	£1.00	100	£1.00

a CDC Lottery supports VCS organisations through a new grant pot.

Number Selection & Prize Structure:

7.16 The proposal would use the Australian Super 66 Lotto results to provide the winning numbers for the proposed Lottery. The Super 66 is played in all parts of Australia, except New South Wales, and draws take place on Saturdays.

Players of the CDC Lottery would choose 6 numbers. To win the jackpot, the ticket must match both the numbers and the sequence as drawn. You can also win a prize if your Super 66 number matches the sequence of the first or last 2, 3, 4 or 5 numbers drawn. In all there are 5 prize divisions.

The following are the winning numbers for each division, if:

•N means a winning number **Page 172**

•n means a number other than a winning number:

Division	Your Super 66 number starts with OR ends with	Odds based on 1 Game
Division 1	NNNNNN	1,000,000:1
Division 2	NNNNNn or nNNNNN	55,556:1
Division 3	NNNNnn or nnNNNN	5,556:1
Division 4	NNNnnn or nnnNNN	556:1
Division 5	NNnnnn or nnnnNN	56:1

Multiple tickets can be purchased and numbers can be changed by players.

7.17 Bolt-on 'raffle' type prizes are possible with this model. It is considered there is potential here for the CDC Lottery to partner with CDC based events and festivals and that this could provide significant additional benefits to VCS organisations and to the people and communities in both areas.

7.18 Players can donate their winnings to their chosen VCS organisation, if they wish.

7.19 The jackpot is an insured prize. It is a guaranteed pay out of £25,000 per winner and there could be multiple winners. There is no rollover if there is no winner.

7.20 The ELM distributes prizes to winners as soon as the player claims their win - either immediately into the winner's bank account or to the chosen VCS organisation if the winner has chosen to donate their win back to them.

Participating VCS organisations are paid monthly by the ELM and the Council are required to authorise these payments before they are made. The process for this will be developed and it will be covered under the contractual arrangements by which the ELM is appointed.

Number Selection and Prize Structure		
	<i>Winning odds</i>	<i>£ prize</i>
6 numbers	1:1,000,000	£25,000
5 numbers	1:55,556	£1,000
4 numbers	1:5,556	£250
3 numbers	1: 556	£25
2 numbers	1:56	3 free tickets
Overall odds of winning any prize	1:50	-

Player modeling:

7.21 Set out below is a player modeling analysis. It shows that a very conservative level of players can generate a considerable income for VCS organisations.

£1 Ticket / 1 Ticket per week						
Ticket price (£)	Number of players (16+)	% CDC Player Pop (16+)	Tickets per player/week	Number of weeks	Gross Return	Received by CVS organisation ^b
1	455	0.5	1	52	£23,660	£13,723
1	910	1	1	52	£47,320	£27,446
1	1,365	1.5	1	52	£70,980	£41,168
1	1,910	2	1	52	£94,640	£54,891
1	2,275	2.5	1	52	£118,300	£68,614

^b: no distinction has been made in the above table between players selecting either delivery option (CDC Lottery or the Umbrella Scheme). It is very difficult to model how this split will break down with actual players therefore a total to community and voluntary organisations is shown (58% of gross return).

8 Gambling Responsibly and Risks

8.1 Lottery are the most common type of gambling activity across the world, and considered to be a 'low risk' form with respect to the emergence of problem gambling. This is due to its relatively controlled form.

The CDC Lottery would help mitigate against many of the issues related to addictive gambling by:

- Being only playable via by pre-arranged sign-up and non-cash methods
- Offering no 'instant gratification' or 'instant reward' to those taking part
- Ensuring the lottery is compliant with the Gambling Commission's licensing code of practice, including self-exclusion and support organisation links.

8.2 Due to these factors, it is reasonable to believe that a Council led Community Lottery would not significantly increase problem gambling, and that the benefits to community and voluntary organisations in the district from the proceeds of the lottery would outweigh the possible negative

issues.

8.3 License holders and operators must comply with legislation and are regulated by the Gambling Commission; both are responsible for running the lottery in such a way that potential risks such as underage gambling, weak financial management and potential fraud are minimised. The proposed CDC Lottery operates within the law and follows the Gambling Commission's operational guidelines.

9 Delivery Timeline

9.1 Following the decision to go ahead with the proposal, based on AVDC's experience for establishing their lottery, it would take approximately four months from appointment of ELM to set-up and launch the lottery.

9.2 The key milestones in delivering this are set out below:

- By October 2016 – Report to BMP
- By December 2016 – Report to Executive
- By late December 2016 – Appoint ELM.
- By Jan 2017 - Hold launch event targeted at VCS organisations encouraging them to 'sign-up'; PR event for members and the media
- End February 2017 – License Approved for the Council (subject to Gambling Commission)
- Mid March 2017 – First Draw

10 Resource implications

10.1 The estimated costs to the Council is:

- £1,000 annually for licensing and administration costs
- Start up (off one) cost of ELM Setup Fee £3,000

There will also be a cost of £1,500 for marketing in the first year, with on-going £750 annually to promote the Lottery.

Inevitably, some officer time would be required to establish the lottery and ensure its administration. This can be managed within existing resources of the Grants Officer with the support of the Commercial Development Team.

This proposal would help fund discretionary support to the VCS and enable such organisations raise funds directly for themselves. Until the level of funds being raised is known, it is difficult to anticipate how much money may be generated. An annual review would be undertaken to ensure that the lottery is running in line with the aims set out in this report and to agree any changes.

10.2 This report recommends that a local community lottery be created for CDC with the appointment of an ELM.

10.3 This report recommends that the Council agrees to provide £3K for set-up costs and £1k for the annual license and administration costs. In the first year the Council allocates £1.5K for marketing funded from existing resources, and £750 annually for on-going marketing.

Tracie Darke

Business Development Officer

ANNEX A: CDC Lottery Umbrella Scheme

Draft Criteria for Accepting VCS groups

As part of the proposed CDC Lottery, voluntary and community organisations can sign up under an umbrella lottery scheme. Below are the draft criteria that will be used in deciding whether or not to allow an organisation to join.

Application Fee

There is no application fee to join.

Criteria for joining:

We want to enable as many VCS organisations as possible to join. The Council has been granted a licence to run the lottery by the Gambling Commission and part of its licence obligations are to ensure that organisations meet certain criteria.

YOUR ORGANISATION MUST:

- Provide local community activities or services *within* the CDC District, which benefit the people and communities of CDC - visitors to CDC may also benefit from the services/facilities, but not to the exclusion of local residents
- Have a formal constitution or set of rules
- Have a bank account requiring at least 2 unrelated signatories
- Operate with no undue restrictions on membership

AND BE:

A constituted group with a volunteer **management committee** with a minimum of three unrelated members that meets on a regular basis (at least 3-4 times per year); or, **a registered charity with a board of trustees.**

OR BE:

A registered **Community Interest Company** and provide copies of their Community Interest Statement, details of the Asset Lock included in their Memorandum and Articles of Association, together with a copy of their latest annual community interest report.

WE WILL NOT PERMIT APPLICATIONS THAT:

- Are incomplete
- Are from groups that promote a particular religious or political belief
- Are from organisations that do not do work within the boundaries of CDC
- Are from individuals
- Are from organisations which aim to distribute a profit
- Are from organisations with no established management committee/board of trustees (unless they are a CIC)

PLEASE NOTE THE FOLLOWING:

The Council reserves the right to reject any application.

The Council will reserve its rights to not accept or cease to license any organisation with a minimum of 7 days' notice for any reason, unless where fraudulent or illegal activity is suspected where cessation will be immediate.

Appendix B: Existing CDC external ‘funding’ for VCS

Organisations	Finance	Amount
Berks, Bucks & Oxon Wildlife Trust (LWS project)	SLA	£5,000
RSPB (Upper Thames Wader Project)	SLA	£2,000
Warriner School Farm Trust (Env education)	SLA	£1,500
Wild Oxfordshire (Conservation Target Areas)	SLA	£2,000
Community First Oxfordshire (rural community development)	SLA	£23,500
Cotswold Conservation Board (AONB)	P’ship Agreement	£500
Thames Valley Environmental Records Centre (Env data mapping)	SLA	£7,843
Community Associations (x 10)	Grants	£9,000
Citizen’s Advice (Volunteer drivers service)	Contract	£33,000
Citizen’s Advice (Volunteering development)	Contract	£51,000

Additionally CDC has occasional grant schemes such as HMQ’s Diamond Jubilee, HMQ’s 90th birthday and War Memorials.

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Cherwell District Council

Executive

5 December 2016

Contract Award – Debt and Money Advice Service

Report of Chief Finance Officer and Head of Regeneration & Housing Services

This report is public

Purpose of report

To seek approval for the contract award for the provision of Debt and Money Advice services across the Cherwell District.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Approve the award of a contract for the provision of Debt and Money advice across all areas of the Cherwell District to North Oxfordshire and South Northants Citizens Advice (formerly known as Citizens Advice Bureau). The bid includes partnership working with Bicester Citizens Advice who will provide services in Bicester and Kidlington. The contract will operate for a period of two years from 1 April 2017 and includes an option to extend the contract for a further one year from 1 April 2019.

2.0 Introduction

- 2.1 Cherwell District Council has held a corporate contract for Debt and Money Advice for the past 5 years with North Oxfordshire and South Northants Citizens Advice. This contract has also included services to support Volunteering and Volunteer Car Driving.
- 2.2 In May 2011 Cherwell's executive agreed to change the way in which funding was made available to organisations previously funded through its grants programme. It agreed to implement a commissioning process to fund strategically relevant services. It issued a tender which included advice, volunteering and volunteer car driving to be provided across three geographical areas within the Cherwell District and to be accessible to all residents of the District.
- 2.3 The outcome of this exercise was the award of a contract to North Oxfordshire and South Northants Citizens Advice to deliver all 3 types of services. The contract was

broken into 3 lots, to cover the Cherwell district (a total of 9 lots) starting from 1 April 2012 for an initial three years. The services included:

- Debt and Money advice
- Volunteer car driving services
- Services to increase volunteering

In 2014 an option to extend the contract for an additional two years from April 2015 was taken and will expire 31 March 2017. The contract cannot be extended beyond this date.

- 2.4 The Debt and Money advice service for the current contract has supported over 5000 people each year since the contract has been in existence.

It has supported residents with issues such as benefit claims/disputes, priority and non-priority debts, housing costs, and resulted in significant financial gains for Cherwell residents. It has also supported the council with its statutory duties including the prevention of homelessness.

The service has also been seen to be an essential point of access for independent and impartial advice in light of the range of welfare reforms that have been introduced during the contracts lifetime.

- 2.5 Officers have considered how to re-commission similar services to those being delivered within the existing contract. It has been agreed a new contract will not include Volunteering and Volunteer Car Driving. Plans are still being developed to address the authority's future need for these services.
- 2.6 Debt and Money advice is a vital service for the District to help mitigate and support local residents with the various welfare reform changes being implemented nationally including the introduction of Universal Credit and the new Benefit Cap reductions which were introduced on 7 November 2016.
- 2.7 Officers have undertaken a full procurement exercise subject to the Public Contracts Regulations 2015 to procure a new Debt and Money Advice service for two years (2017 – 2019) with the option for the council to extend this for a further year.
- 2.8 A Contract Notice was sent for publication to the Official Journal of the European Union on the 14 of September reference 2016/S 180-323787

3.0 Report Details

- 3.1 As the current contract reaches its full term in March 2017 a re-tendering exercise has been undertaken to commission a similar debt and money advice service to continue this vital service. In addition, this contract will also include the provision of Personal Budgeting Support, which is a requirement for local authorities to make available to assist people claiming Universal Credit. It will also include the development of Credit Union membership across the district.

- 3.2 This tender was split into three individual geographical lots (appendix 1). These were:
- Banbury and surrounding villages (lot 1)
 - Bicester and surrounding villages (lot 2)
 - Kidlington and surrounding villages (lot 3)

Applicants were offered the opportunity to apply for individual or multiple lots.

- 3.3 Interested parties were encouraged to put forward questions and ask for further advice about fulfilling the specification supplied by the council. A number of questions were received and answers to which were circulated to all those expressing an interest to ensure equal treatment and transparency via the Council's online portal.
- 3.4 Following this exercise the council received one submission from North Oxfordshire and South Northants Citizens Advice who applied to deliver all three lots.
- 3.5 The evaluation panel was satisfied with the business case, robust partnerships and forward thinking methodology of North Oxfordshire and South Northants Citizens Advice bid. Their submission meets the requirements of the service specifications across all three lots and provided added value by:

Economies of scale to deliver services

- Cost effective as service is delivered as a single entity
- One agency to manage the contract – less in-house resource required to manage the contract

Effective Partnerships

A sub-contracting partnership with Bicester Citizens Advice to deliver lots 2 and 3.

Performance Monitoring

North Oxfordshire and South Northants Citizens Advice have an extensive CRM and performance monitoring system in place which supports efficient monitoring of the contract whilst also supporting the council to gain further insight into common themes faced by the local community.

Early Intervention

Service users will receive an initial triage service, allowing those who only need to be signposted to the correct information/agency to be resolved quickly. This will allow more time and resources to be prioritised towards those who have greater needs or more complex issues.

Value for Money

The new tender adds value by incorporating services previously funded separately including Personal Budgeting Support referrals for claimants of Universal Credit. It will also include the ongoing development of credit union in Cherwell.

Citizens Advice uses a large bank of volunteers to deliver advice services and to support local residents. These additional voluntary labour costs are estimated to equate to over £442,050 per annum.

The service also allows residents to gain advice by telephone, email, office interviews and home visits. Clients can also access services from a national pool of advisors working for Citizens Advice.

- 3.6 It is proposed to award a contract to North Oxfordshire and South Northants Citizens Advice for a period of two years with an option for Cherwell District Council to extend this for an additional one year.

This provides the council with an opportunity to give further consideration as to how it may be able to provide debt and money advice services in different ways moving forward. This may include an option to jointly fund a similar service with South Northamptonshire District Council who currently fund a debt and money advice service via grant funding.

Work will be undertaken by officers throughout the two years to explore opportunities and to identify potential savings to the authority whilst also continuing to build on the existing joint working arrangements between both councils.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A full OJEU Compliant procurement exercise has been undertaken
- 4.2 This new contract will enable the Council to ensure that impartial debt and money advice is available to all residence within the district and support key strategic aims for the council.

5.0 Consultation

Councillor Ken Atack, Lead Member for Financial Management

Cllr John Donaldson, Lead Member for Housing

6.0 Alternative Options and Reasons for Rejection

- 6.1 Not to approve the award of this contract. This would result in Cherwell residents having limited access to services to support with Debt and Money issues within the district. This would also potentially result in an increase in the number of people approaching the council as homeless and the district being less financially inclusive.

7.0 Implications

Financial and Resource Implications

- 7.1 This contract continues to use the same level of financial resources as the original contract and has not taken into account any inflationary costs that have occurred since 2012 whilst also expecting the contractor to deliver the same service level as previously. Additionally, the inclusion of extra services currently funded through

separate agreements creates efficiencies and better value for money for Cherwell District Council.

Comments checked by:

Denise Taylor, Group Accountant, 01295 221982

denise.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The tender exercise undertaken to compete this contract conforms with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. This contract award requires Executive approval as the gross value exceeds £500,000 due to the overall length of time this agreement is proposed to be in place. The shared legal team will be involved in finalising the terms of the proposed contract.

Comments checked by:

Kevin Lane, Head of Law and Governance, 0300 0030107

kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

- **A Thriving Community** – C2. Working with partners to support financial inclusion and help local people into paid employment
- **Sound budgets and customer focused council** – D1. Reduce the cost of providing our services through partnerships to include other statutory bodies such Police, Health County Council, joint working and other service delivery models.

Lead Councillor

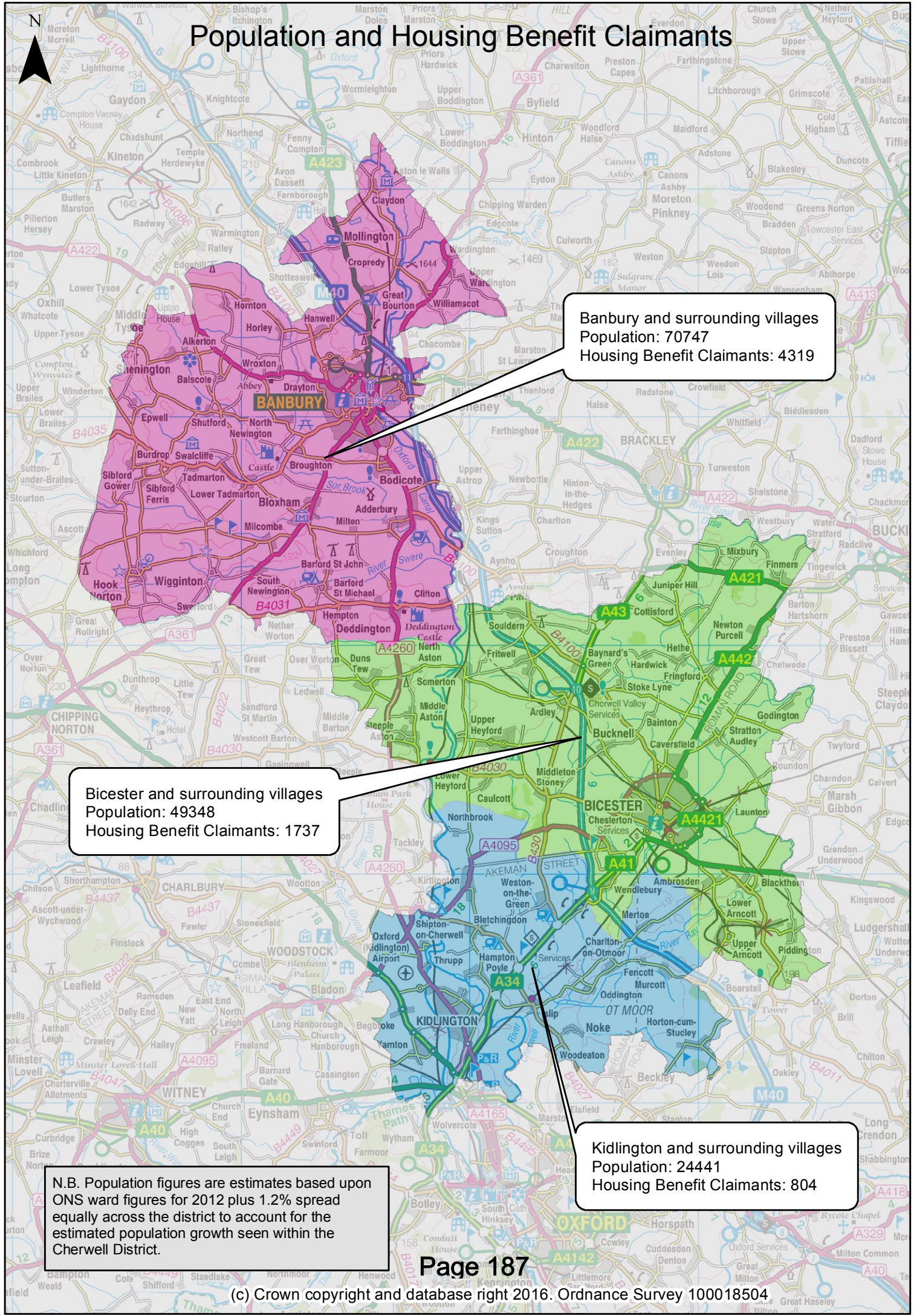
Councillor Ken Atack, Lead Member for Financial Management

Cllr John Donaldson, Lead Member for Housing

Document Information

Appendix No	Title
1	Geographic breakdown of lots
Background Papers	
None	
Report Author	Marianne North, Housing Needs Manager
Contact Information	Marianne.north@cherwell-DC.gov.uk

Population and Housing Benefit Claimants



Banbury and surrounding villages
 Population: 70747
 Housing Benefit Claimants: 4319

Bicester and surrounding villages
 Population: 49348
 Housing Benefit Claimants: 1737

Kidlington and surrounding villages
 Population: 24441
 Housing Benefit Claimants: 804

N.B. Population figures are estimates based upon ONS ward figures for 2012 plus 1.2% spread equally across the district to account for the estimated population growth seen within the Cherwell District.

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Cherwell District Council

Executive

5 December 2016

<p>Council Tax Reduction Scheme and Council Tax Discounts 2017-2018</p>
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Report of the Chief Finance Officer

This report is public

Purpose of report

To provide members with a review of Council Tax discounts and to seek approval to recommend the proposed level of Council Tax discounts for the 2017-2018 financial year to Council.

To provide 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 to recommend the proposed Council Tax Reduction Scheme to Council.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the option of no change to the Council Tax Reduction Scheme for 2017-2018 and to amend the Council Tax Reduction Scheme Regulations for Pensioners in line with uprating announced by DCLG and to uprate the Working Age Regulations in line with Housing Benefit as confirmed by Department for Work and Pensions.
- 1.2 To recommend to Council an unchanged Council Tax Reduction Scheme for 2017-2018.
- 1.3 To recommend to Council that delegated authority be given to the Chief Finance Officer to make any changes to the Council Tax Reduction Scheme Regulations up to and including 31 January 2017 in conjunction with the Lead Member for Financial Management.
- 1.4 To review the proposed level of Council Tax discounts for 2017-2018 and make recommendations to Council as follows:
 - 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 October 2016 members received a report providing an update on the current Council Tax Reduction Scheme (CTRS) and Council Tax discounts and including the impact on Council Tax collection rates. The report also provided members with the financial modelling for options for a Council Tax Reduction Scheme for 2017-2018.
- 2.2 Members approved for consultation purposes an option which would mean no change to the current Council Tax Reduction Scheme and to amend the Council Tax Reduction Regulations for uprating by DCLG and Department for Work and Pensions.
- 2.3 Members approved a consultation process for the period 5th October 2016 to 17th October 2016.

3.0 Report Details

Consultation Process: Council Tax Reduction Scheme

- 3.1 Members agreed a consultation process on the option of no change to the current Council Tax Reduction Scheme. There is a requirement to consult with the public, major preceptors and other parties who may have an interest in the Council Tax Reduction Scheme. The consultation began on 5th October 2016 ending on 17th October 2016.
- 3.2 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.
- 3.3 A total of 54 responses were received although not all questions were answered by the respondents. A summary of the results can be found at Appendix A of this report. The key findings are as follows:
 - All of the 54 responses came from individuals rather than on behalf of organisations.
 - 24 of the 54 responses (46.2%) agreed that the Council should continue with the current scheme.
 - If the Council were to consider other options to help pay for the Scheme 28 of 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.

Council Tax Reduction Scheme 2017-2018

- 3.4 The Council Tax Reduction Scheme is based on a fixed grant based on approximately 90% of the previous Council Tax Benefit subsidy giving a funding shortfall for Cherwell of £742,430. This shortfall is mostly offset by changes to locally set Council Tax discounts.
- 3.5 As the funding 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.
- 3.6 On 1st November 2016 members of Budget Planning Committee received a report on the results of the CTRS consultation. Members of that Committee agreed to recommend to Executive the option of no change to the current Council Tax Reduction Scheme for 2017-2018 with changes to the Regulations for the uprating to Pensioners Regulations announced by DCLG and to mirror changes in benefit rates made by the Department for Work and Pensions.
- 3.7 There will continue to be a national scheme which the Council must adhere to for those people who have attained the qualifying age for State Pension Credit.
- 3.8 There are existing regulations for our local Council Tax Reduction Scheme for working age customers. If the recommendation for no change is agreed then the regulations will require only technical changes as outlined earlier in this report.

Council Tax Discounts

- 3.9 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.
- 3.10 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
- 3.11 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
- 3.12 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
- 3.13 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 Summary

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

Overall funding loss	742,430
Second homes income	-76,755
Empty homes income	-308,018
Major repairs	-22,162
Long Term Empty Premium	-120,843
Total funding gap	214,652
Funding gap for CDC	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. There will be some technical changes to Regulations. Consultation has taken place.
- 4.2 Members are now required to recommend to Council a Council Tax Reduction Scheme for the financial year 2017-2018.
- 4.3 Members are also asked to recommend that Council Tax Discounts for 2017-2018 are set at the levels detailed in the report.

5.0 Consultation

Budget Planning Committee: a report on the results of the consultation for a CTRS for 2017-2018 was considered by Budget Planning Committee on 1st November 2016

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

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 recommend any of the options for a scheme for 2017-2018 This would have financial implications for the Council and those residents affected by Welfare Reform.

7.0 Implications

Financial and Resource Implications

7.1 See table contained in this report.

Comments checked by: Paul Sutton Chief Finance Officer,
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 adversely affect the reputation of the Council and will have a financial implication for residents.

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

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

This links to the Council's priorities of a district of opportunity and sound budgets and a customer focused council

Lead Councillor

Councillor Ken Atack Lead Member for Financial Management

Document Information

Appendix No	Title
A	Consultation results
Background Papers	
None	
Report Author	Belinda Green (Joint Revenues and Benefits Manager)
Contact Information	01327 322182 Belinda.green@cherwellandsouthnorthants.gov.uk

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Appendix A

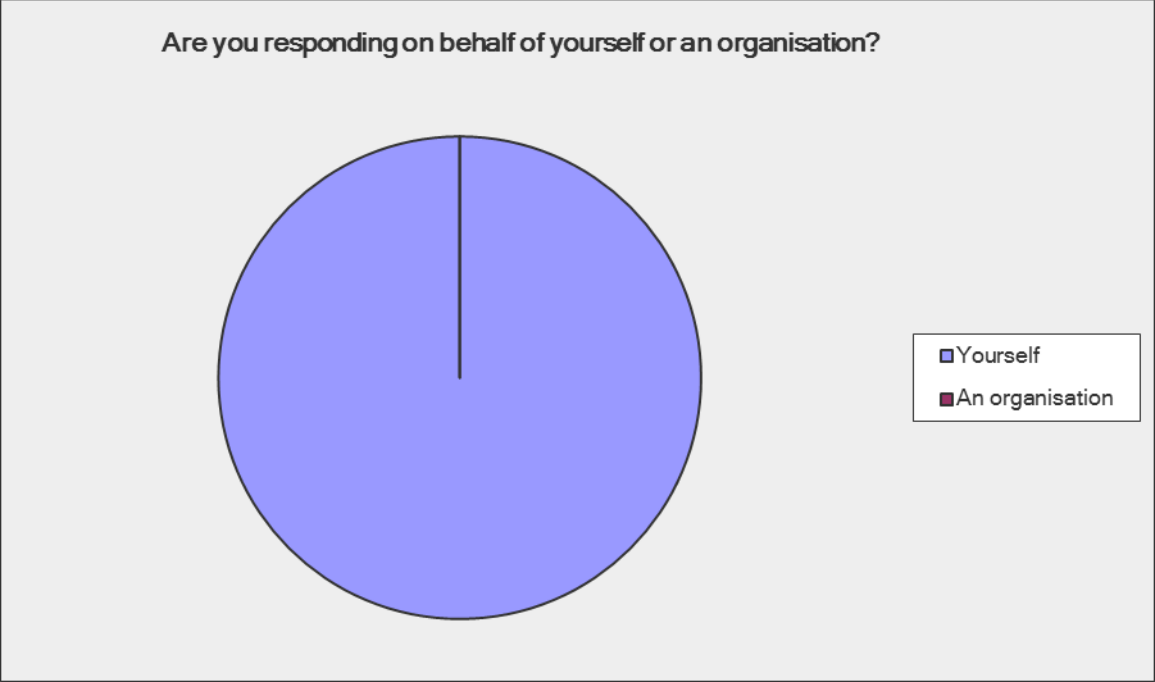
Council Tax Reduction Scheme 2017-2018: Public Consultation

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?

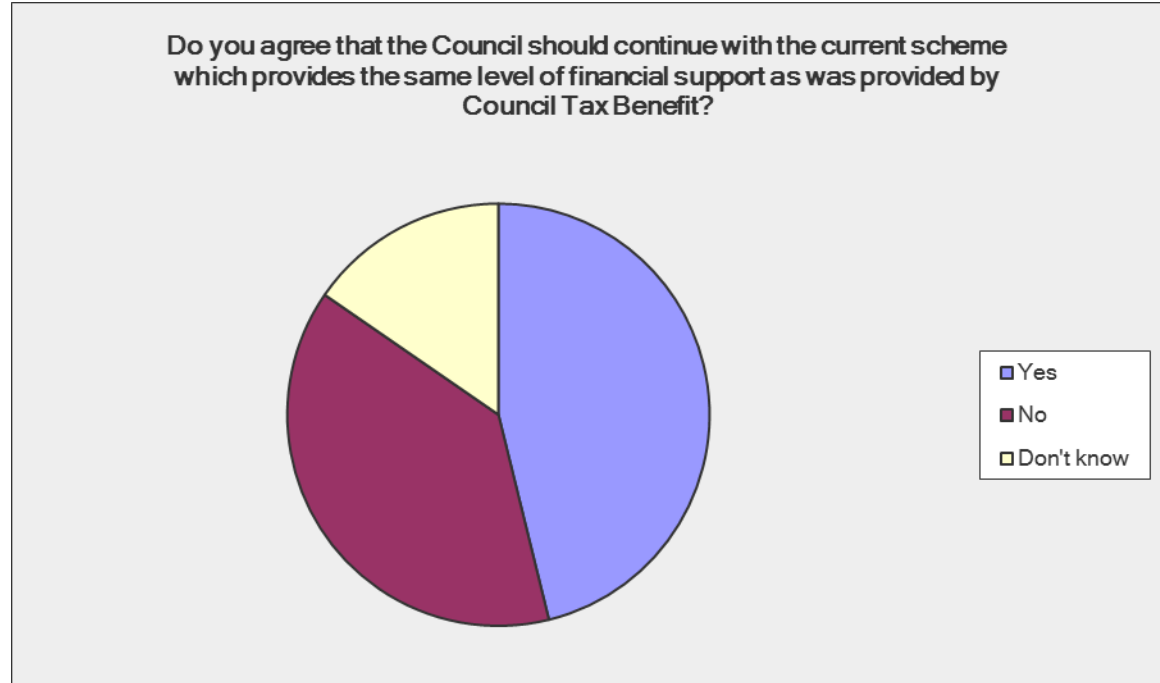
Answered: 52 Skipped: 2

Yes 46.2% - 24 responses

No 38.5% - 20 responses

Don't know 15.4% - 8 responses

Page 1 of 98



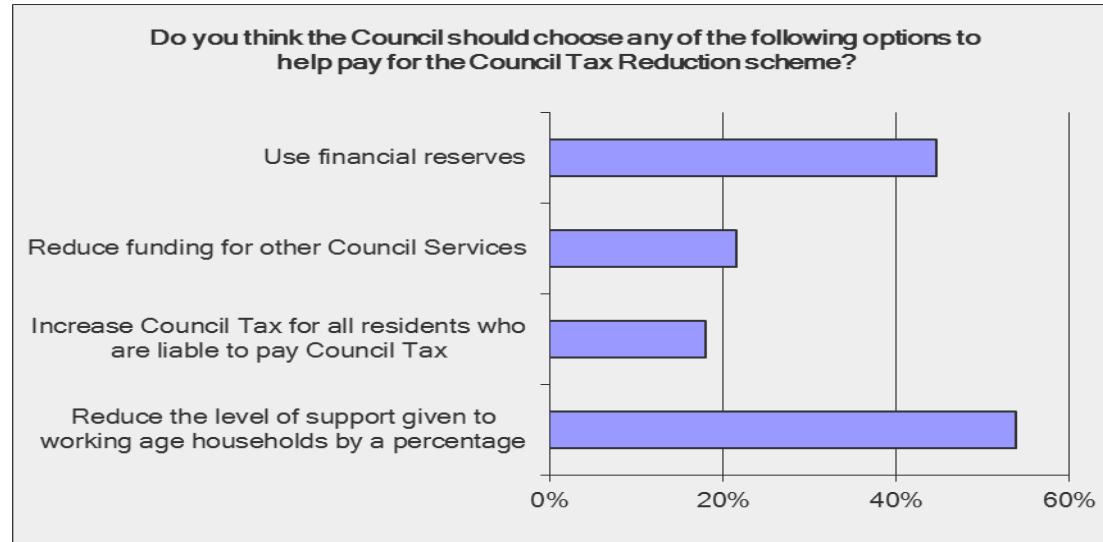
Q3: OTHER OPTIONS: Do you think the Council should choose any of the following options to help pay for the Council Tax Reduction Scheme?

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.

Executive

5 December 2016

Quarter Two 2016/17 Performance Update

Report of Director – Strategy & Commissioning

This report is public

Purpose of report

To provide an update on the Cherwell Business Plan progress to the end of Quarter Two 2016/17.

1.0 Recommendations

The meeting is recommended to:









- 1.1 Note the exceptions highlighted and proposed actions.
- 1.2 Note that any feedback on performance issues from Overview & Scrutiny Committee at its meeting on 22 November 2016 will be provided directly to The Leader.

2.0 Introduction

- 2.1 This is the second quarterly performance report for the 2016/17 Business Plan.
- 2.2 The report is also available online via the Performance Matters corporate performance management system where further options are available to interrogate the data. The performance and insight team would be happy to help users get more out of the performance reporting capability we have.





2.3 Legend for Appendices

The following legend applies to the report and associated appendices:

Colour	Symbol	Meaning for Judgments	Meaning for Numeric Measures
Red		Significantly behind schedule	Significantly worse than target (more than 10% by default)
Amber		Slightly behind schedule	Slightly worse than target (up to 10% worse by default)
Dark Green		Delivering to plan	Delivering to target (up to 10% better by default)
Light Green		Ahead of schedule	Significantly better than target (more than 10% by default)
Blue	n/a	n/a	Target setting not appropriate
Grey		Not updated	Not updated
		Has improved since last month / quarter/ year (arrow signifies which way performance has moved)	
		Has got worse since last month / quarter/ year	
		Direction of Travel is not applicable as measures have not previously been reported	

3.0 Report Details

3.1 Overall summary and comparison to last quarter

3.1.1 Of the 82 measures in the plan that have targets or judgements applied to them, 62 (76%) are performing on or above target ( or ). 16 measures (19%) are showing an Amber alert  and four (5%) are reported as Red  for the year to date position as at Quarter Two.

Appendix 1 shows a 'sunburst' overview with performance radiating from the corporate priorities.

3.1.2 Of the 18 Amber exceptions reported last quarter, 13 remain at Amber status (slightly behind schedule).

3.1.3 Four have improved to Green (on track), including both the Biodiversity Action Plan and Carbon Management Plan getting back on schedule.

3.1.4 One measure (CBP 3.4.1 Support the Community Partnership Network (CPN) with financial, clinical & technological changes in health & social care sector) has been escalated to show a Red warning status (significantly behind schedule). This is mainly due to local concerns around recruitment difficulties, particularly around maternity services at the Horton Hospital. Details of improvement actions are outlined in point 3.2.4

3.1.5 Appendix 2 provides details of measures which were Exceptions in Quarter One and their current performance in Quarter Two.

3.2 Exceptions

3.2.1 An exception is anything that has triggered a Red or Amber alert.

- 3.2.2 For measures of performance which are numerically based, the default tolerances are 'not meeting target but within 10%' (Amber) and 'worse than 10% away from target' (Red). Some measures may in future have their own tailored tolerances to ensure that Red and Amber alerts are appropriate to the measure.
- 3.2.3 This quarter has seen a decrease in the number of Amber measures from 18 to 16. There has however been an increase in the number of Red rated measures; from none reported in Quarter One to four this quarter.
- 3.2.4 Details of all exceptions are shown in Appendix 3. Below is a summary of the four Red rated measures.

CBP3.1.1b (Deliver 100 self-build houses) was reported red due to an incorrectly profiled target. It is recommended that the target values are revised to prevent this measure being classified as an exception inappropriately.

CBP3.3.1b (Repeat homelessness cases) will continue to be flagged as a red exception for the rest of the year as our target was 0 and we had one case in August 2016. This is the first such case in several years.

CBP3.4.1 (Support CPN with changes in the health and social care sector) has been rated red due to the significant downgrading of services at the Horton Hospital. The Council has engaged a health sector specialist to review all the relevant issues and to prepare clinical and other arguments to support a Council response to retain services as part of the formal consultation process in 2017.

Twitter follower growth (CBP4.2.1b) has slowed in recent months. There is potential to investigate and implement a Twitter advertising campaign.

- 3.2.5 Appendix 3 highlights the 20 exceptions with associated commentary outlining:

- 1) What has happened?
- 2) Why has it happened?
- 3) What actions are we taking?
- 4) When will we see improvement?

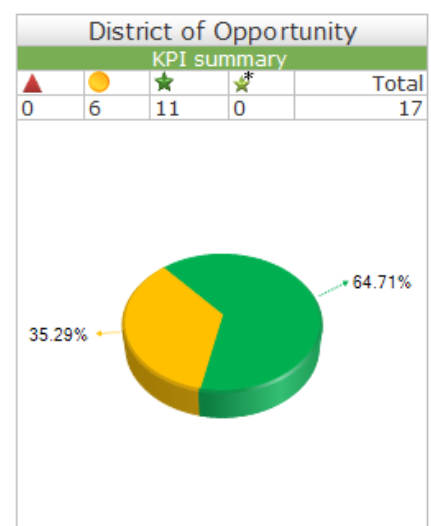
- 3.2.6 Commentary is directly from the service experts to provide context to the judgement or data displayed.

3.3 Good news extracts from the Quarter Two / Year to Date report

3.3.1 District of Opportunity

Performance within this priority is delivering as follows:-

CBP1.3.1 Prepare a scheme for the redevelopment of the Bolton Road site has improved from Amber to Green.



The Phase 1 demolition to separate the main car park from east stair tower will be complete by Friday 30 September. This represented the noisiest part of the works and noise levels will reduce after this phase.

Week commencing 3 October, the main structural demolition of the car park will begin with 'High Reach' demolition rigs and this will take approximately 3 to 4 weeks.

Once the structure and site is cleared, a temporary surface-based car park comprising approximately 145 spaces will be introduced on the footprint of the site and will remain operational until redevelopment of the area takes place.

CBP1.5.1 Develop a whole council approach to supporting businesses continues to report as Green.

Another two successful Organisational Awareness Days were delivered with now over 200 staff attending over a total of six sessions; the final workshop will be held in December. The regulatory single point of contact pilot has now finished and a report will be produced with key outcomes; the Regulators Forum continues to bring together all of our regulatory managers to work on providing the best customer service to our businesses and residents including a service standard for customer interactions.

CBP1.5.2 Work proactively with developers to aid delivery of new commercial projects continues to report as Green.

Focus groups are being arranged for the end of November to establish 'critical friends' and to identify how further progress can be made in ensuring delivery, through public/private sector collaborative working.

3.3.2 Safe, Green, Clean

Performance within this priority is delivering as follows:-

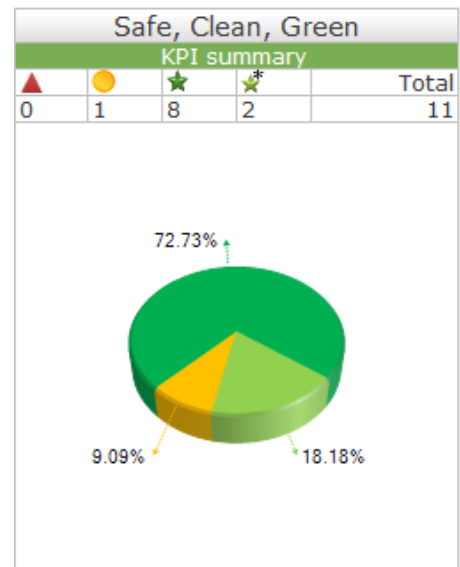
CBP2.2.1a Undertake 6 neighbourhood blitzes with community involvement is reporting as Green*

The second Blitz event of the year was well received by members of the public and local councillors alike. The Recycling Officer undertook a road show event promoting the councils recycling initiatives at the same time which proved to be very popular.

The Blitz programme is on track and an event was scheduled in Hardwick commencing 24th October.

CBP2.2.1b Number of flytips despite reporting as Amber this quarter is reporting as Green for the year to date.

It has been noted that there has been an increase in fly tipping around some of the recycling banks. It seems that some residents see the site as a dumping ground for regular household waste, and on some occasions the offender appears to have



just dropped off the recyclable waste and not bothered to put it in the correct container.

There are no trends or fly tipping hotspots noted during this period.

CBP2.2.1c Number of Enforcement actions is reporting as Red for the month of September but Green* for the year to date.

The enforcement team have reported that 1 Formal caution has been issued and accepted. 21 warning letters have been issued and these include a number of request for attendance at an interview under caution.

The enforcement team are dealing with a high number of investigation into the fly tip reports this quarter.

Visits are being made to a number of residential properties that just leave items outside their house. They are being advised to take them back within their curtilage as they are being reported as fly tipping. It is hoped the introduction of FPNs (Fixed Penalty Notices) for fly tipping will have an impact.

3.3.3 A Thriving Community

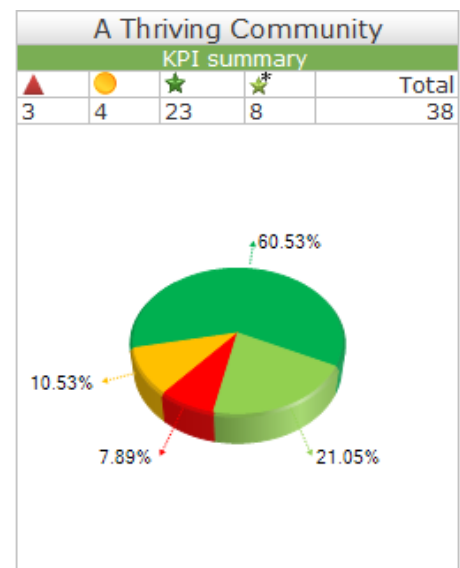
Performance within this priority is delivering as follows:-

CBP3.1.1 Deliver at least 190 units of affordable housing is continuing to report as Green*

The schemes in June delivered more units than expected ahead of time (i.e. were scheduled for July completion).

Another scheme which was expected to deliver in July was not completed; this was delivered in August.

CBP3.1.4 Ensure the provision of extra care housing is continuing to report as Green



There are currently 74 new Extra Care /Retirement Living flats being developed by Bromford Housing Association on Bath Road in Banbury, 23 of which will be for affordable housing, the other flats will be offered to the private market.

It is anticipated that the completion date for these units will be in Autumn 2018, the Council has also supported Bromford's bid for HCA funding for 10 shared ownership units on this scheme which, if successful, will bring in £500,000 of HCA investment into the town.

The housing department is continuing to liaise with the County Council and developing partners in order to continue the pipeline of delivery over the next 3-5 years of homes for older people.

CBP3.5.1b Number of visits/usage to Woodgreen Leisure Centre, NOA & Cooper is reporting as Green*

All 3 facilities have shown a marginal improvement in throughputs against the same period last year resulting in an increase of around 2,500 visitors. Both Cooper Sports facility and North Oxfordshire Academy have benefitted in successful Club Open Days during September (particularly in Hockey, building on GB Olympic success).

As noted in previous comments - an excellent performance is noted in this period with all 3 facilities increasing their throughput against the same period last year.

3.3.4 Sound budgets and customer focussed council

Performance within this priority is delivering as follows:-

CBP4.2 Continue to communicate effectively with local residents & businesses. This is reporting as Amber for year to date but an improvement on this time last year.

The Communications Manager has reported a slow-down in organic growth and is looking into where we can increase engagement through sponsorship posts/boosts.

CBP4.2.1b Social media ratings is reporting as Red for the second quarter. It is, however, showing an improvement on this time last year and moving in the right direction.

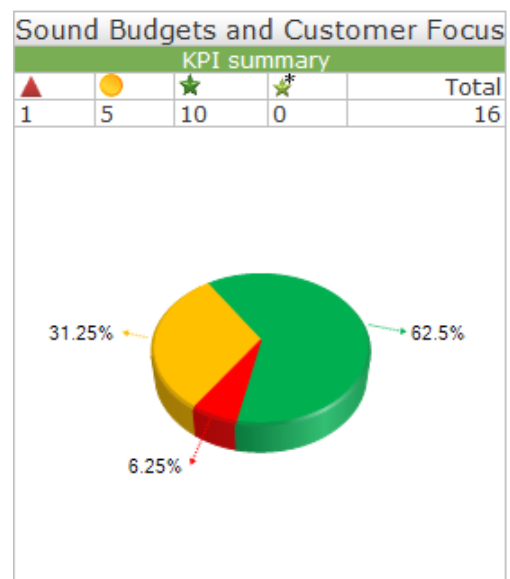
The Communications Manager is reporting that they are continuing to promote our social media presence and put out messages three times per day. Organic growth, although growing, has slowed and we are therefore more reliant on paid for posts to increase engagement. There is potential to look at a Twitter advertising campaign.

3.3.5 Appendix 4 has a list of all measures in the business plan with associated commentary.

3.3.6 Appendix 5 provides an update of the Equalities action plan 2016/17. While there are some actions slightly behind schedule the action plan is largely on track.

4.0 Conclusion and Reasons for Recommendations

4.1 This is the second report based on the new Business Plan and the new reporting style. Slight amendments in style and appendices have been made to try and improve how the report works. This is an evolutionary process and we will continue to develop the reports, including any changes from feedback received from the Overview and Scrutiny Committee.



- 4.2 As agreed previously, this report focuses on the exceptions. The performance and insight team have also picked out some 'good news' stories to provide a balance and provide case studies supporting the generally excellent levels of delivery.

5.0 Consultation

- 5.1 Consultation has taken place this quarter for Council Tax reduction. Further consultations have been set up for assessing the Air Quality Management Areas (AQMAs) in the district and assessing the Stables café.

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.

Executive could request additional information on items or refer items to the Overview and Scrutiny Committee.

7.0 Implications

Financial and Resource Implications

- 7.1 Financial Effects – The resource required to operate the Performance Management Framework is contained within existing budgets. However the information presented may lead to decisions that have financial implications. These will be viewed in the context of the Medium Term Plan and Financial Strategy and the annual Service and Financial Planning process.

Comments checked by:

Paul Sutton – Chief Finance Officer, 03000 030106

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal issues arising from this report.

Comments checked by:

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

nigel.bell@cherwellandsouthnorthants.gov.uk

Risk Implications

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

Comments checked by:
Louise Tustian – Senior Performance & Improvement Officer, 01295 221786
Louise.tustian2@cherwellandsouthnorthants.gov.uk

Data Quality

- 7.4 Data for performance against all indicators has been collected and calculated using agreed methodologies drawn up by accountable officers. The Council's performance management software has been used to gather and report performance data in line with performance reporting procedures.

Comments checked by:
Shirley Vaughan - Performance & Planning Officer, 01327 222375
Shirley.vaughan@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

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

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
1	Appendix 1 – Sunburst showing the SNC Business Plan Priorities and Objectives The outer ring of the diagram shows the individual judgments and measures used to evidence the objective judgments in the middle ring. The exceptions are detailed in Appendix 3 and information about all measures can be reviewed in Appendix 4 and online.
2	Appendix 2 – Exceptions last quarter and their progression The table provides an overview of exceptions that were either Red or Amber RAGG* status last quarter and how they are performing this quarter.

3	Appendix 3 – Exceptions The table provides details of all measures with a Red or Amber alert and also shows direction of travel from last period and last year.
4	Appendix 4 – Full measure and judgment list All measures are shown in this appendix with commentary provided by the appropriate service area
5	Appendix 5 – Equalities Action Plan Summary A summary of the key Equalities themes and details of exceptions
Background Papers	
None	
Report Author	Ed Bailey – Corporate Performance & Insight Manager
Contact Information	01295 221605 Edward.Bailey@cherwellandsouthnorthants.gov.uk

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Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.1 Northwest Bicester continue to facilitate the planning applications for the site	Quarterly	●	✘	●	✘	●	➔	●	✘
<p>Last Quarter Comments 1) What has happened? All NW Bicester planning applications have been reported to the Planning Committee. Resolutions to grant outline planning permission have been made for 3500 dwellings and supporting infrastructure and for the full planning permission for the road. However a further application for the main commercial area has been refused and an application has been deferred, although it is anticipated that it will be reported back to the planning committee later this year. Negotiations on legal agreements are on going.</p> <p>2) Why has it happened? The delivery of large scale development is complex particularly where the site has multiple landowners and developers. This has added to the complexity of dealing with planning applications at NW Bicester.</p> <p>3) What actions are we taking? Regular communication continues with developers and consultees to progress the determination of the applications and negotiation of legal agreements.</p> <p>4) When will we see improvement? The end of the calendar year is being targeted to have made progress with the applications subject to resolutions to grant planning permission.</p>										
<p>This Quarter Comments 1) What has happened? Work is continuing on the completion of the S106's for 3 applications to enable the issuing of the planning permissions. A further application is awaiting amendments from the applicants that are expected shortly to enable the application to be returned to committee. Discussions have also taken place with the applicant for the land that was refused planning permission to see if an acceptable scheme can be negotiated.</p> <p>2) Why has it happened? This exceptionally large development site is complex to deliver to ensure that it meets standards required and delivers the infrastructure needed to mitigate the impact on the town. The site remains in multiple ownerships that add to the complexity of the planning applications and legal agreements.</p> <p>3) What actions are we taking? The progress on the applications is being monitored and the Council continues to work with the applicants to support progress on the applications and encourage them to progress matters.</p> <p>4) When will we see improvement? The end of the year is being targeted for the completion of the drafting of the first legal agreement.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.3a Graven Hill: Deliver the demonstration project on the Graven Hill site	Quarterly	●	➔	●	✘	●	➔	●	✘
<p>Last Quarter Comments 1) What has happened? Project progressing - 10 plots allocated. Agreeing foundation prices and securing planning compliance on all plots. Exchange of contracts expected on some of the plots in June to enable some of the Pioneers to be on site during quarter 2 and the remainder during the forthcoming months.</p> <p>2) Why has it happened? This is part of the on-going Graven Hill project work and timescales have altered as the project has progressed.</p> <p>3) What actions are we taking? Continuing with progress with the Pioneers and securing planning compliance.</p> <p>4) When will we see improvement? Exchange of contracts expected on some of the plots in June to enable some of the Pioneers to be on site during quarter 2 and the remainder during the forthcoming months.</p>										
<p>This Quarter Comments 1) What has happened? Monthly board meetings measure delivery against plans. Some delays to programme and awaiting latest finance appraisal - due 15/9/16 The outputs for 2016/17 are outlined in the business plan and financial model presented to the Shareholder board in August. Working on mortgage market - Dev Co progressing and CDC have signed up to the Bespoke / Custom Build (BCB) Mortgages S106 discussions ongoing with OCC regarding the term of occupation in light of self build context.</p> <p>2) Why has it happened? Progress has been made on exchange of contracts and planning compliance and the project timelines have been adjusted accordingly.</p> <p>3) What actions are we taking? Continuing progress with sale of plots and communication with pioneers. Planning compliance negotiations in progress.</p> <p>4) When will we see improvement?</p>										

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Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>3 of the 10 Pioneer plots have begun their build on the demonstrator site with further completions expected in Nov 2016. Concern with 2/10 plots regarding completion - finance and odour issue 10 further plots released on 22nd August - 5 of which have been reserved and lots of potential for 3 beds which will be released in the next phase.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.3b Graven Hill: Set up a sales and marketing suite to promote the plots	Quarterly	●	➔	●	➔	●	➔	●	➔
<p>Last Quarter Comments 1) What has happened? The sales process will open to those that live and work in the District on 11th July and nationally on 22nd August. A sales and marketing suite will open in central Bicester location in Autumn and in line with the delivery of phase 1 transfer to Graven Hill location during 2018. At present the activity is taking place from a temporary location in Bodicote House. 2) Why has it happened? This work is on-going and dependent on a suitable location becoming available on the Graven Hill site. 3) What actions are we taking? There is a temporary location set-up in Bodicote House. 4) When will we see improvement? When sales and marketing suite opens in a central Bicester location in the Autumn.</p> <p>This Quarter Comments 1) What has happened? The sales process has opened to those that live and work in the District and nationally. A sales and marketing suite will open in central Bicester location in Autumn and in line with the delivery of phase 1 transfer to Graven Hill location during 2018. At present the activity is taking place from a temporary location in Bodicote House. 2) Why has it happened? This work is on-going and dependant on a suitable location becoming available on the Graven Hill site. 3) What actions are we taking? Sales and marketing suite is open in Bodicote House. 4) When will we see improvement? Sales and marketing suite has opened in Bodicote House and plans for a central Bicester location are progressing.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.4 Engage with the community and stakeholders to deliver Garden Town Bicester	Quarterly	●	➔	●	?	●	➔	●	?
<p>Last Quarter Comments 1) What has happened? Town-wide public consultation event held in March to understand the priorities and aspirations of the local community. Over 900 written responses were received and a summary of feedback has been produced. As a result the agreed next action was to undertake a 'you said, we did' exercise, drawing out the main things identified as important and setting how the council has/will respond to key issues. The 'you said' feedback element was first reported to the community at The Big Lunch on 12 June - this included a 'Top 5' list of what people like about Bicester and what they would like to see improved. The feedback is to be available on the Growing Bicester website. Bicester's retail offer and town centre was at the top of the improvements agenda and workshop discussions (facilitated by Economic Growth team and its consultants) between key CDC officers and external stakeholders have been programmed (26 May and 15 July) to devise a 'quick wins' action plan in response to the identified issues. A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that masterplanning process in Autumn 2016. 2) Why has it happened? Future consultation fatigue resulting in disengagement meaning that the people of Bicester no longer influence and help control decisions and services that shape the town in which they live and work. Cynical confusion about the many overlapping labels and messages and how they relate to each other Fear and apprehension of change, particularly with a significant increase in population in the future, impacts on future consultation and results in hostility and negative feedback 3) What actions are we taking? Production of an engagement and communications strategy that sets out agreed engagement principles and provides guidance particularly around how and with whom we engage. 4) When will we see improvement? A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that masterplanning process in Autumn 2016.</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
8) Data delay										
<p>Town-wide public consultation event held in March to understand the priorities and aspirations of the local community. Over 900 written responses were received and a summary of feedback has been produced. As a result the agreed next action was to undertake a 'you said, we did' exercise, drawing out the main things identified as important and setting how the council has/will respond to key issues. The 'you said' feedback element was first reported to the community at The Big Lunch on 12 June - this included a 'Top 5' list of what people like about Bicester and what they would like to see improved. The feedback is to be available on the Growing Bicester website.</p> <p>Bicester's retail offer and town centre was at the top of the improvements agenda and workshop discussions (facilitated by Economic Growth team and its consultants) between key CDC officers and external stakeholders have been programmed (26 May and 15 July) to devise a 'quick wins' action plan in response to the identified issues.</p> <p>A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that masterplanning process in Autumn 2016.</p>										
<p>This Quarter Comments 1) What has happened?</p> <p>DCLG discussions continue in a positive vein - additional revenue funding may be available for 17/18 and work with treasury on remaining £100m envelope and business plans Workplan on track - studies commissioned and outputs expected in Q3/4</p> <p>Bicester Masterplan commissioned and works underway. Officer and stakeholder workshops held in September. Briefing for Bicester councillors planned for mid/late October with public consultation expected by mid-November.</p> <p>Feasibility study into potential new junction on M40 commissioned and work underway. Identification and initial sifting of options expected by end of 2016.</p> <p>Investment prospectus being scoped</p> <p>Hosted Treasury and DCLG to showcase Bicester delivery, self-build, offsite and Graven Hill.</p> <p>Hooks set for a potential Housing Minister visit later in the year to Bicester</p>										
<p>2) Why has it happened?</p> <p>Future consultation fatigue resulting in disengagement meaning that the people of Bicester no longer influence and help control decisions and services that shape the town in which they live and work.</p> <p>Cynical confusion about the many overlapping labels and messages and how they relate to each other</p> <p>Fear and apprehension of change, particularly with a significant increase in population in the future, impacts on future consultation and results in hostility and negative feedback</p>										
<p>3) What actions are we taking?</p> <p>Production of an engagement and communications strategy that sets out agreed engagement principles and provides guidance particularly around how and with whom we engage.</p>										
<p>4) When will we see improvement?</p> <p>A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that Masterplanning process in Autumn 2016.</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.1 Prepare a scheme for the redevelopment of the Bolton Road site	Quarterly								
<p>Last Quarter Comments 1) What has happened?</p> <p>The Castleside multi-storey car park at Bolton Road, Banbury permanently closed on Friday 10 June 2016 after an inspection identified significant structural issues. This car park will now be demolished as a matter of urgency (out to tender) and a temporary facility created. This part of the town has been identified for significant regeneration, and on-going scoping and appraisal works are underway.</p>										
<p>2) Why has it happened?</p> <p>Significant structural issues were identified.</p>										
<p>3) What actions are we taking?</p> <p>This car park will now be demolished as a matter of urgency (out to tender) and a temporary facility created.</p>										
<p>4) When will we see improvement?</p> <p>When car park has been demolished and temporary facility set-up and scoping and appraisal work is completed.</p>										
<p>This Quarter Comments 1) What has happened?</p> <p>The Phase 1 demolition to separate the main car park from east stair tower will be complete by Friday 30th September. This represented the noisiest part of the works and noise levels will reduce after this phase.</p> <p>Week commencing 3rd October, the main structural demolition of the car park will begin with 'High Reach' demolition rigs and this will take approximately 3 to 4 weeks.</p> <p>Once the structure and site is cleared, a temporary surface-based car park comprising approximately 145 spaces will be introduced on the footprint of the site and will remain operational until redevelopment of the area takes place.</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3a Secure start on site for Castle Quay 2	Quarterly	●	✘	●	✘	●	➡	●	✘
<p>Last Quarter Comments 1) What has happened? There has been some significant progress in recent months and Aberdeen Investments (the developer) are considering a communication update on the scheme in the near future.</p> <p>This Quarter Comments 1) What has happened? On-going discussions between CDC and Hawkstone have resulted in verbally agreed Heads of Terms. Delay experienced due to discussion on issue of leases. Legal counsel for both sides are in productive discussions.</p> <p>2) Why has it happened? Negotiations on the Heads of Terms have been protracted. Satisfying the requirements of all stakeholders has taken time.</p> <p>3) What actions are we taking? CFO is working closely with stakeholders to ensure that verbally agreed positions are now taken forward. Intent is to take a paper to BPM, Executive and Council in December 2017.</p> <p>4) When will we see improvement? Executive BPM will take a paper on 15 November.</p> <p>6) P&I Review This has been identified as Amber for the second quarter running - Missing commentary against the following questions:- What actions are being taken and When will we see an improvement?</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3b Maximise Council's income from Castle Quay 1	Quarterly	●	?	●	?	●	➡	●	?
<p>Last Quarter Comments 1) What has happened? There are some very challenging trading circumstances impacting on retail outlets nationally.</p> <p>3) What actions are we taking? Officers have arranged to meet with Aberdeen Investments, along with their appointed FM provider, to review current trading conditions. We have indicated our intention to look at all potential options Aberdeen might wish to put on the table, to help improve the overall income position. Finance officers will also attend the planned meeting, and an update for members will be presented to members in due course"</p> <p>This Quarter Comments 6) P&I Review When will the member update be available?</p> <p>8) Data delay To quarters income have been received from Aberdeen Investments but the recent demise of BHS and the closure of this large facility within CQ1 will affect overall likely income level for CDC. Aberdeen Investments FM service is in discussion with potential other retail partners to take the space left by BHS and CDC will be meeting with Aberdeen Investments/their FM partner in November.</p> <p>9) Data availability Next quarter update.</p>										
CBP2.4 - Reduce our carbon footprint and protect the natural environment	CBP2.4.1 Deliver the Council's Biodiversity Action Plan	Quarterly	●	✘	●	✘	★	✔	★	➡
<p>Last Quarter Comments 1) What has happened? 2016/17 Biodiversity Action Plan now scheduled for September Executive rather than July.</p> <p>2) Why has it happened? Requirement to deliver and administer Queen's 90th Birthday Celebration grant scheme was unexpected, and took up a large amount of officer time at the time of year when the Biodiversity Action Plan (BAP) would usually be prepared.</p> <p>3) What actions are we taking? BAP is currently being updated, alongside biodiversity input to Local Plan part 2.</p> <p>4) When will we see improvement? Updated BAP will be presented to September Executive. In the meanwhile, partners continue to deliver outputs in line with their service level agreements.</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>This Quarter Comments 1) What has happened? Biodiversity Action Plan for 2016 - 2018 was approved by CDC Executive on 05 September</p>										
CBP2.4 - Reduce our carbon footprint and protect the natural environment	CBP2.4.2 Implement a new carbon management plan from 2015-2020	Quarterly	●	➔	●	➔	★	✔	★	✔
<p>Last Quarter Comments The 2015-2020 Carbon Management Plan was adopted in November 2015 with a target of 2% reduction per year against a 2008/09 baseline.</p> <p>Quarter 1 data is not yet available although as emissions mostly occur during the winter months we anticipate being on track.</p>										
<p>This Quarter Comments 6) P&I Review This has been identified as Amber for the second quarter, missing commentary against the following questions:- Why has it happened? What actions are we taking? When will see an improvement? When will the quarter 1 data be available?</p>										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1a Number of households living in Temporary Accommodation (TA)	Monthly	●	✘	●	✘	●	✘	●	✔
<p>Last Quarter Comments 1) What has happened? During the quarter numbers in TA have risen and the numbers at the end of the month reflect an increase in those placed for a limited period, but are not owed full duties.</p> <p>2) Why has it happened? Numbers can often fluctuate depending on demand and we exceeded the target by 1 case in this particular week.</p> <p>3) What actions are we taking? We have anticipated this rise and have made arrangements to ensure adequate suitable accommodation is available at affordable rates.</p> <p>4) When will we see improvement? Numbers have already reduced to target.</p>										
<p>This Quarter Comments 1) What has happened? The target for the number in TA has exceeded the target by 4 households at the end of September 2016</p> <p>2) Why has it happened? There is continuing pressure on the homeless team from those unable to stay in their current accommodation.</p> <p>The Council has a statutory duty imposed to provide TA even when a full homeless duty may not be accepted to provide alternative housing.</p> <p>If homeless duties are accepted the Local Authority must continue to provide TA until a permanent offer of accommodation is made and available to move into.</p> <p>At the end of this quarter there were 7 cases still waiting to move to new build social housing properties with Registered Providers.</p> <p>It is the delivery of a volume of new build affordable social housing which assists the Council to keep the numbers in TA within target. However, new build properties can also often be delayed unexpectedly for a range of different reasons. This can then lead to moves for those occupying TA to be delayed and the target is exceeded .</p> <p>3) What actions are we taking? Officers are carefully monitoring the progress of all cases placed in TA weekly.</p> <p>Staff are proactively monitoring delivery of offers of accommodation which can enables those placed in TA to move on .</p> <p>We have commissioned additional units of TA at affordable rent levels to ensure we have an adequate supply of temporary accommodation</p> <p>We are discussing delivery and handover arrangements for new social housing with RPs to try to improve and gain more accurate handover dates.</p> <p>4) When will we see improvement?</p>										

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Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>We will continue to monitor the situation closely and have noted a similar rise in numbers accommodated for the same period in 2015.</p> <p>At present numbers are only just exceeding the target and costs remain within budget. If numbers continue to exceed the target at the end of the third quarter we will carry out a full review of demand and supply to pinpoint the causes and actions needed to explore further what we can do to keep numbers within target</p>										
CBP3.4 - Work to provide and support health and wellbeing across the district.	CBP3.4.1 Support CPN with financial, clinical & technological changes in health & social care sector	Quarterly								
<p>Last Quarter Comments 1) What has happened? Local concern has arisen over recruitment difficulties to maintain maternity services at the Horton DGH resulting in alternative service options which include downgrading the unit to a midwife led unit rather than a consultant led unit. Further assessment work is underway with a conclusion with proposed options to be available in August.</p> <p>2) Why has it happened? National recruitment difficulties with middle grade doctors where despite repeated recruitment processes and salary incentives, two out of eight posts have remained unfilled and three other postholders are about to leave.</p> <p>3) What actions are we taking? Contingency plan being developed. Further OUHFT recruitment underway. Alternative service delivery models being examined across the range of Horton services.</p> <p>4) When will we see improvement? Late August/early September will be the point at which new Horton service options will be finalised and whether the further recruitment process has been successful</p>										
<p>This Quarter Comments 1) What has happened? Emerging service options for the Horton General Hospital indicate significant downgrading of current services</p> <p>2) Why has it happened? This is part of the Oxfordshire Transformation Plan which proposes alternative service configurations for the health sector. The downgrading of the consultant led obstetric service to a midwife led unit is influenced by recruitment difficulties.</p> <p>3) What actions are we taking? The CPN is being updated and is challenging the changes. The Council has engaged a health sector specialist to review all the relevant issues and to prepare clinical and other arguments to support a Council response to retain services as part of the formal consultation process in 2017.</p> <p>4) When will we see improvement? This will depend on the outcome of the consultation process anticipated to be in mid 2017</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1 Maintain a minimum usage level of visits to leisure facilities	Monthly								
<p>Last Quarter Comments 1) What has happened? Both Bicester and Kidlington Leisure Centres have shown an increase in June 2016 against May 2016 with Spiceball demonstrating a slight decrease in usage. Overall the actual Year to Date is showing a marginal decrease against the same period last year, however this can be attributed to the withdrawal of usage at Bicester Leisure Centre by Bicester Community College (school use).</p> <p>5) Excellent Performance As mentioned previously both Bicester and Kidlington Leisure Centres demonstrated an increase in usage compared to the previous month</p>										
<p>This Quarter Comments 1) What has happened? An increase of around 5,000 users has been recorded for September 2016 against the same period last year across all 3 Leisure Centres. Spiceball Leisure Centre has seen the biggest increase with approximately 3,000 more visitors than the same period last year</p> <p>5) Excellent Performance As noted previously there was an approximate 5,000 increase in users against the same period last year. More detailed analysis on usage figures will be provided by Legacy Leisure for CDC officers to review. National Fitness Day in September would have helped in increasing visitor numbers</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1a Number of visits/usage to District Leisure Centres	Monthly								
<p>Last Quarter Comments 1) What has happened?</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>Overall there has been a relatively consistent performance from the 3 Leisure Centres within the District with Spiceball Leisure Centre marginally up on the same period last year and Kidlington and Bicester marginally down on the same period last year. North Oxfordshire Academy usage is significantly up as part of the Joint Use facilities as is the Cooper School Sports Facility with Woodgreen Leisure Centre marginally up on the same period last year</p> <p>2) Why has it happened? The partial withdrawal of school use by Bicester Community College has had a negative effect on throughputs at Bicester Leisure Centre with approximately 1,000 less registered users for June 2016 compared to the same period last year. Both North Oxfordshire Academy and Cooper Sports Facility registered an increase in throughputs, primarily due to well attended one off events including operatic performance, athletics events and school supported activities. Kidlington Leisure Centre has shown a decrease in numbers for the 2nd successive month. Initially this was identified as a reduction in 'Club' use however further interrogation into their usage will be required once this information is available</p> <p>3) What actions are we taking? CDC officers in partnership with the leisure operator will look at measures to increase usage particularly at Kidlington Leisure Centre and further identify the reasons for the decrease in usage numbers compared to last year. Discussions will take place as part of the Leisure Meeting.</p> <p>The Leisure Operator has recently submitted their National Benchmarking Survey Action Plan to address any shortfalls in participation for particular target groups</p> <p>4) When will we see improvement? It is anticipated that improvement will take place within the next few months as new marketing strategies are developed to encourage greater participation across all facilities</p>										
<p>This Quarter Comments 1) What has happened? In this period all of the Leisure Facilities showed an increase in visitor numbers against the same period last year</p> <p>2) Why has it happened? Spiceball Leisure Centre has seen an increase of over 3,000 visitors against the same period last year with Kidlington Leisure Centre showing and Bicester Leisure Centre showing a marginal increase</p> <p>3) What actions are we taking? Monthly visitor throughputs at the Leisure Centres are discussed with CDC Officers and Legacy Leisure. Any reduction in usage numbers are discussed to ascertain the reason for this and what can be put in place to mitigate and reverse any trends</p> <p>4) When will we see improvement? Improvements have started to take place for September 2016 showing an increase of over 5,000 visitors against the same period last year.</p> <p>Cooper Sports Facility is starting to increase its usage with the introduction of new Clubs to the facility programme after the closure for roofing works taking place during July and August. Through the remainder of the Year there are a number of one off events planned at this facility which will hopefully increase visitor numbers.</p> <p>Discussions are also on-going with Bicester Technology Studio regarding the potential for school use at Bicester LC which may offset some of the loss of visitor numbers brought about by reduced Bicester Community College usage.</p>										
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.1 Review key business processes to enhance performance, reduce cost & designed for customers	Quarterly	●	?	●	?	●	→	●	?
<p>Last Quarter Comments 1) What has happened? Work has been undertaken during this period to transition to a new 2-way service. This has had the knock-on effect of delaying work to enhance the IT service as required.</p> <p>2) Why has it happened? Changing priorities due to move from 3-way to 2-way service.</p> <p>3) What actions are we taking? Currently undertaking IT infrastructure review which will result in improved performance and reduced costs.</p> <p>4) When will we see improvement? The IT service will start improving immediately now that we have re-launched as a 2-way service.</p>										
<p>This Quarter Comments 1) What has happened? This work is dependent on the new strategy being agreed and should commence in December.</p> <p>Significant work has already been completed to reduce costs.</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>2) Why has it happened? It was important that the new strategy was well defined and agreed before full implementation. There is also an aspect of invest to save which needs to be fully understood and agreed.</p> <p>3) What actions are we taking? The new strategy is expected to be agreed by the end of October 2016.</p>										
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.2 Increase the number of services that can be accessed and paid for online.	Quarterly	●	?	●	?	●	→	●	?
<p>Last Quarter Comments 1) What has happened? Activities being undertaken include: Initiating a project to develop new council websites which will support improved functionality for online services; Developing payments integration for achieve forms; Initiating work to support online leisure bookings</p> <p>2) Why has it happened? Although we are slightly behind due to the transition activities, some good progress is being made.</p> <p>3) What actions are we taking? Work is being undertaken to support projects that have been initiated.</p> <p>4) When will we see improvement? Towards the end of 16/17.</p>										
<p>This Quarter Comments 1) What has happened? The project to replace the council websites has been initiated as planned and the contract will be awarded by early December.</p> <p>Work regarding online services is progressing with new MOT bookings service to go live shortly but more work is needed to implement full corporate solutions.</p>										
<p>2) Why has it happened? We have had some difficulties with existing supplier.</p> <p>3) What actions are we taking? We are engaging colleagues from related business areas to expedite progress.</p>										
<p>6) P&I Review When will the new MOT bookings go live?</p>										
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.5 Establish appropriate commercial arrangements.	Quarterly	●	?	●	✖	★	✓	★	→
<p>Last Quarter Comments 1) What has happened? Commercial opportunities have been identified and a draft action plan is due for review in July.</p> <p>2) Why has it happened? Programme resources and content review</p> <p>3) What actions are we taking? Resources allocated</p> <p>4) When will we see improvement? Q2</p>										
<p>This Quarter Comments 1) What has happened? A series of commercial projects are underway, with viability studies exploring issues around finance and benefit.</p>										
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.2 Percentage of Council Tax collected	Monthly	●	✖	●	✖	●	✓	●	✖
<p>Last Quarter Comments 1) What has happened?</p>										

Appendix 2 - Exceptions last quarter and their progression

Objective	Measure	Frequency	Period 16 Jun	Jun 16 vs Mar 16	YTD	vs Jun 15	Period 16 Sep	Sep 16 vs Jun 16	YTD	vs Sep 15
<p>Collection rate is slightly under target at end of quarter 1 (0.14%) despite good start in collections during April and May.</p> <p>2) Why has it happened? Reduction in collection rate</p> <p>3) What actions are we taking? Recovery action has started for those payments overdue from April and May.</p> <p>This Quarter Comments 1) What has happened? Target for Council Tax collection has been missed by 0.41%.</p> <p>2) Why has it happened? Due to a number of factors including increase in new homes coming into the valuation list, increase in 12 monthly payers as well as holiday period in Revenues and Recovery.</p> <p>3) What actions are we taking? Recruitment of staff to assist with collecting the arrears</p> <p>4) When will we see improvement? end November 2016 once new staff have started and have gone through start of their training programme</p>										
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.3 Percentage of business rates collected	Monthly								
<p>Last Quarter Comments 1) What has happened? BHS has not paid the rates that it was due to pay.</p> <p>2) Why has it happened? BHS has gone into administration.</p> <p>3) What actions are we taking? None possible at the moment. Currently we do not expect to recover any of the outstanding debt.</p> <p>4) When will we see improvement? New business that start paying rates over the course of the current financial year will offset this loss.</p> <p>This Quarter Comments 1) What has happened? We missed the target due to payment for one large customer didn't transfer to our systems in time - entered our systems on 3rd October.</p> <p>2) Why has it happened? A payment of nearly £200k entered our system on 3/10 even though paid before end Sept to CDC</p> <p>3) What actions are we taking? None at present as all recovery is up to date - all reminders are issued and all debt has been chased</p> <p>4) When will we see improvement? End October 2016</p>										

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Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.1 Northwest Bicester continue to facilitate the planning applications for the site	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	✖
<p>1) What has happened? Work is continuing on the completion of the S106's for 3 applications to enable the issuing of the planning permissions. A further application is awaiting amendments from the applicants that are expected shortly to enable the application to be returned to committee. Discussions have also taken place with the applicant for the land that was refused planning permission to see if an acceptable scheme can be negotiated.</p> <p>2) Why has it happened? This exceptionally large development site is complex to deliver to ensure that it meets standards required and delivers the infrastructure needed to mitigate the impact on the town. The site remains in multiple ownerships that add to the complexity of the planning applications and legal agreements.</p> <p>3) What actions are we taking? The progress on the applications is being monitored and the Council continues to work with the applicants to support progress on the applications and encourage them to progress matters.</p> <p>4) When will we see improvement? The end of the year is being targeted for the completion of the drafting of the first legal agreement.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.3a Graven Hill: Deliver the demonstration project on the Graven Hill site	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	✖
<p>1) What has happened? Monthly board meetings measure delivery against plans. Some delays to programme and awaiting latest finance appraisal - due 15/9/16 The outputs for 2016/17 are outlined in the business plan and financial model presented to the Shareholder board in August. Working on mortgage market - Dev Co progressing and CDC have signed up to the Bespoke / Custom Build (BCB) Mortgages S106 discussions ongoing with OCC regarding the term of occupation in light of self build context.</p> <p>2) Why has it happened? Progress has been made on exchange of contracts and planning compliance and the project timelines have been adjusted accordingly.</p> <p>3) What actions are we taking? Continuing progress with sale of plots and communication with pioneers. Planning compliance negotiations in progress.</p> <p>4) When will we see improvement? 3 of the 10 Pioneer plots have begun their build on the demonstrator site with further completions expected in Nov 2016. Concern with 2/10 plots regarding completion - finance and odour issue 10 further plots released on 22nd August - 5 of which have been reserved and lots of potential for 3 beds which will be released in the next phase.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.3b Graven Hill: Set up a sales and marketing suite to promote the plots	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	➡
<p>1) What has happened? The sales process has opened to those that live and work in the District and nationally. A sales and marketing suite will open in central Bicester location in Autumn and in line with the delivery of phase 1 transfer to Graven Hill location during 2018. At present the activity is taking place from a temporary location in Bodicote House.</p> <p>2) Why has it happened? This work is on-going and dependant on a suitable location becoming available on the Graven Hill site.</p> <p>3) What actions are we taking? Sales and marketing suite is open in Bodicote House.</p> <p>4) When will we see improvement? Sales and marketing suite has opened in Bodicote House and plans for a central Bicester location are progressing.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.4 Engage with the community and stakeholders to deliver Garden Town Bicester	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	?
<p>1) What has happened?</p>										

Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
<p>DCLG discussions continue in a positive vein - additional revenue funding may be available for 17/18 and work with treasury on remaining £100m envelope and business plans Workplan on track - studies commissioned and outputs expected in Q3/4</p> <p>Bicester Masterplan commissioned and works underway. Officer and stakeholder workshops held in September. Briefing for Bicester councillors planned for mid/late October with public consultation expected by mid-November.</p> <p>Feasibility study into potential new junction on M40 commissioned and work underway. Identification and initial sifting of options expected by end of 2016.</p> <p>Investment prospectus being scoped</p> <p>Hosted Treasury and DCLG to showcase Bicester delivery, self-build, offsite and Graven Hill.</p> <p>Hooks set for a potential Housing Minister visit later in the year to Bicester</p>										
2) Why has it happened?										
<p>Future consultation fatigue resulting in disengagement meaning that the people of Bicester no longer influence and help control decisions and services that shape the town in which they live and work.</p> <p>Cynical confusion about the many overlapping labels and messages and how they relate to each other</p> <p>Fear and apprehension of change, particularly with a significant increase in population in the future, impacts on future consultation and results in hostility and negative feedback</p>										
3) What actions are we taking?										
Production of an engagement and communications strategy that sets out agreed engagement principles and provides guidance particularly around how and with whom we engage.										
4) When will we see improvement?										
A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that Masterplanning process in Autumn 2016.										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3a Secure start on site for Castle Quay 2	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	✖
1) What has happened?										
On-going discussions between CDC and Hawkstone have resulted in verbally agreed Heads of Terms. Delay experienced due to discussion on issue of leases. Legal counsel for both sides are in productive discussions.										
2) Why has it happened?										
Negotiations on the Heads of Terms have been protracted. Satisfying the requirements of all stakeholders has taken time.										
3) What actions are we taking?										
CFO is working closely with stakeholders to ensure that verbally agreed positions are now taken forward. Intent is to take a paper to BPM, Executive and Council in December 2017.										
4) When will we see improvement?										
Executive BPM will take a paper on 15 November.										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3b Maximise Council's income from Castle Quay 1	Quarterly	?	Slightly behind schedule	●	➡	?	Slightly behind schedule	●	?
CBP2.2 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime										
CBP2.2.1b Number of flytips	Monthly	47	50	●	✖	299	278	★	✔	
1) What has happened?										
Small increase again in the number of fly tips for this month, when compared to last year.										
2) Why has it happened?										
It has been noted that there has been an increase in fly tipping around some of the recycling banks. It seems that some residents see the site as a dumping ground for regular household waste, and on some occasions the offender appears to have just dropped of the recyclable waste and not bothered to put it in the correct container										
3) What actions are we taking?										
Fly tipping report has been approved by Exec Committee, which means we are also now able to issue an FPN for the offence of fly tipping. This has been set at £250 with a reduction to £150 if paid within 14 days. This will help with the speed at which we can deal with low level fly tipping, and a cost saving with legal actions.										
Non payment of the FPN will result in formal action being taken.										

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Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
3) What actions are we taking? Site visits are being made and where there is evidence as to who has dumped the waste then a more formal investigation takes place. Often though there is no evidence as to where the waste has come from. We are looking into further signage and the installation of cameras in appropriate areas.										
4) When will we see improvement? The situation will continue to be monitored										
CBP2.2 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime	CBP2.2.1c Number of Enforcement actions	Monthly	29	22			121	141		
1) What has happened? 1 Formal caution has been issued and accepted 1) What has happened? 21 warning letters have been issued and these include a number of request for attendance at an interview under caution.										
2) Why has it happened? High number of investigation into the fly tip reports this month.										
3) What actions are we taking? Visits are being made to a number of residential properties that just leave items outside their house. They are being advised to take them back within their curtilage as they are being reported as fly tipping.										
4) When will we see improvement? It is hoped the introduction of FPNs for fly tipping will have an impact.										
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.1b Deliver 100 self-build housing projects as part of HCA funded grants programme	Monthly	2	0			6	0		
1) What has happened? No self build units were completed during this month 2) Why has it happened? None were due for completion										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1a Number of households living in Temporary Accommodation (TA)	Monthly	41	45			41	45		
1) What has happened? The target for the number in TA has exceeded the target by 4 households at the end of September 2016 2) Why has it happened? There is continuing pressure on the homeless team from those unable to stay in their current accommodation. The Council has a statutory duty imposed to provide TA even when a full homeless duty may not be accepted to provide alternative housing. If homeless duties are accepted the Local Authority must continue to provide TA until a permanent offer of accommodation is made and available to move into. At the end of this quarter there were 7 cases still waiting to move to new build social housing properties with Registered Providers. It is the delivery of a volume of new build affordable social housing which assists the Council to keep the numbers in TA within target. However, new build properties can also often be delayed unexpectedly for a range of different reasons. This can then lead to moves for those occupying TA to be delayed and the target is exceeded.										
3) What actions are we taking? Officers are carefully monitoring the progress of all cases placed in TA weekly.										

Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
<p>Staff are proactively monitoring delivery of offers of accommodation which can enables those placed in TA to move on .</p> <p>We have commissioned additional units of TA at affordable rent levels to ensure we have an adequate supply of temporary accommodation</p> <p>We are discussing delivery and handover arrangements for new social housing with RPs to try to improve and gain more accurate handover dates.</p> <p>4) When will we see improvement? We will continue to monitor the situation closely and have noted a similar rise in numbers accommodated for the same period in 2015.</p> <p>At present numbers are only just exceeding the target and costs remain within budget. If numbers continue to exceed the target at the end of the third quarter we will carry out a full review of demand and supply to pinpoint the causes and actions needed to explore further what we can do to keep numbers within target</p>										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1b Housing Advice: repeat homelessness cases	Monthly	0	0	★	✔	0	1	▲	✖
<p>1) What has happened? In this quarter there has been 1 case of repeat homelessness (according to the DCLG P1E definition). This was fully reported in August 2016.</p> <p>There were no further cases reported in September so we have returned to be back within the agreed target set.</p>										
CBP3.4 - Work to provide and support health and wellbeing across the district.	CBP3.4.1 Support CPN with financial, clinical & technological changes in health & social care sector	Quarterly	Delivering to plan	Very behind schedule	▲	✖	Delivering to plan	Very behind schedule	▲	?
<p>1) What has happened? Emerging service options for the Horton General Hospital indicate significant downgrading of current services</p> <p>2) Why has it happened? This is part of the Oxfordshire Transformation Plan which proposes alternative service configurations for the health sector. The downgrading of the consultant led obstetric service to a mid wife led unit is influenced by recruitment difficulties.</p> <p>3) What actions are we taking? The CPN is being updated and is challenging the changes. The Council has engaged a health sector specialist to review all the relevant issues and to prepare clinical and other arguments to support a Council response to retain services as part of the formal consultation process in 2017.</p> <p>4) When will we see improvement? This will depend on the outcome of the consultation process anticipated to be in mid 2017</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1 Maintain a minimum usage level of visits to leisure facilities	Monthly	119,001	126,104	★	✔	757,646	757,075	●	✖
<p>1) What has happened? An increase of around 5,000 users has been recorded for September 2016 against the same period last year across all 3 Leisure Centres. Spiceball Leisure Centre has seen the biggest increase with approximately 3,000 more visitors than the same period last year</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1a Number of visits/usage to District Leisure Centres	Monthly	108,392	113,012	★	✔	692,820	677,372	●	✖
<p>1) What has happened? In this period all of the Leisure Facilities showed an increase in visitor numbers against the same period last year</p>										

Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
2) Why has it happened? Spiceball Leisure Centre has seen an increase of over 3,000 visitors against the same period last year with Kidlington Leisure Centre showing a marginal increase and Bicester Leisure Centre showing a marginal increase										
3) What actions are we taking? Monthly visitor throughputs at the Leisure Centres are discussed with CDC Officers and Legacy Leisure. Any reduction in usage numbers are discussed to ascertain the reason for this and what can be put in place to mitigate and reverse any trends										
4) When will we see improvement? Improvements have started to take place for September 2016 showing an increase of over 5,000 visitors against the same period last year.										
Cooper Sports Facility is starting to increase its usage with the introduction of new Clubs to the facility programme after the closure for roofing works taking place during July and August. Through the remainder of the Year there are a number of one off events planned at this facility which will hopefully increase visitor numbers.										
Discussions are also on-going with Bicester Technology Studio regarding the potential for school use at Bicester LC which may offset some of the loss of visitor numbers brought about by reduced Bicester Community College usage.										
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.1 Implement social & community infrastructure for housing developments across the District	Quarterly	Delivering to plan	Slightly behind schedule	●	✖	Delivering to plan	Slightly behind schedule	●	?
1) What has happened? Delivery of Community Centre for Longford Park, Banbury is behind Schedule										
2) Why has it happened? Developer has failed to keep to delivery schedule set out in s.106 agreement.										
3) What actions are we taking? Development Management (Matthew Parry) talking to the developers.										
4) When will we see improvement? Unclear										
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.1 Review key business processes to enhance performance, reduce cost & designed for customers	Quarterly	Delivering to plan	Slightly behind schedule	●	➔	Delivering to plan	Slightly behind schedule	●	?
1) What has happened? This work is dependent on the new strategy being agreed and should commence in December.										
Significant work has already been completed to reduce costs.										
2) Why has it happened? It was important that the new strategy was well defined and agreed before full implementation. There is also an aspect of invest to save which needs to be fully understood and agreed.										
3) What actions are we taking? The new strategy is expected to be agreed by the end of October 2016.										
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.2 Increase the number of services that can be accessed and paid for online.	Quarterly	Delivering to plan	Slightly behind schedule	●	➔	Delivering to plan	Slightly behind schedule	●	?
1) What has happened? The project to replace the council websites has been initiated as planned and the contract will be awarded by early December.										
Work regarding online services is progressing with new MOT bookings service to go live shortly but more work is needed to implement full corporate solutions.										
2) Why has it happened?										

08/09/2017

Appendix 3 - This Quarter's Exceptions

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
We have had some difficulties with existing supplier.										
3) What actions are we taking?										
We are engaging colleagues from related business areas to expedite progress.										
CBP4.2 - Continue To Communicate Effectively With Local Residents & Businesses	CBP4.2.1a Social media ratings : Facebook (Target 12000 likes)	Quarterly	9,600	8,846	●	↓	9,600	8,846	●	↓
1) What has happened?										
Reduction in the number of paid for postings over the summer. This is set to increase in Q3										
2) Why has it happened?										
Slow down in organic growth										
3) What actions are we taking?										
Looking at where we can increase engagement through sponsored posts/boosts.										
CBP4.2 - Continue To Communicate Effectively With Local Residents & Businesses	CBP4.2.1b Social media ratings : Twitter (9000 Hits)	Quarterly	7,200	6,415	▲	↓	7,200	6,415	▲	↓
1) What has happened?										
We are continuing to promote our social media presence and put out messages three times per day. Organic growth although growing has slowed and we are therefore more reliant on paid for posts to increase engagement.										
2) Why has it happened?										
Slow down in organic growth										
3) What actions are we taking?										
Potentially look at a Twitter advertising campaign.										
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.2 Percentage of Council Tax collected	Monthly	58.25	57.84	●	↓	58.25	57.84	●	✗
1) What has happened?										
Target for Council Tax collection has been missed by 0.41%.										
2) Why has it happened?										
Due to a number of factors including increase in new homes coming into the valuation list, increase in 12 monthly payers as well as holiday period in Revenues and Recovery.										
3) What actions are we taking?										
Recruitment of staff to assist with collecting the arrears										
4) When will we see improvement?										
end November 2016 once new staff have started and have gone through start of their training programme										
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.3 Percentage of business rates collected	Monthly	58.50	58.25	●	↓	58.50	58.25	●	✗
1) What has happened?										
We missed the target due to payment for one large customer didn't transfer to our systems in time - entered our systems on 3rd October.										
2) Why has it happened?										
A payment of nearly £200k entered our system on 3/10 even though paid before end Sept to CDC										
3) What actions are we taking?										
None at present as all recovery is up to date - all reminders are issued and all debt has been chased										
4) When will we see improvement?										
End October 2016										

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Appendix 4 - All Measures: A District of Opportunity

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP1.1 - Implement The Cherwell Local Plan As The Framework For Sustainable Housing	CBP1.1.1 Banbury and Kidlington Masterplans adopted as Supplementary Planning Documents	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	➔
1) What has happened? Banbury and Kidlington Masterplans are now timetabled for Executive in December 2016.										
CBP1.1 - Implement The Cherwell Local Plan As The Framework For Sustainable Housing	CBP1.1.2 Prepare draft Local Plan Part 2 and review of Local Plan Part 1	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	?
1) What has happened? Report of Part 1 Plan Options Stage reports to Executive at 7th November 2016 meeting. Part 2 will report on next stage to Feb 2017 meeting.										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.1 Northwest Bicester continue to facilitate the planning applications for the site	Quarterly	Delivering to plan	Slightly behind schedule	●	➔	Delivering to plan	Slightly behind schedule	●	✖
1) What has happened? Work is continuing on the completion of the S106's for 3 applications to enable the issuing of the planning permissions. A further application is awaiting amendments from the applicants that are expected shortly to enable the application to be returned to committee. Discussions have also taken place with the applicant for the land that was refused planning permission to see if an acceptable scheme can be negotiated.										
2) Why has it happened? This exceptionally large development site is complex to deliver to ensure that it meets standards required and delivers the infrastructure needed to mitigate the impact on the town. The site remains in multiple ownerships that add to the complexity of the planning applications and legal agreements.										
3) What actions are we taking? The progress on the applications is being monitored and the Council continues to work with the applicants to support progress on the applications and encourage them to progress matters.										
4) When will we see improvement? The end of the year is being targeted for the completion of the drafting of the first legal agreement.										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.2 Northwest Bicester: Delivery of the Eco - Bicester business centre	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	➔
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.3a Graven Hill: Deliver the demonstration project on the Graven Hill site	Quarterly	Delivering to plan	Slightly behind schedule	●	➔	Delivering to plan	Slightly behind schedule	●	✖
1) What has happened? Monthly board meetings measure delivery against plans. Some delays to programme and awaiting latest finance appraisal - due 15/9/16 The outputs for 2016/17 are outlined in the business plan and financial model presented to the Shareholder board in August. Working on mortgage market - Dev Co progressing and CDC have signed up to the Bespoke / Custom Build (BCB) Mortgages S106 discussions ongoing with OCC regarding the term of occupation in light of self build context.										
2) Why has it happened? Progress has been made on exchange of contracts and planning compliance and the project timelines have been adjusted accordingly.										
3) What actions are we taking? Continuing progress with sale of plots and communication with pioneers. Planning compliance negotiations in progress.										
4) When will we see improvement? 3 of the 10 Pioneer plots have begun their build on the demonstrator site with further completions expected in Nov 2016. Concern with 2/10 plots regarding completion - finance and odour issue 10 further plots released on 22nd August - 5 of which have been reserved and lots of potential for 3 beds which will be released in the next phase.										
CBP1.2 - Complete and implement	CBP1.2.3b Graven Hill: Set up a		Delivering	Slightly			Delivering	Slightly		

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Appendix 4 - All Measures: A District of Opportunity

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
the Masterplan for Bicester	sales and marketing suite to promote the plots	Quarterly	to plan	behind schedule	●	➡	to plan	behind schedule	●	➡
<p>1) What has happened? The sales process has opened to those that live and work in the District and nationally. A sales and marketing suite will open in central Bicester location in Autumn and in line with the delivery of phase 1 transfer to Graven Hill location during 2018. At present the activity is taking place from a temporary location in Bodicote House.</p> <p>2) Why has it happened? This work is on-going and dependant on a suitable location becoming available on the Graven Hill site.</p> <p>3) What actions are we taking? Sales and marketing suite is open in Bodicote House.</p> <p>4) When will we see improvement? Sales and marketing suite has opened in Bodicote House and plans for a central Bicester location are progressing.</p>										
CBP1.2 - Complete and implement the Masterplan for Bicester	CBP1.2.4 Engage with the community and stakeholders to deliver Garden Town Bicester	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	?
<p>1) What has happened? DCLG discussions continue in a positive vein - additional revenue funding may be available for 17/18 and work with treasury on remaining £100m envelope and business plans Workplan on track - studies commissioned and outputs expected in Q3/4 Bicester Masterplan commissioned and works underway. Officer and stakeholder workshops held in September. Briefing for Bicester councillors planned for mid/late October with public consultation expected by mid-November. Feasibility study into potential new junction on M40 commissioned and work underway. Identification and initial sifting of options expected by end of 2016. Investment prospectus being scoped Hosted Treasury and DCLG to showcase Bicester delivery, self-build, offsite and Graven Hill. Hooks set for a potential Housing Minister visit later in the year to Bicester</p> <p>2) Why has it happened? Future consultation fatigue resulting in disengagement meaning that the people of Bicester no longer influence and help control decisions and services that shape the town in which they live and work. Cynical confusion about the many overlapping labels and messages and how they relate to each other Fear and apprehension of change, particularly with a significant increase in population in the future, impacts on future consultation and results in hostility and negative feedback</p> <p>3) What actions are we taking? Production of an engagement and communications strategy that sets out agreed engagement principles and provides guidance particularly around how and with whom we engage.</p> <p>4) When will we see improvement? A multi-disciplinary team of consultants has been appointed to produce a new Bicester Masterplan in order to deliver the long-term aspirations for the town in a coordinated and comprehensive approach. Further consultation with the community and stakeholders will now be undertaken as part of that Masterplanning process in Autumn 2016.</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.1 Prepare a scheme for the redevelopment of the Bolton Road site	Quarterly	Delivering to plan	Delivering to plan	★	✔	Delivering to plan	Delivering to plan	★	➡
<p>1) What has happened? The Phase 1 demolition to separate the main car park from east stair tower will be complete by Friday 30th September. This represented the noisiest part of the works and noise levels will reduce after this phase. Week commencing 3rd October, the main structural demolition of the car park will begin with 'High Reach' demolition rigs and this will take approximately 3 to 4 weeks. Once the structure and site is cleared, a temporary surface-based car park comprising approximately 145 spaces will be introduced on the footprint of the site and will remain operational until redevelopment of the area takes place.</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.2 Take steps to develop a Masterplan of Canalside in Banbury Town Centre for redevelopment	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
<p>1) What has happened? Reporting to Executive at its December 2016 meeting for adoption.</p>										

Appendix 4 - All Measures: A District of Opportunity

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3a Secure start on site for Castle Quay 2	Quarterly	Delivering to plan	Slightly behind schedule	●	➔	Delivering to plan	Slightly behind schedule	●	✖
<p>1) What has happened? On-going discussions between CDC and Hawkstone have resulted in verbally agreed Heads of Terms. Delay experienced due to discussion on issue of leases. Legal counsel for both sides are in productive discussions.</p> <p>2) Why has it happened? Negotiations on the Heads of Terms have been protracted. Satisfying the requirements of all stakeholders has taken time.</p> <p>3) What actions are we taking? CFO is working closely with stakeholders to ensure that verbally agreed positions are now taken forward. Intent is to take a paper to BPM, Executive and Council in December 2017.</p> <p>4) When will we see improvement? Executive BPM will take a paper on 15 November.</p> <p>6) P&I Review This has been identified as Amber for the second quarter running - Missing commentary against the following questions:- What actions are being taken and When will we see an improvement?</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.3b Maximise Council's income from Castle Quay 1	Quarterly	?	Slightly behind schedule	●	➔	?	Slightly behind schedule	●	?
<p>6) P&I Review When will the member update be available?</p> <p>8) Data delay To quarters income have been received from Aberdeen Investments but the recent demise of BHS and the closure of this large facility within CQ1 will affect overall likely income level for CDC. Aberdeen Investments FM service is in discussion with potential other retail partners to take the space left by BHS and CDC will be meeting with Aberdeen Investments/their FM partner in November.</p> <p>9) Data availability Next quarter update.</p>										
CBP1.3 - Complete and implement the Masterplan for Banbury	CBP1.3.4 Support The Mill as the primary town centre arts provision in its development activities	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	➔
CBP1.4 - Promote Inward Investment And Support Business Growth Within The District.	CBP1.4.1 Support business growth, skills & employment in local companies & visitor economy	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	?
<p>1) What has happened? A comprehensive range of proactive and reactive support is provided to businesses, residents and visitors.</p> <p>Regarding the visitor economy, notable progress is being made in partnership with Experience Oxfordshire (the new destination management company) whereby CDC is a key sponsor. A high profile feature has been produced for the travel trade and visitor literature to combine with the resources of private sector partners.</p>										
CBP1.4 - Promote Inward Investment And Support Business Growth Within The District.	CBP1.4.2 Continue to use the Cherwell Investment Partnership as a hub for inward investment	Quarterly	Delivering to plan	Delivering to plan	★	➔	Delivering to plan	Delivering to plan	★	➔
<p>1) What has happened? Core service provided to existing businesses and inward investors. Around 20 detailed business enquiries are being dealt with per month, along with other assistance being provided such as referrals, information, advice, guidance and contacts.</p>										
CBP1.4 - Promote Inward Investment And Support Business	CBP1.4.3 Produce marketing material to promote commercial	Quarterly	Delivering	Delivering	★	➔	Delivering	Delivering	★	➔

Appendix 4 - All Measures: A District of Opportunity

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
Growth Within The District.	and industrial business sites to the area		to plan	to plan			to plan	to plan		
1) What has happened? Websites up-dated daily to ensure that existing and inward investing businesses have access to information, contacts and research to assist their business planning. Development work on going to produce additional guides.										
CBP1.5 - Deliver High Quality Regulatory Services	CBP1.5.1 Develop a whole council approach to supporting businesses	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? Another two successful Organisational Awareness Days were delivered with the total now over 200 staff over a total of six sessions; the final workshop will be held in December. The regulatory single point of contact pilot has now finished and a report will be produced with key outcomes; the regulators forum continues to bring together all of our regulatory managers to work on providing the best customer service to our businesses and residents including a service standard for customer interactions.										
CBP1.5 - Deliver High Quality Regulatory Services	CBP1.5.2 Work proactively with developers to aid delivery of new commercial projects	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? Focus groups are being arranged for the end of November to establish 'critical friends' and to identify how further progress can be made in ensuring delivery, through public/private sector collaborative working.										

Appendix 4 - All Measures: Safe, Green, Clean

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP2.1 - Provide High Quality Recycling & Waste Services, Helping Residents Recycle	CBP2.1.1 Achieve 55% recycling rate	Monthly	55.00	58.29	★	👍	55.00	59.56	★	👍
CBP2.1 - Provide High Quality Recycling & Waste Services, Helping Residents Recycle	CBP2.1.4 Maintain Customer satisfaction with recycling and waste service (=>80%)	Quarterly	80.00	82.00	★	➡	80.00	82.00	★	🔴
5) Excellent Performance Overall satisfaction with the waste collection service (green bin) was 82% Overall satisfaction with the household recycling collection service (blue bin) was 80% Overall satisfaction with the food and garden waste collection service (brown bin) was 83%										
CBP2.2 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime	CBP2.2.1 Maintain customer satisfaction with street cleansing	Quarterly	?	Delivering to plan	★	➡	?	Delivering to plan	★	🔴
8) Data delay There was a change in the survey reporting method which has affected the results. Anecdotal evidence suggests that the public are still very happy with the quality of the cleansing service provided. Street Cleansing were recently highly commended in the RHS Thames and Chiltern in Bloom competitions which covered Banbury, Bicester and Kidlington. All resulted in Silver Gilt awards.										
9) Data availability We will act upon any adverse comments or suggestions that were relayed through the survey, that in turn should improve customer satisfaction.										
CBP2.2 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime	CBP2.2.1a Undertake 6 neighbourhood blitzes with community involvement	Quarterly	2	2	★	👍	2	3	★	➡
1) What has happened?										

Appendix 4 - All Measures: Safe, Green, Clean

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
<p>The second Blitz event of the year was well received by members of the public and local councillors alike. The Recycling Officer undertook a road show event promoting the councils recycling initiatives at the same time which proved to be very popular.</p> <p>5) Excellent Performance</p> <p>The Blitz programme is on track the next event is in Hardwick commencing 24th October.</p> <p>Blitz events scheduled</p> <p>Banbury Town Centre 25th to 29th July 2016 Bicester Town Centre 19th to 23rd September 2016</p>										
CBP2.2 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime	CBP2.2.1b Number of flytips	Monthly	47	50			299	278		
<p>1) What has happened? Small increase again in the number of fly tips for this month, when compared to last year.</p> <p>2) Why has it happened? It has been noted that there has been an increase in fly tipping around some of the recycling banks. It seems that some residents see the site as a dumping ground for regular household waste, and on some occasions the offender appears to have just dropped of the recyclable waste and not bothered to put it in the correct container</p> <p>3) What actions are we taking? Fly tipping report has been approved by Exec Committee, which means we are also now able to issue an FPN for the offence of fly tipping. This has been set at £250 with a reduction to £150 if paid within 14 days. This will help with the speed at which we can deal with low level fly tipping, and a cost saving with legal actions. Non payment of the FPN will result in formal action being taken.</p> <p>3) What actions are we taking? Site visits are being made and where there is evidence as to who has dumped the waste then a more formal investigation takes place. Often though there is no evidence as to where the waste has come from. We are looking into further signage and the installation of cameras in appropriate areas.</p> <p>4) When will we see improvement? The situation will continue to be monitored</p>										
CBP2.3 - Provide High Quality Street Cleansing Services, And Tackle Environmental Crime	CBP2.2.1c Number of Enforcement actions	Monthly	29	22			121	141		
<p>1) What has happened? 1 Formal caution has been issued and accepted</p> <p>1) What has happened? 21 warning letters have been issued and these include a number of request for attendance at an interview under caution.</p> <p>2) Why has it happened? High number of investigation into the fly tip reports this month.</p> <p>3) What actions are we taking? Visits are being made to a number of residential properties that just leave items outside their house. They are being advised to take them back within their curtilage as they are being reported as fly tipping.</p> <p>4) When will we see improvement? It is hoped the introduction of FPNs for fly tipping will have an impact.</p>										
CBP2.3 - Work With Partners To Help Ensure The District Remains A Low Crime Area	CBP2.3.1 To develop an alternative CCTV operational system for our Urban centres	Quarterly	Delivering to plan	Delivering to plan			Delivering to plan	Delivering to plan		
<p>1) What has happened? Thames valley Police have disseminated their consultants report for comment . A paper has been drafted to the Cherwell Executive containing a suitable response.</p>										
CBP2.3 - Work With Partners To Help Ensure The District Remains A Low Crime Area	CBP2.3.1a Continue working with local police & licence holders to ensure town centres remain safe	Quarterly	Delivering to plan	Delivering to plan			Delivering to plan	Delivering to plan		
<p>1) What has happened?</p>										

Appendix 4 - All Measures: Safe, Green, Clean

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
The night time economy action plan is now in operation. Licensing and community safety are working with the police in evening and night operations around taxis and licensed premises.										
CBP2.4 - Reduce our carbon footprint and protect the natural environment	CBP2.4.1 Deliver the Council's Biodiversity Action Plan	Quarterly	Delivering to plan	Delivering to plan	★	↓	Delivering to plan	Delivering to plan	★	→
1) What has happened? Biodiversity Action Plan for 2016 - 2018 was approved by CDC Executive on 05 September										
CBP2.4 - Reduce our carbon footprint and protect the natural environment	CBP2.4.2 Implement a new carbon management plan from 2015-2020	Quarterly	Delivering to plan	Delivering to plan	★	↓	Delivering to plan	Delivering to plan	★	↓
6) P&I Review This has been identified as Amber for the second quarter, missing commentary against the following questions:- Why has it happened? What actions are we taking? When will see an improvement? When will the quarter 1 data be available?										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.1 Deliver at least 190 units of affordable housing	Monthly	21	57	★	↓	103	168	★	↓
1) What has happened? Over the past quarter the target of 70 new affordable housing units to be delivered in the district has been achieved and surpassed, the end of year target of 190 new affordable homes is still on course to be achieved. Although the completions for individual months may report under-delivery on occasion the overall quarterly targets are not currently in danger. It is anticipated that next quarters target of 49 affordable homes will also be achieved. This comes on the back of the pragmatic, positive and pro-active approach the housing department are working with Registered Providers, Developers and investment agency's to ensure the continued delivery of affordable housing in the district.										
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.1b Deliver 100 self-build housing projects as part of HCA funded grants programme	Monthly	2	0	▲	→	6	0	▲	✖
1) What has happened? No self build units were completed during this month 2) Why has it happened? None were due for completion										
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.2 Promote the establishment of an off-site construction factory in Bicester	Quarterly	Delivering to plan	Delivering to plan	★	→	Delivering to plan	Delivering to plan	★	→
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.3 Encourage private sector landlords to improve their stock through grants action & advice	Quarterly	Delivering to plan	Delivering to plan	★	→	Delivering to plan	Delivering to plan	★	→
1) What has happened? 1. CHEEP energy-efficiency grants: 1 private-rented property was improved through CHEEP grant contributions during the second quarter. As previously reported, a lengthy lead-in to energy-efficiency work at 9 flats in the same block has now reached the work stage. 2. Our Landlord Home Improvement Grants has proved an effective route to securing access to good quality private sector accommodation. No jobs were completed in the quarter although works-on-site are underway at 2 premises. Unfortunately, the owner of one scheme we were expecting to deliver 3 converted flats decided not to proceed with grants. We are currently working with both the Council's Build and Investment & Growth teams on schemes involving a total of 9 flats where we shall be contributing grant funding using a model we have successfully developed and which will result in leasing agreements for longer periods than can be delivered by grant funding in isolation. 3. As a consequence of recording more information about the telephone and email enquiries we receive we are also now able to report that we provided advice to a further 10 landlords										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
about housing standards issues.										
CBP3.1 - Deliver Affordable Housing & Work With Private Sector Landlords	CBP3.1.4 Ensure the provision of extra care housing	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
1) What has happened? There are currently 74 new Extra Care /Retirement Living flats being developed by Bromford housing association on Bath Road in Banbury, 23 of which will be for affordable housing, the other flats will be offered to the private market. It is anticipated that the completion date for these units will be in Autumn 2018, the Council has also supported Bromford's bid for HCA funding for 10 shared ownership units on this scheme which, if successful, will bring in £500,000 of HCA investment into the town. The housing department is continuing to liaise with the County Council and developing partners in order to continue the pipeline of delivery over the next 3-5 years of homes for older people										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.1 Commissioning of high quality financial and debt advice for vulnerable residents	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
1) What has happened? The corporate Money and Debt advice contract continues to be monitored quarterly by the Housing Team. The greatest need for support remains issues relating to benefits, debts and housing costs. The existing contract with Citizens Advice is due to expire on 31 March 2017. It has been agreed to tender for services for a contract for a further 2 years with a tender currently advertised on the CDC portal to re commission services from April 2017. The tender process is expected to be completed by the end of 2016. The new contract will also include Personal Budgeting Support for Universal Credit Claimants (as required by DWP) and for the service provider to promote affordable savings and loans opportunities with Credit Unions. It is expected that the need for this type of support is likely to increase over the coming years as further welfare reforms start to be introduced. Reforms include the lowering of the benefit cap from £26,000 to £20,000 for families which is to be introduced in Autumn 2016) and the extension to the roll out of universal credit to all new claimants leading to one payment per month including their housing costs. These significant changes will all require a robust money and debt advice service to continue to be available for residents within the district who may be affected.										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.2 Effective implementation of welfare reform and administration of benefits	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.2a Average time taken to process new Housing Benefit claims	Monthly	14.00	13.56	★	📈	14.00	13.47	★	📉
1) What has happened? Despite a reduction in resources work has been managed so as to remain within target. 5) Excellent Performance The contractor's performance will be closely monitored to ensure that it does not deteriorate.										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.2b Average time taken to process change in circumstances	Monthly	12.00	4.99	★	📉	12.00	4.06	★	📉
1) What has happened? Despite a reduction in resources the level of automation means that performance remains within target. 5) Excellent Performance Performance is well in excess of target and there is no reason to expect this to change.										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.2c Average time taken to process new claims and changes for HB	Monthly	12.00	5.63	★	📉	12.00	4.60	★	📉
1) What has happened? Resources are being well managed and work allocation ensures that the majority of claims and changes are processed within target.										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
5) Excellent Performance Performance is expected to remain within target for the remainder of the year.										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.3 Number of covert surveillance exercises that have been applied for	Quarterly	0	0	★	➡	0	0	★	⬇️
1) What has happened? No requests for covert surveillances have been made.										
CBP3.2 - Work with partners to support financial inclusion	CBP3.2.4 Support skills development/apprenticeships/job clubs to keep unemployment at low level	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? Job clubs continued to be held each week, alternating between Banbury and Bicester. Additional major Job Fairs held in September at both Banbury and Bicester.										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1 Deliver the actions identified within the revised Homelessness prevention strategy	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? The new Homeless Prevention Action plan for 2016 - 17 sets out our priorities in 2016/17. It highlights the continued importance of multi-agency and partnership working with both statutory and voluntary sector organisations to ensure we provide a comprehensive network of support to the most vulnerable within our communities. This return assists us to maintain our excellent performance in homelessness prevention at Cherwell and in keeping numbers in temporary accommodation placements as low as possible. The new action plan is regularly monitored by a multi-agency steering group and also includes specific actions to try to prevent rough sleeping in Cherwell. We are currently considering how to develop and scope new Homeless and Housing strategies in 2017 to take account of the changing housing environment and new housing pressures. There have been a number of government announcements on housing including the proposed Homelessness Reduction private members Bill which gains its second reading on October 28th 2016. If passed as proposed this Bill may impose new duties on the Council in due course. Locally we continue to work in partnership with both the County Council and the Districts to maintain current accommodation and support services as far as it is possible to do so.										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1a Number of households living in Temporary Accommodation (TA)	Monthly	41	45	●	✖️	41	45	●	⬇️
1) What has happened? The target for the number in TA has exceeded the target by 4 households at the end of September 2016 2) Why has it happened? There is continuing pressure on the homeless team from those unable to stay in their current accommodation. The Council has a statutory duty imposed to provide TA even when a full homeless duty may not be accepted to provide alternative housing. If homeless duties are accepted the Local Authority must continue to provide TA until a permanent offer of accommodation is made and available to move into. At the end of this quarter there were 7 cases still waiting to move to new build social housing properties with Registered Providers. It is the delivery of a volume of new build affordable social housing which assists the Council to keep the numbers in TA within target. However, new build properties can also often be delayed unexpectedly for a range of different reasons. This can then lead to moves for those occupying TA to be delayed and the target is exceeded.										
3) What actions are we taking?										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
Officers are carefully monitoring the progress of all cases placed in TA weekly.										
Staff are proactively monitoring delivery of offers of accommodation which can enable those placed in TA to move on .										
We have commissioned additional units of TA at affordable rent levels to ensure we have an adequate supply of temporary accommodation										
We are discussing delivery and handover arrangements for new social housing with RPs to try to improve and gain more accurate handover dates.										
4) When will we see improvement?										
We will continue to monitor the situation closely and have noted a similar rise in numbers accommodated for the same period in 2015.										
At present numbers are only just exceeding the target and costs remain within budget. If numbers continue to exceed the target at the end of the third quarter we will carry out a full review of demand and supply to pinpoint the causes and actions needed to explore further what we can do to keep numbers within target										
CBP3.3 - Provide High Quality Housing Options Advice & Support To Prevent Homelessness	CBP3.3.1b Housing Advice: repeat homelessness cases	Monthly	0	0	★	📈	0	1	▲	✖
1) What has happened?										
In this quarter there has been 1 case of repeat homelessness (according to the DCLG P1E definition). This was fully reported in August 2016.										
There were no further cases reported in September so we have returned to be back within the agreed target set.										
CBP3.4 - Work to provide and support health and wellbeing across the district.	CBP3.4.1 Support CPN with financial, clinical & technological changes in health & social care sector	Quarterly	Delivering to plan	Very behind schedule	▲	✖	Delivering to plan	Very behind schedule	▲	?
1) What has happened?										
Emerging service options for the Horton General Hospital indicate significant downgrading of current services										
2) Why has it happened?										
This is part of the Oxfordshire Transformation Plan which proposes alternative service configurations for the health sector. The downgrading of the consultant led obstetric service to a mid wife led unit is influenced by recruitment difficulties.										
3) What actions are we taking?										
The CPN is being updated and is challenging the changes. The Council has engaged a health sector specialist to review all the relevant issues and to prepare clinical and other arguments to support a Council response to retain services as part of the formal consultation process in 2017.										
4) When will we see improvement?										
This will depend on the outcome of the consultation process anticipated to be in mid 2017										
CBP3.4 - Work to provide and support health and wellbeing across the district.	CBP3.4.2 Enable the development of volunteer transport schemes to support vulnerable residents	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
CBP3.4 - Work to provide and support health and wellbeing across the district.	CBP3.4.3 With partners help improve lives of most vulnerable from Brighter Futures initiative	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1 Maintain a minimum usage level of visits to leisure facilities	Monthly	119,001	126,104	★	📈	757,646	757,075	●	✖
1) What has happened?										
An increase of around 5,000 users has been recorded for September 2016 against the same period last year across all 3 Leisure Centres. Spiceball Leisure Centre has seen the biggest increase with approximately 3,000 more visitors than the same period last year										

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Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
5) Excellent Performance										
As noted previously there was an approximate 5,000 increase in users against the same period last year. More detailed analysis on usage figures will be provided by Legacy Leisure for CDC officers to review. National Fitness Day in September would have helped in increasing visitor numbers										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1a Number of visits/usage to District Leisure Centres	Monthly	108,392	113,012	★	👍	692,820	677,372	🟡	🔴
<p>1) What has happened? In this period all of the Leisure Facilities showed an increase in visitor numbers against the same period last year</p> <p>2) Why has it happened? Spiceball Leisure Centre has seen an increase of over 3,000 visitors against the same period last year with Kidlington Leisure Centre showing and Bicester Leisure Centre showing a marginal increase</p> <p>3) What actions are we taking? Monthly visitor throughputs at the Leisure Centres are discussed with CDC Officers and Legacy Leisure. Any reduction in usage numbers are discussed to ascertain the reason for this and what can be put in place to mitigate and reverse any trends</p> <p>4) When will we see improvement? Improvements have started to take place for September 2016 showing an increase of over 5,000 visitors against the same period last year.</p> <p>Cooper Sports Facility is starting to increase its usage with the introduction of new Clubs to the facility programme after the closure for roofing works taking place during July and August. Through the remainder of the Year there are a number of one off events planned at this facility which will hopefully increase visitor numbers.</p> <p>Discussions are also on-going with Bicester Technology Studio regarding the potential for school use at Bicester LC which may offset some of the loss of visitor numbers brought about by reduced Bicester Community College usage.</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.1b Number of visits/usage to WGLC, NOA and Cooper	Monthly	10,609	13,092	★	🔴	64,826	79,703	★	👍
<p>1) What has happened? All 3 facilities have shown a marginal improvement in throughputs against the same period last year resulting in an increase of around 2,500 visitors. Both Cooper Sports facility and North Oxfordshire Academy have benefitted in successful Club Open Days during September (particularly in Hockey, building on GB Olympic success)</p> <p>5) Excellent Performance As noted in previous comments - an excellent performance is noted in this period with all 3 facilities increasing their throughput against the same period last year</p>										
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.2 Complete Phase 2 pavilion works for SW Bicester Sports Village	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.3 Increase access to leisure & recreation opportunities through development & outreach work	Quarterly	Delivering to plan	Delivering to plan	★	🔴	Delivering to plan	Delivering to plan	★	?
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.4 Commence the improvement of Woodgreen Leisure Centre and a long term operating contract	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
<p>1) What has happened? Re-development works are on-going with a likely completion date towards the end of November. The new gym has recently opened (November 5th) as part of the phased development</p> <p>9) Data availability Dry side works are progressing well with November's completion date on target. However the gym works phase is within this timetable running 3 weeks behind schedule; this is being addressed with increased resource.</p>										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.5 Deliver with the aid of external funding the redevelopment of The Hill in Banbury	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
CBP3.5 - Provide High Quality & Accessible Leisure Opportunities	CBP3.5.6 Establish new management arrangements for Stratfield Brake Sports Ground for Kidlington PC	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
9) Data availability The leisure operator contract and tender documents (draft) have been completed. It is planned to commence procurement mid November.										
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.1 Implement social & community infrastructure for housing developments across the District	Quarterly	Delivering to plan	Slightly behind schedule	●	✖	Delivering to plan	Slightly behind schedule	●	?
1) What has happened? Delivery of Community Centre for Longford Park, Banbury is behind Schedule 2) Why has it happened? Developer has failed to keep to delivery schedule set out in s.106 agreement. 3) What actions are we taking? Development Management (Matthew Parry) talking to the developers. 4) When will we see improvement? Unclear										
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.2 Support the voluntary sector and community groups	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
1) What has happened? Development activity is progressing well with the new community associations at Kingsmere in Bicester and Longford Park Banbury. The local seniors forums have been held and will culminate in a joint Forum in October. Work with ecology and environmental groups to deliver actions in the biodiversity action plan is continuing										
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.3 Support the growth & development of neighbourhood community associations	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.4 Increase and promote volunteering opportunities throughout the District.	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
CBP3.6 - Provide Support To The Voluntary & Community Sector	CBP3.6.5 Support the Local Strategic Partnership in addressing the key issues in the District	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
1) What has happened? LSP Board continues to meet four times per year. October meeting will set revised priorities.										
CBP3.7 - Protect Our Built Heritage	CBP3.7.1 Continue programme of Conservation Reviews (5pa)	Quarterly	0	0	★	➡	0	0	★	➡
1) What has happened? The team have completed their research for Banbury, Hethe and Tadmerton Conservation Areas and are in the process of writing these up.										

Appendix 4 - All Measures: A Thriving Community

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
<p>Tadmarton CA is 95% complete and a draft will be circulated to the Parish Council shortly Hethe CA is 60% complete and therefore a little behind. I am working with the Conservation Officer to bring this back on track Banbury CA is 60% complete and on track (it was intended that this area would take most of the year to complete given the scale and complexity of the area)</p>										
CBP3.7 - Protect Our Built Heritage	CBP3.7.2 Provide design guidance on major developments	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	?
<p>1) What has happened? Design and masterplanning advice is being provided on most strategic development sites to promote high quality development across the District.</p>										
CBP3.7 - Protect Our Built Heritage	CBP3.7.3 Processing of major applications within 13 weeks	Monthly	60.00	75.00	★*	✖	60.00	87.96	★*	✖
<p>1) What has happened? A performance figure of 75% was achieved in September. This is a drop from 100% last month. However, it should be noted that this is due to the small number of major applications with only one application going past the target date.</p> <p>5) Excellent Performance 75% exceeds the target for major applications and this has been achieved through the pro-active use of Planning Performance Agreements and negotiating extensions of time limits.</p>										
CBP3.7 - Protect Our Built Heritage	CBP3.7.4 Processing of minor applications within 8 weeks	Monthly	65.00	90.91	★*	➡	65.00	93.33	★*	✔
<p>1) What has happened? Performance in September was 91%.</p> <p>5) Excellent Performance Performance for September was consistent with the previous month and still significantly above the target of 65%. This has been achieved through effective performance management and negotiating extensions of time limits with agents and applicants.</p>										
CBP3.7 - Protect Our Built Heritage	CBP3.7.5 Processing of other applications within 8 weeks	Monthly	80.00	95.40	★*	✖	80.00	96.70	★*	✔
<p>1) What has happened? Performance in September was 95%.</p> <p>5) Excellent Performance Performance on Other applications remains high and continues to far exceed the 80% target.</p>										
CBP3.7 - Protect Our Built Heritage	CBP3.7.6 Planning appeals allowed	Monthly	30.00	0.00	★*	✔	30.00	16.67	★*	✔
<p>1) What has happened? No comments</p> <p>5) Excellent Performance no comments</p>										
CBP3.8 - Work To Ensure Rural Areas Are Connected To Local Services.	CBP3.8.1 Work with BT/BDUK & Oxfordshire County Council to extend Superfast Broadband District wide	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
<p>1) What has happened? CDC is investing £545,000 in phase two of the programme. Since March 2016, 20 additional cabinets have been connected which has meant that 1,727 business and residential premises have been enabled to receive superfast broadband speeds (Over 24mbps).</p>										

Appendix 4 - All Measures: Sound budgets and customer focussed council

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
CBP4.1 - Reduce the cost of providing our services through partnerships	CBP4.1.1 Review key business processes to enhance performance, reduce cost & designed for customers	Quarterly	Delivering to plan	Slightly behind schedule	●	➡	Delivering to plan	Slightly behind schedule	●	?
<p>1) What has happened?</p>										

Appendix 4 - All Measures: Sound budgets and customer focussed council

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year
Effectively With Local Residents & Businesses	use of social media to communicate with residents & local businesses	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? slow down in organic growth										
CBP4.2 - Continue To Communicate Effectively With Local Residents & Businesses	CBP4.2.1a Social media ratings : Facebook (Target 12000 likes)	Quarterly	9,600	8,846	●	📈	9,600	8,846	●	📈
1) What has happened? Reduction in the number of paid for postings over the summer. This is set to increase in Q3 2) Why has it happened? Slow down in organic growth 3) What actions are we taking? Looking at where we can increase engagement through sponsored posts/boosts.										
CBP4.2 - Continue To Communicate Effectively With Local Residents & Businesses	CBP4.2.1b Social media ratings : Twitter (9000 Hits)	Quarterly	7,200	6,415	▲	📈	7,200	6,415	▲	📈
1) What has happened? We are continuing to promote our social media presence and put out messages three times per day. Organic growth although growing has slowed and we are therefore more reliant on paid for posts to increase engagement. 2) Why has it happened? Slow down in organic growth 3) What actions are we taking? Potentially look at a Twitter advertising campaign.										
CBP4.2 - Continue To Communicate Effectively With Local Residents & Businesses	CBP4.2.3 Continue to develop our business focused communications	Quarterly	Delivering to plan	Delivering to plan	★	➡	Delivering to plan	Delivering to plan	★	➡
1) What has happened? working with colleagues in economic development to focus on business to business communications.										
CBP4.3 - Deliver the five year business strategy	CBP4.3.1 Deliver annual balanced budget setting out 5 year financial plan (MTFS)	Annual	Delivering to plan	Delivering to plan	★	?	Delivering to plan	Delivering to plan	★	?
The provisional settlement announcement was better than expected for 2016/17 meaning that setting a balanced budget is achievable. There is an offer of a 4 year settlement, which will give us the ability to plan but will see a significant reduction in funding from 2018/19.										
1) What has happened? This is being delivered to plan.										
CBP4.3 - Deliver the five year business strategy	CBP4.3.1a Budget variance on capital within 2%	Annual	Delivering to plan	Delivering to plan	★	?	Delivering to plan	Delivering to plan	★	?
CBP4.3 - Deliver the five year business strategy	CBP4.3.1b Budget variance on revenue within 2%	Annual	Delivering to plan	Delivering to plan	★	?	Delivering to plan	Delivering to plan	★	?
CBP4.3 - Deliver the five year business strategy	CBP4.3.2 Deliver the savings targets £500k within the agreed timescales	Annual	Delivering to plan	Delivering to plan	★	?	Delivering to plan	Delivering to plan	★	?
CBP4.4 - Deliver below inflation increases to the CDC element of	CBP4.4.1 CDC Council Tax	Quarterly	Delivering	Delivering	★	➡	Delivering	Delivering	★	?

Appendix 4 - All Measures: Sound budgets and customer focussed council

Objective	Measure	Frequency	Target (pd)	Actual (pd)	Period	vs last period	Target (YTD)	Actual (YTD)	YTD	vs last Year	
Council Tax.	element frozen for 16/17		to plan	to plan			to plan	to plan			
1) What has happened? This was agreed when Council was set in February 2016 and Council Tax income is monitored closely throughout the year.											
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.2 Percentage of Council Tax collected	Monthly	58.25	57.84				58.25	57.84		
1) What has happened? Target for Council Tax collection has been missed by 0.41%. 2) Why has it happened? Due to a number of factors including increase in new homes coming into the valuation list, increase in 12 monthly payers as well as holiday period in Revenues and Recovery. 3) What actions are we taking? Recruitment of staff to assist with collecting the arrears 4) When will we see improvement? end November 2016 once new staff have started and have gone through start of their training programme											
CBP4.4 - Deliver below inflation increases to the CDC element of Council Tax.	CBP4.4.3 Percentage of business rates collected	Monthly	58.50	58.25				58.50	58.25		
1) What has happened? We missed the target due to payment for one large customer didn't transfer to our systems in time - entered our systems on 3rd October. 2) Why has it happened? A payment of nearly £200k entered our system on 3/10 even though paid before end Sept to CDC 3) What actions are we taking? None at present as all recovery is up to date - all reminders are issued and all debt has been chased 4) When will we see improvement? End October 2016											

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CDC Equalities - Themes

Objective		Comments
<p>CEQ - Building Strong Communities</p>	<p>★</p>	<p>1) What has happened? The Council is continuing to take a leading role in the nascent arts and health network in Oxfordshire and with other DC partners looking at the commissioning of arts organisations to meet expressed wellbeing needs. The taking part scheme continues to provide a first step for community groups to engage with Arts activity. Alongside this two programmes are running - Singing for wellbeing and the social prescribing scheme. There is also support for Dancing with Parkinson's group and Dance to health.</p> <p>Recruitment of Health & Wellbeing Officer is ongoing.</p>
<p>CEQ - Demonstrating our Commitment to Equality</p>	<p>★</p>	<p>1) What has happened? Review of Equality Annual Programme has taken place for 15/16 with areas of improvement highlighted and built into Action Plan for 2016/2017.</p> <p>The E-Equality Steering group review of current champions has not took place. The reveiw is to take into account recent restructures and joint working. The contact group for this steering group needs to be reviewed so if/when legislation/duties change there are key contacts in the organisation to support change. This area of work is low priority as there are no planned changes to the equality legislation or public sector duties.</p> <p>The current Housing Allocations Scheme was introduced in Cherwell in September 2015. The changes to the scheme have allowed us to have greater flexibility to let a wider group of people join the Housing Register and be considered for social housing locally. We publish details for all properties allocated through the councils Allocations Scheme on the Choice Based Lettings website which provides information about the type, size and location of each property and the priority awarded to the successful nominated applicant and the length of time they have been waiting on the housing register. Further information will be included on the council's new website to provide customers with more information regarding all social housing property lettings including the availability and allocations of affordable homes and also the profile those successful in gaining allocations against the diversity and needs of applicants to the Housing Register.</p>
<p>CEQ - Fair Access and Customer Satisfaction</p>	<p>★</p>	<p>1) What has happened? Discrimination complaints continue to be captured on a monthly basis with information being provided to the Business Transformation Project Officer for review. During Q2 Cherwell received 4 complaints whereby after investigation 2 were deemed to be valid and 2 invalid.</p> <p>The Housing Needs Team maintains a database for all enquiries and complaints received by the department including details for enquiries received by service users, Councillors and the local MP, Victoria Prentis.</p> <p>In the last quarter the council received a total of 12 MP/Cllr Enquiries (6 MP & 6 Cllr) and 3 complaints about the services provided by the Housing Needs Team. All enquiries have been responded too in the appropriate timeframes. This information continues to be monitored and reviewed to gain insight into current customer satisfaction levels of the services provided by the department.</p> <p>The Housing department has not received any Ombudsman enquiries about the quality of the services offered to local residents.</p> <p>To gain further insight into the departments performance we have also been looking at other ways to gain insight into the overall satisfaction of services provided by the department including an online customer satisfaction survey and will continue to progress this to be introduced in line with the new IT website review for the Housing Website.</p> <p>Up to 6 CDC employees at a time carry out mystery visitor reports to the 3 Main Leisure Centres at Spiceball Leisure Centre, Bicester Leisure Centre and Kidlington and Gosford Leisure Centre (2 at each facility). It is the intention to increase the number of mystery visitors to 8 once the re-development works at Woodgreen Leisure Centre are completed. Overall for Q2, 27 mystery visits were undertaken (11 at Spiceball, 6 at Kidlington and 10 at Bicester). The relatively low reporting for Kidlington was a result of only one active mystery visitor reporting at this site. Mystery visit reports are shared with Parkwood/Legacy to improve Service Standards and also allow CDC Officers to follow up on any concerns. Generally comments are positive in nature particularly around friendliness of staff. Some cleanliness issues are raised. Recently raised has been the difficulty in getting through on the phones particularly at Kidlington Leisure Centre.</p>

CDC Equalities - Themes

Objective	Comments
<p>CEQ - Positive Engagement and Understanding</p>	<p>1) What has happened? The Customer Service Specialists have attended the following community groups/events this quarter:</p> <ul style="list-style-type: none"> 6 sessions - Bicester Job Club 5 sessions - Banbury Job Club 10 sessions - Bicester Food Bank 12 sessions - Banbury Food Bank 6 sessions - Kidlington Food Bank 2 sessions - Horsefair GP 1 session - Restore (Mental Health) 2 sessions - SNVB Deddington - NEW in July 2 sessions - SNVB Steeple Aston 1 session - Morrison's Supermarket - One off event in July 1 session - Sainsbury's Coffee Morning, Bicester - One off event in Sept <p>MK Equality Council set up as third party reporting centre for Cherwell. No hate crime reports submitted this quarter.</p> <ul style="list-style-type: none"> 1 session - Banbury Job Fair - 6 monthly event 1 session - Bicester Job Fair - 6 monthly event 1 session - Seniors Forum 1 session - Older peoples Event, Bicester - One off event in Sept
<p>CEQ Tackling Inequality and Deprivation</p>	<p>1) What has happened? The contract with Citizens Advice for the 'Volunteer Connect' service continues to be delivered.</p>



CDC Equalities - Exceptions

Objective	Measure	Actual (pd)		Comments
CEQ - To ensure that services are accessible to everyone and delivered at an excellent standard	Engage with the Rural Member Champions to ensure 'Rural Impact' is taken into consideration	Very behind schedule	▲	<p>1) What has happened? Due to limited staff resource and other workload, developing Rural Impact assessment has not been a priority.</p> <p>3) What actions are we taking? Rural member Champion is regularly briefed on issues affecting rural communities. Parish Liaison meetings held twice per year to invite feedback from representatives of rural communities. However, we have yet to develop a mechanism to ensure that all services are systematically considered for rural impact. This is unlikely to happen in 2016/17.</p>
CEQ - Continue to increase CDC's knowledge & understanding of the wider community	Use the CCSDS to secure appropriate indoor community facilities for new housing developments	Very behind schedule	▲	<p>1) What has happened? Restructuring of Community Services has drawn officer time away from CCSDS development, risking lack of input to the Developer contributions SPD</p> <p>3) What actions are we taking? Recruitment of Health & Wellbeing Officer may release time to work on the CCSDS.</p>
CEQ - Explore and establish links with minority representation and community groups	Work with Community Engagement Officer to establish a 'Hard to Reach' consultative forum	Slightly behind schedule	●	<p>1) What has happened? Progress has been made in terms of the Community Engagement and Consultation Policy has received sign off by Executive. Due to the Community Engagement and Consultation post now being vacant some community work has moved over to the communities team for progressing and recruitment is taking place to fill the consultation side of this post.</p>
CEQ - To ensure Cherwell District Council meets all government requirements	CDC Council Member training on the Equalities Act 2010 to be delivered	Slightly behind schedule	●	<p>1) What has happened? Currently in the process of arranging dates for the training</p>
CEQ - To continue to review CDC's performance against the 'Achieving' criteria	To activate E-Equality Steering Group to support performance and legislation requirements	Slightly behind schedule	●	<p>1) What has happened? The contact group for this steering group needs to be reviewed so when duties change there are key contacts in the organisation to support change. Low Priority</p> <p>3) What actions are we taking? Review current champions to take into account recent restructures/joint working.</p>

Cherwell District Council

Executive Committee

5 December 2016

Quarter 2 2016-17 – Revenue and Capital Budget Monitoring Report

Report of Chief Finance Officer

This report is public

Purpose of report

This report summarises the Council's Revenue and Capital position as at the end of the first three months of the financial year 2016-17 and projections for the full year.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the projected revenue and capital position at September 2016.

2.0 Introduction

- 2.1 In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.
- 2.2 The revenue and capital expenditure to the end of quarter 2 has been subject to a detailed review by Officers.

3.0 Report Details

Projected Revenue Outturn 2016-17

- 3.1 At quarter two the Council has an overspend of £147,000. Analysis by directorate can be found in Appendix 1.

This variance is at service level only and does not include the position on other corporate income streams such as retained business rates, pooled business rates or section 31 grant. This information will be included in future reports when it is clearer how much this is likely to be

SUMMARY BY SERVICE AREA 2016/17

Actual v Profile - April to September						
	Budget YTD £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Variance (Under) / Over £000's	Concern Key
Chief Executive	103	25	128	128	0	G
CHIEF EXECUTIVE TOTAL	103	25	128	128	0	G
Bicester Regeneration projects	491	0	491	385	(106)	A
Regeneration and Housing	675	0	675	931	256	R
Human Resources	258	47	305	305	0	G
Information Services	808	61	869	869	0	G
Business Transformation	178	149	327	327	0	G
COMMERCIAL DEVELOPMENT TOTAL	2,410	257	2,667	2,817	150	R
Corporate Finance	1,550	0	1,550	1,575	25	A
Revenues	(92)	0	(92)	(92)	0	G
Benefits	80	30	110	110	0	G
Procurement	52	0	52	52	0	G
CHIEF FINANCE OFFICER TOTAL	1,590	30	1,620	1,645	25	A
Strategic Planning Economy	591	462	1,053	1,053	0	G
Development Management	151	245	396	396	0	G
Communications	143	0	143	143	0	G
Business Support Unit	64	0	64	64	0	G
Performance	97	0	97	97	0	G
Law and Governance	552	0	552	552	0	G
STRATEGY AND COMMISSIONING TOTAL	1,598	707	2,305	2,305	0	G
Community Services	1,556	30	1,586	1,516	(70)	A
Environmental Services	2,122	0	2,122	2,164	42	A
OPERATIONS AND DELIVERY TOTAL	3,678	30	3,708	3,680	(28)	G
TOTAL DIRECTORATES	9,379	1,049	10,428	10,575	147	A

3.2 The projected position for the year end shows an overspend of £200,000.

SUMMARY BY SERVICE AREA 2016/17						
	Projected v Budget - Full Year					
	Budget £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Chief Executive	175	50	225	225	0	G
CHIEF EXECUTIVE TOTAL	175	50	225	225	0	G
Bicester Regeneration projects	1,163	0	1,163	866	(297)	A
Regeneration and Housing	1,648	0	1,648	2,197	549	R
Human Resources	518	47	565	565	0	G
Information Services	1,497	61	1,558	1,558	0	G
Business Transformation	229	149	378	378	0	G
COMMERCIAL DEVELOPMENT TOTAL	5,055	257	5,312	5,564	252	R
Corporate Finance	2,908	0	2,908	2,908	0	G
Revenues	(182)	0	(182)	(182)	0	G
Benefits	161	73	234	234	0	G
Procurement	105	0	105	105	0	G
CHIEF FINANCE OFFICER TOTAL	2,992	73	3,065	3,065	0	G
Strategic Planning Economy	1,169	462	1,631	1,631	0	G
Development Management	304	245	549	549	0	G
Communications	295	0	295	295	0	G
Business Support Unit	88	0	88	88	0	G
Performance	198	0	198	198	0	G
Law and Governance	1,089	0	1,089	1,089	0	G
STRATEGY AND COMMISSIONING TOTAL	3,143	707	3,850	3,850	0	G
Community Services	5,164	60	5,224	5,089	(135)	A
Environmental Services	4,886	0	4,886	4,969	83	A
OPERATIONS AND DELIVERY TOTAL	10,050	60	10,110	10,058	(52)	G
TOTAL DIRECTORATES	21,415	1,147	22,562	22,762	200	G

Projected Capital Outturn 2016-17

Directorate	APPROVED BUDGET £000	ACTUAL £000	PROJECTION £000	SLIPPAGE £000	VARIANCE £000
Strategy & Commissioning	0	0	0	0	0
Chief Finance Officer	38	0	38	0	0
Commercial Development	65,926	5,415	58,012	2,550	51
Operations & Delivery	4,760	1,295	2,403	2,075	(80)
Total	70,724	6,710	60,453	4,625	(29)

3.3 The net Capital projection as at 30 September 2016 is within budget tolerances (projected variance is less than 0.1% of the Approved Budget). The projected slippage relates to:

- the North West Bicester Eco Business Centre, the profile of spend for this project will become clearer once the procurement exercise is completed in September.

- Bicester Sports Village, where work has commenced but some of the expenditure will be in 2017/18.

A detailed breakdown by capital scheme is presented at Appendix 2

4.0 Conclusion and Reasons for Recommendations

- 4.1 In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is formulated in conjunction with the joint management team and reported formally to the Budget Planning Committee on a quarterly basis. The report is then considered by the Executive.

5.0 Consultation

Cllr Ken Atack – Lead member for Financial Management	Cllr Atack is content with the report and supportive of the recommendations contained within it.
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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.
- 6.2 Option 1: This report illustrates the Council's performance against the 2016-17 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

7.0 Implications

Financial and Resource Implications

- 7.1 These are contained in the body of the report. There are no direct costs or other direct financial implications arising from this report.

Comments checked by: George Hill, Corporate Finance Manager
george.hill@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications. Presentation of this report is in line with the CIPFA Code of Practice.

Comments checked by: Kevin Lane, Head of Law and Governance
0300 0030107 kevin.lane@cherwellsouthnorthants.gov.uk

Risk management

- 7.3 The position to date highlights the relevance of maintaining a minimum level of reserves and budget contingency to absorb the financial impact of changes during the year. Any increase in risk will be escalated through the corporate risk register.

Comments checked by: Ed Bailey, Corporate Performance Manager, 01295 221605
edward.bailey@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.4 Impact assessments were carried out in advance of setting the 2016-17 budget.

Comments checked by: Caroline French, Corporate Policy Officer
01295 221586 caroline.french@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

Councillor Ken Atack – Lead Member for Financial Management

Document Information

Appendix No	Title
Appendix 1	Directorate Analysis of Revenue Expenditure 2016-17
Appendix 2	Directorate Analysis of Capital Expenditure 2016-17
Background Papers	
None	
Report Author	Paul Sutton, Chief Finance Officer
Contact Information	03000 030106 Paul.sutton@cherwellandsouthnorthants.gov.uk

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**CHERWELL DISTRICT COUNCIL
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Chief Executive													
	Actual v Profile							Projected v Budget					
	Budget YTD £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Commitment £000's	Variance (Under) / Over £000's	Concern Key	Budget £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Chief Executive	103	25	128	119	9	0	G	175	50	225	225	0	G
Chief Executive TOTAL	103	25	128	119	9	0	G	175	50	225	225	0	G
Reasons for major variance :													
<u>Actual:</u>													
Chief Executive	An additional budget of £50,000 was approved to support studies into Devolution. This is funded from General Fund balances												
<u>Projected:</u>													
Chief Executive	An additional budget of £50,000 was approved to support studies into Devolution. This is funded from General Fund balances												

Concern Key (based on YTD budget)

Overspent more than 2.5% of budget	R
Underspent more than 2.5% of budget	A
Overspent between 1.5% and 2.5% of budget	A
Anything else	G

**CHERWELL DISTRICT COUNCIL
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Commercial Development - excluding Bicester

	Actual v Profile							Projected v Budget					
	Budget YTD £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Commitment £000's	Variance (Under) / Over £000's	Concern Key	Budget £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Bicester Regeneration Project	491	0	491	295	90	(106)	A	1,163	0	1,163	866	(297)	A
Regeneration & Housing	675	0	675	512	419	256	R	1,648	0	1,648	2,197	549	R
Human Resources	258	47	305	291	14	0	G	518	47	565	565	0	G
Information Services	808	61	869	848	21	0	G	1,497	61	1,558	1,558	0	G
Transformation	178	149	327	220	107	0	G	229	149	378	378	0	G
Commercial Development - excluding Bicester Total	2,410	257	2,667	2,166	651	150	R	5,055	257	5,312	5,564	252	R

Reasons for major variance :

Actual:

Bicester Regeneration Project	Graven Hill loan interest was not budgeted for 2016/17. Should amount to £300,000 in the full year.
Regeneration & Housing	Significant overspends in Employee Costs (Agency Staff) and Third Party payments (contractors). An investigation is underway to identify the overspends and mitigate the problem for the second half of 2016/17.
Human Resources	-
Information Services	-
Transformation	-

Projected:

Bicester Regeneration Project	Graven Hill loan interest was not budgeted for 2016/17. Should amount to £300,000 in the full year.
Regeneration & Housing	Significant overspends in Employee Costs (Agency Staff) and Third Party payments (contractors). An investigation is underway to identify the overspends and mitigate the problem for the second half of 2016/17.
Human Resources	-
Information Services	-
Transformation	-

Concern Key (based on YTD budget)

Overspent more than 2.5% of budget	R
Underspent more than 2.5% of budget	A
Overspent between 1.5% and 2.5% of budget	A
Anything else	G

**CHERWELL DISTRICT COUNCIL
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Chief Finance Officer

	Actual v Profile							Projected v Budget					
	Budget YTD £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Commitment £000's	Variance (Under) / Over £000's	Concern Key	Budget £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Finance	1,550	0	1,550	1,280	295	25	A	2,908	0	2,908	2,908	0	G
Revenues	(92)	0	(92)	(92)	0	0	G	(182)	0	(182)	(182)	0	G
Benefits	80	30	110	58	52	0	G	161	73	234	234	0	G
Procurement	52	0	52	30	22	0	G	105	0	105	105	0	G
Chief Finance Officer Total	1,590	30	1,620	1,276	369	25	A	2,992	73	3,065	3,065	0	G

Reasons for major variance :

Actual:

Finance	Insurance premiums have increased, both in terms of rates charged and sums insured. This is being investigated, but the increase in sums insured is largely additional properties acquired for the Build Programme. Costs will be transferred to Build when the investigation is complete.
Revenues & Benefits	Implementation costs of the new integrated Revenues & Benefits team will be financed from the Corporate Change reserve
Procurement	-

Projected:

Finance	-
Revenues & Benefits	Implementation costs of the new integrated Revenues & Benefits team will be financed from the Corporate Change reserve
Procurement	-

Concern Key (based on YTD budget)

Overspent more than 2.5% of budget	R
Underspent more than 2.5% of budget	A
Overspent between 1.5% and 2.5% of budget	A
Anything else	G

CHERWELL DISTRICT COUNCIL
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016

Strategy & Commissioning

	Actual v Profile							Projected v Budget					
	Budget YTD £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Commitment £000's	Variance (Under) / Over £000's	Concern Key	Budget £000's	Use of Reserves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Strategic Planning Economy	591	462	1,053	770	283	0	G	1,169	462	1,631	1,631	0	G
Development Management	151	245	396	207	189	0	G	304	245	549	549	0	G
Communications	143	0	143	118	25	0	G	295	0	295	295	0	G
Business Support Unit	64	0	64	62	2	0	G	88	0	88	88	0	G
Performance	97	0	97	67	30	0	G	198	0	198	198	0	G
Law and Governance	552	0	552	439	113	0	G	1,089	0	1,089	1,089	0	G
Strategy & Commissioning Total	1,598	707	2,305	1,663	642	0	G	3,143	707	3,850	3,850	0	G

Reasons for major variance :

Actual:

Strategic Planning Economy:	A number of Economic Development projects, including Better Broadband, as well as local plan expenditure are all financed from reserves
Development Management:	Expenditure on projects for Design Code, Transport Development Control; also South West Bicester Retail Enquiry. All of these are funded from Reserves
Communications:	-
Business Support Unit:	-
Performance:	-
Law and Governance:	-
Strategy and Commissioning:	-

Projected:

Strategic Planning Economy:	A number of Economic Development projects, including Better Broadband, as well as local plan expenditure are all financed from reserves
Development Management:	Expenditure on projects for Design Code, Transport Development Control; also South west Bicester Retail Enquiry. All of these are funded from Reserves
Communications:	-
Business Support Unit:	-
Performance:	-
Law and Governance:	-
Strategy and Commissioning:	-

Concern Key (based on YTD budget)

Overspent more than 2.5% of budget	R
Underspent more than 2.5% of budget	A
Overspent between 1.5% and 2.5% of budget	A
Anything else	G

**CHERWELL DISTRICT COUNCIL
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Operations and Delivery

	Actual v Profile							Projected v Budget					
	Budget YTD £000's	Use of Reseves 2016/17 £000's	Revised Budget £000's	Actual YTD £000's	Commitment £000's	Variance (Under) / Over £000's	Concern Key	Budget £000's	Use of Reseves 2016/17 £000's	Revised Budget £000's	Projected £000's	Variance (Under) / Over £000's	Concern Key
Community Services	1,556	30	1,586	1,246	270	(70)	A	5,164	60	5,224	5,089	(135)	A
Environmental Services	2,122	0	2,122	1,612	552	42	A	4,886	0	4,886	4,969	83	A
Operations and Delivery Total	3,678	30	3,708	2,858	822	(28)	G	10,050	60	10,110	10,058	(52)	G
Reasons for major variance :													
Actual:													
Community Services	There were two additional budgets approved for: Queens 90th Birthday Grants - £40,000 and Bicester Healthy New Healthy Town - £20,000. Both are funded from General Fund Balances												
	Overall underspend reflects full and part year shared service business case savings'												
Environmental Services	Overspend on agency costs due to long term sickness. Partly offset by salary cost reductions due to vacancies in other areas. In addition additional waste tonnages have resulted in increased transfer costs.												
Projected:													
Community Services	There were two additional budgets approved for: Queens 90th Birthday Grants - £40,000 and Bicester Healthy New Town - £20,000. Both are funded from General Fund Balances												
	Overall underspend reflects full and part year shared service business case savings'												
Environmental Services	Overspend on agency costs due to long term sickness. Partly offset by salary cost reductions due to vacancies in other areas. In addition additional waste tonnages have resulted in increased transfer costs.												

Concern Key (based on YTD budget)

Overspent more than 2.5% of budget	R
Underspent more than 2.5% of budget	A
Overspent between 1.5% and 2.5% of budget	A
Anything else	G

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**CHERWELL DISTRICT CAPITAL SPEND AND YEAR END PROJECTIONS
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Ref	DESCRIPTION	SERVICE OWNER	ORIGINAL BUDGET £000	SLIPPAGE £000	ADJUSTMENTS £000	APPROVED BUDGET £000	ACTUAL £000	PROJECTION £000	SLIPPAGE £000	VARIANCE £000	COMMENTS
1	Financial System Upgrade	Paul Sutton	0	0		0	0	0		0	
2	HR / Payroll System replacement	Paul Sutton	0	38		38	0	38		0	Current supplier has agreed to continue provision until replacement system implemented.
Chief Finance Officer Total			0	38	0	38	0	38	0	0	
3	Bicester Community Building	Karen Curtin	0	758		758	455	383		80	£250k fit out for the 2nd floor remains unspent but plans are being drawn up to spend this in 16/17. The project as a whole is expected to be overspent by £80k due to construction delay.
4	Graven Hill	Karen Curtin	21,100	23,328		44,428	0	44,428		0	The company are currently preparing a revised forecast of spending and cashflow.
5	NW Bicester Eco Business Centre	Karen Curtin	4,000	0		4,000	4	1,499	2,500	3	Once the procurement exercise is complete in Sept the expected cash flow will become clearer. We should expect the majority of spend to be incurred in 2017/18
Bicester Regeneration Projects Total			25,100	24,086	0	49,186	459	46,310	2,500	83	
6	East West Railways	Scott Barnes	290	290		580	0	580		0	Planned to spend in 2016/17 - there is a 5yr schedule of capital contributions to 2019/20
7	Build Programme	Chris Stratford	0	11,531	0	11,531	3,397	8,134		0	Anticipated completion in 2016/17
8	23&24 Thorpe Place Roof Lights	Linda Barlow	0	4		4	0	0		(4)	Retention money held since at least 2013/14 - release the remaining capital funds
9	Condition Survey Works	Linda Barlow	0	176		176	135	41		(0)	Work planned for completion in 2016/17Planned to spend in 2016/17
10	Bradley Arcade Roof Repairs	Linda Barlow	0	98		98	14	84		0	Order placed 11th May 16 for completion in 2016/17
11	Upgrade Uninterrupted Pwr Supp Back up	Linda Barlow	0	337		337	8	329		(0)	Work procured through Solihull Partnership. Work is urgent, so there is a need to complete this year
12	Improvmts to Amenities Orchard Way	Linda Barlow	0	25		25	2	23		0	Work procured through Solihull Partnership. Likely to have a lengthy lead-in time so defer until Q.3 2016/17
13	Woodgreen - Condition Survey Works	Linda Barlow	0	30		30	22	8		(0)	Work undertaken by Leisure Services, will be completed in 2016/17
14	Banbury Museum Emergency Lighting Replac	Linda Barlow	0	70		70	71	0		1	Completed
15	Orchard Way Shopg Arcade Front Serv	Linda Barlow	0	300		300	0	300		0	Work procured through Solihull Partnership. Likely to have a lengthy lead-in time so defer until Q3 2016/17
16	21 23 Thorpe Place Replact Roof Lights	Linda Barlow	0	45		45	45	0		(0)	Completed
17	Bodicote House - Access Control System	Linda Barlow	0	27		27	36	0		9	Additional contractor costs have been incurred on this project
18	Old Bodicote House	Linda Barlow	0	73		73	18	55		(0)	Due for completion in 2016/17
19	Bicester Town Centre Redevelopment	Karen Curtin	0	99		99	34	65		0	Due for completion in 2016/17
20	Kidlington High Street Pedestrianisation	Linda Barlow	0	2		2	3	0		1	Scheme completed in 2015/16 - small additional costs incurred
21	Thorpe Lane Depot - CCTV Replacement	Linda Barlow	0	40		40	0	40		0	Due for completion in 2016/17
22	Bodicote House - CCTV Upgrade	Linda Barlow	0	15		15	0	15		0	Due for completion in 2016/17
23	Banbury Bus Station - Refurbishment	Linda Barlow	90	0		90	84	6		0	Planned to be spent in Q3 qnd Q4 2016/17
24	Banbury Museum - Refurbishment Programme	Linda Barlow	250	0		250	36	214		(0)	Due for completion in 2016/17
25	Community Buildings - Remedial Works	Linda Barlow	150	0		150	0	150		0	Due for completion in 2016/17
26	Car Parks Resurfacing	Linda Barlow	100	0		100	48	52		0	Due for completion in 2016/17
27	Ferriston Shop Parade Resurface Car park	Linda Barlow	40	0		40	0	40		0	Completed in April awaiting invoice from Solihull
28	Spiceball Riverbank Reinstatement	Linda Barlow	50	0		50	0	50		0	Due for completion in 2016/17
29	Bolton Road	Jane Norman	0	0	700	700	616	84		0	Demolition and construction of surface car park
30	Bicester Cattle Market Car Park Phase 2			90		90	0	90		0	Due for completion in 2016/17
Assets Facilities Management Total			970	13,252	700	14,922	4,569	10,360	0	7	
31	Disabled Facilities Grants	Tim Mills	750	81		831	278	553		0	Grants awarded as required. Anticipate all will be used in 2016/17
32	Discretionary Grants Domestic Properties	Tim Mills	275	229		504	81	423		(0)	Grants awarded as required. Anticipate all will be used in 2016/17
33	Empty Homes Work-in-Default Recoverable	Tim Mills	0	100		100	0	50	50	0	Grants awarded as required. Anticipate 50% will be used in 2016/17
Private Sector Housing Total			1,025	410	0	1,435	359	1,026	50	(0)	
34	Microsoft Licensing Agreement	Tim Spiers	0	39		39	0	0		(39)	Capital funding not required - funded from revenue
35	Corporate Bookings System	Tim Spiers	0	8		8	8	0		(0)	Completed
36	Extended Contract for Website Hosting	Tim Spiers	0	36	(36)	0	0	0		0	Funding to be used for website redevelopment
37	VMware Virtual Centre Disaster Recy Mngr	Tim Spiers	0	35		35	0	35		0	Slippage to 2016/17 pending review of IT strategy, new strategy expected to be agreed in October 16
38	Land & Property Harmonisation	Tim Spiers	0	77		77	8	69		0	Due for completion in 2016/17
39	5 Year Rolling HW / SW Replacement Prog	Tim Spiers	50	0		50	4	46		(0)	5 year rolling programme
40	Business Systems Harmonisation Programme	Tim Spiers	40	0		40	3	37		0	Five year rolling programme - £40,000/year
41	Website Redevelopment	Tim Spiers	66	0	36	102	5	97		(0)	Slippage to 2016/17 pending review of IT strategy, new strategy expected to be agreed in October 16
42	Visualifies Upgrade	Tim Spiers	0	32		32	0	32		0	Due for completion in 2016/17
Information Technology Total			156	227	0	383	28	316	0	(39)	
Commercial Development Total			27,251	37,975	700	65,926	5,415	58,012	2,550	51	
43	Biomass Heating Bicester Leisure Centre	Sharon Bolton	0	84		84	1	13		(70)	Project works completed, however additional safety works to undertaken circa £14K. £70K not required.
44	Cooper Sports Hall Roof	Sharon Bolton	0	100		100	87	0		(13)	Project works completed. £13K not required.

**CHERWELL DISTRICT CAPITAL SPEND AND YEAR END PROJECTIONS
MANAGEMENT ACCOUNTS AS AT SEPTEMBER 2016**

Ref	DESCRIPTION	SERVICE OWNER	ORIGINAL BUDGET £000	SLIPPAGE £000	ADJUSTMENTS £000	APPROVED BUDGET £000	ACTUAL £000	PROJECTION £000	SLIPPAGE £000	VARIANCE £000	COMMENTS
45	Customer Self-Service Portal CRM Solutn	Natasha Barnes	0	80		80	0	80		0	Due for completion in 2016/17
46	The Hill Youth Community Centre	Chris Stratford	450	400		850	1	849		0	Due for completion in 2016/17
47	Bicester Sports Village	Phil Rolls	45	790		835	0	0	835	0	Project commence but will slip into 2017/18
48	Community Centre Refurbishments	Phil Rolls	0	84		84	0	84		0	Due for completion in 2016/17
49	Solar Photovoltaics at Sports Centre	Sharon Bolton	0	80		80	0	80		0	Due for completion in 2016/17
50	Football Development Plan in Banbury	Phil Rolls	0	20		20	0	20		0	Target completion for Q4. 2016/17
51	North Oxfordshire Academy Astroturf	Sharon Bolton	0	150		150	0	150		0	Initial project discussions commenced with ULT. Schedule and potential slippage will be known in q.3
52	South West Bicester Sports Village	Phil Rolls	0	955		955	65	0	890	0	Project commence but will slip into 2017/18
53	Stratfield Brake Repair Works	Sharon Bolton	0	22		22	0	22		0	Target completion for Q4.
54	Car Park Refurbishments	Natasha Barnes	0	5		5	0	5		0	Due for completion in 2016/17
55	Implementing Vehicle Parks Proposals	Natasha Barnes	0	17		17	0	17		0	Due for completion in 2016/17
56	WGLC Dry Side Refurbishment	Sharon Bolton	1,200	100		1,300	0	1,300		0	Due for completion in 2016/18
57	Bicester Leisure Centre Extension	Sharon Bolton	150	0		150	0		150	0	Slip into 2017/18
58	Spiceball Leis Centre Bridge Resurfacing	Sharon Bolton	30	0		30	0	30		0	Bridge works planned Q4
Community Services Total			1,875	2,887	0	4,762	153	2,650	1,875	(83)	
59	Energy Efficiency Projects	Ed Potter	0	24		24	7	17	0	(0)	Spend dependant on projects submitted for funding - expecting full spend Q.3 & 4
60	Glass Bank Recycling Scheme	Ed Potter	0	8		8	11	0	0	3	Fully committed - will be spent in 2016/17
61	Recycling Bank Scheme	Ed Potter	0	5		5	5	0	0	(0)	Fully committed - will be spent in 2016/17
62	Public Conveniences	Ed Potter	0	25		25	25	0	0	0	Fully committed - will be spent in 2016/17
63	Off Road Parking Facilities	Ed Potter	0	18		18	0	18	0	0	Liaising with Environment Agency. Project schedule should be available in Q.3
64	Vehicle Replacement Programme	Ed Potter	933	15		948	1,092	948	0	0	Due for completion in 2016/17
65	Wheeled Bin Replacement Scheme	Ed Potter	240	0		240	2	40	200	0	Based on 1845 new properties/growth
66	Urban Centre Electricity Installations	Ed Potter	30	0		30	0	30	0	0	Will be out to tender in Q.3, and spent in Q.4
Environmental Services Total			1,203	95	0	1,298	1,142	1,053	200	3	
Community & Environment Total			3,078	2,982	0	6,060	1,295	3,703	2,075	(80)	
Capital Total			30,329	40,995	700	72,024	6,710	61,753	4,625	(29)	

Cherwell District Council

Executive

5 December 2016

<p style="text-align: center;">Notification of Urgent Action – Free Parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017</p>
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Report of Director of Operational Delivery

This report is public

Purpose of report

To report the urgent action which was taken by the Director of Operational Delivery in consultation with the Leader relating to offering free parking for Small Business Saturday on 3 December 2016 and Free After Three Parking in January 2017.

1.0 Recommendation

The meeting is recommended:

- 1.1 To note the urgent action taken by the Director of Operational Delivery in consultation with the Leader to offer free parking for Small Business Saturday on 3 December 2016 and Free After Three parking in January 2017.

2.0 Introduction

- 2.1 The Council has in the past considered different means of assisting traders in its urban centres. One of these measures has been incentivising the use of town centres by offering free car parking over the Christmas and New Year trading period. Free use at certain times such as the week end has been offered previously in some years but this needs to be balanced against the effectiveness of this when compared to alternative free car parking promotions and the Council's ability to fund the loss of income.
- 2.2 A request has been received for the Council to support Small Business Saturday on 3 December 2016 as means of assisting the many independent town centre traders over difficult trading times.

3.0 Report Details

Small Business Day 3 December 2016

- 3.1 The Council has received via its Growth team during its interface with local trader's requests to support the promotion of and resident participation in Small Business Saturday on 3 December 2016. These requests originate largely from the strong base of independent traders who operate in Banbury and Bicester.
- 3.2 Support by this Council in the form of car parking offers for this trading day promotion has been given previously in 2012, 2014 and 2015 which was welcomed by traders and formed part of the overall promotion of the event in those years.
- 3.3 The loss of income can only be estimated based on previous years and other Saturdays in late November /early December. These vary from year to year and have also been subject to similar free parking offers. It is estimated that the loss of income and the implementation costs will be c £7,500.

Free After Three in January 2017

- 3.4 This initiative was trialled last year from late November through to early January. Regrettably, the car parking technology the Council uses is ageing and cannot provide any accurate data for tickets sold after 3.00pm nor parts of tickets which are bought before 3.00pm but extend beyond it. The loss of income and implementation costs last year was estimated to be c£60,000. There is also a requirement for a public notice three weeks in advance of a variation to the relevant traffic order.
- 3.5 From monitoring undertaken by the Car Park Wardens last year, it appeared that the car parks were no busier than previous Christmas periods with the exception of the two ultra short stays, Banbury Market Place and Bicester Market Square. These seemed busier after 3.00pm throughout December with Bicester Market Square also busier at the start of January.
- 3.6 It is therefore proposed that the free after three promotion is not repeated during the same period as last year as the car parks are normally full at those times and therefore little benefit can be gained through further promotion. However, by focussing on the post-Christmas period in January 2017, there is more opportunity for greater value to be gained for town centre traders.
- 3.7 The cost implications to the Council of introducing this are also difficult to estimate as the ageing ticket machines do not provide the level of ticket sales analysis to do this accurately. The majority of the cost will arise from the loss of income and is based in broad terms on January 2016 income less any long stay tickets. The balance is then divided by total charging hours and then multiplied by 4 (representing the 4 hours free). With implementation costs, this is estimated to be c £49,000

4.0 Conclusion and Reasons for Recommendations

- 4.1 Following requests to the Council to introduce free parking incentives to support local town centre traders over the Christmas and New Year period, the Director of Operational Delivery took urgent action in consultation with the Leader of the Council to approve the Small Business Day and Free after Three in January 2017 free parking offers.
- 4.2 The urgency for this arose from the need to publicise the decision to take effect at least 21 days before 3 December event and to enable the free parking offer to be part of the promotion for event.

5.0 Consultation

- 5.1 The Leader of the Council only due to the urgency

6.0 Alternative Options and Reasons for Rejection

- 6.1 Different applications time periods for the free after three parking offer as outlined in the report.

7.0 Implications

Financial and Resource Implications

- 7.1 There is difficulty estimating with a reasonable degree of accuracy the actual loss of income which is the primary cost to the Council of these free parking proposals. The best estimates with implementation costs are £7,500 for the Small Business Saturday and £49,000 for free after three in January. The financial effect of these will be considered as part of the mid and end of year budget review processes.

Comments checked by:
Kelly Wheeler, Principal Accountant, 01327 322230,
Kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 None as long as the Notice of Variation is published as per the details in the report.

Comments checked by:
Kevin Lane, Head of Law and Governance, 0300 0030107,
kevin.lane@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: No

Wards Affected

All Banbury and Bicester wards

Links to Corporate Plan and Policy Framework

A District of Opportunity - Supporting economic development, employment, conservation, regeneration and development of the District

Lead Councillor

Councillor George Reynolds, Deputy Leader

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Ian Davies, Director of Community and Environment
Contact Information	0300 003 0101 Ian.Davies@cherwellandsouthnorthants.gov.uk

Cherwell District Council

Executive

5 December 2016

<p>Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team</p>

Report of Head of Strategic Planning and the Economy and Head of Development Management

This report is public

The appendices are exempt from publication by virtue of paragraphs 1, 2, 3 and 4 of part 1 of Schedule 12A of Local Government Act 1972

Purpose of report

This report presents the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District and South Northamptonshire Councils (hereafter Cherwell or CDC and South Northamptonshire or SNC respectively).

The report recommends the formation of a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and in doing so seeks the Executive's agreement for the non-staffing elements of the business cases.

The proposal is part of the wider transformation programme across the two Councils.

1.0 Recommendations

The meeting is recommended:

- 1.1 To consider the attached final business case and the consultation responses in relation to non-staffing matters as outlined in section 5.1.
- 1.2 To note that the business case will be considered by the Joint Commissioning Committee with regard to staffing matters on 1 December 2016. This will include consideration of the consultation responses from affected staff and trade union representatives.
- 1.3 To approve and implement the proposed final business case to create a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC, subject to similar consideration and approval by

SNC Cabinet on 12 December 2016 and approval of the staffing implications by the Joint Commissioning Committee.

- 1.4 To delegate to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet and/or the Joint Commissioning Committee.

2.0 Background

- 2.1 In December 2015 as part of the service review for Planning Policy and Development Management (including Design and Conservation), Transformation Joint Working Group (TJWG) considered a report that set out for Members the current context and major reforms underway to the Planning system that need to be considered as part of the service reviews. The report also considered what is common and what is different about the existing services and identified initial options for further consideration.
- 2.2 In February 2016, TJWG considered a further service review paper and endorsed the recommendation that a business case be developed for a fully shared joint operating units created to deliver the Design and Conservation, Planning Policy and Development Management functions for both Councils.
- 2.3 The two business cases are presented as a package of proposals to be considered together due to the staffing links between the two teams. At present there are three Members of staff at SNC who work dual roles across the SNC Planning Policy Team and the SNC Design and Conservation Team. A business case for a joint Development Management team will be reported to a future meeting of Executive.

3. Report Details

Joint Planning Policy and Growth Strategy Team

- 3.1 The proposal is to create a Joint Planning Policy and Growth Strategy team. The joint team would be a standalone business unit that could slot into the most appropriate area post management restructure.
- 3.2 The business case sets out the rationale for establishing a joint service, with gains for the two Councils, including improved coordination of the growth strategy across the two Councils. Bringing the two teams together will provide resilience, share expertise across the Councils and aid the development of specialist knowledge across the combined team.
- 3.3 The proposal retains the existing staffing complement to enable completion of 3 of the 5 planned Local Plans and their Examinations in next 18 -24 months in order to ensure that the Development Framework for each District is completed against set timetables. 2 further Plans are anticipated at South Northamptonshire from 2017/18 onwards. The Development Framework is a statutory requirement on each Council and is the foundation of the growth of each District.

- 3.4 The joint team would be responsible for completing the Local Plan part 2A for SNC, the Cherwell Local Plan part 2 and the Partial Review of the Part 1 plan at Cherwell to meet a proportion of the unmet needs of Oxford.
- 3.5 The business case commits to securing planned budget savings after completion of the Examination of the 3 current Local Plans with one permanent post deleted after completion of the current fixed term contract and ending of the use of agency staff.
- 3.6 This phased approach to delivering savings is proposed to enable the completion of each District's Development Framework and directly generate additional income from at least 6,400 new houses planned for release through the 3 Local Plans across the two Districts.

Joint Design and Conservation Team

- 3.7 The proposal is to create a Joint Design and Conservation team. The joint team would be a standalone business team that could slot into the most appropriate area post management restructure.
- 3.8 The joint team would be created under the leadership of a Joint Design and Conservation Team Leader. The joint team leader would be supported by a joint team of conservation specialists working across the two districts as required.
- 3.9 Combining the current Design and Conservation Team at CDC and the Conservation Team at SNC into a joint team would provide an improved and strengthened service for each district. The creation of a larger team will provide the Councils with access to a larger pool of experience and expertise and will provide a level of resilience not currently available due to the small size of the existing teams.
- 3.10 The joint team will continue to provide consultation responses to Development Management on planning, Listed Buildings and condition applications/pre-application enquiries. It will also continue to support Development Management at planning appeals.
- 3.11 The joint team will also continue to be responsible for reviewing and updating Conservation Areas, processing Listed Building planning applications and providing heritage guidance. The team will also act as the commissioner of specialist design advice for the Councils as required.
- 3.12 The proposal is a slight reduction in capacity; however this would be offset through working together in a larger joint team without impacting on overall service delivery. There is an expectation that once the team is established further efficiencies could be made through the harmonisation of processes and procedures.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The recommendation is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team between CDC and SNC.

- 4.2 The draft business cases set out the rationale for establishing the joint teams and in particular for deferring the savings from the Joint Planning Policy and Growth Strategy Team for two years to allow the completion of the 3 Local Plans.

5.0 Consultation

Group	Summary
All staff in-scope of the business cases.	<p>Staff have engaged positively with the consultation and a number of questions were received. A number of questions were related to how the teams would operate across two Districts, individual roles, job descriptions and the HR process being followed.</p> <p>Some alternative structure suggestions based on a geographical split were also received.</p> <p>The consultation log will be considered by the Joint Commissioning Committee on 1 December 2016.</p>
Unison Representatives from each Council.	Consultation has been positively received.
Joint Commissioning Committee (JCC)	Endorsed business case for staff consultation.
Transformation Joint Working Group	Endorsed business case for consideration by JCC.

- 5.1 Consultation with all employees in scope of the proposal and the Unison representatives from both Councils, commenced on Thursday 6 October and ran for a period of four weeks until the 4 November 2016 in line with the Councils' Joint Organisational Change policy.

The consultation period included a joint initial meeting with employees of both teams along with Unison representatives and subsequent meetings with individuals as requested.

All responses received during the consultation period were recorded on a consultation log along with the answers provided. The full consultation log will be considered by the Joint Council Employee Engagement Committee and the Joint Commissioning Committee prior to a decision being made on the staffing elements of the business case.

In total, 34 questions/responses were received to the Design and Conservation consultation and 34 questions/responses were received to the Planning Policy and Growth Strategy consultation. These were predominantly related to job descriptions, the proposed staffing structure, working arrangements and seeking clarification on a number of issues in the business case. A number of other individual and personal matters were also responded to.

A number of alternative structure suggestions were also put forward by the team focusing on a geographical split between the districts rather than the functional split presented in the business cases. These suggestions have been considered and rejected as they would not represent a shared service.

A number of comments were received during the Design and Conservation consultation regarding the design function within the team. Although this has not resulted in any changes to the structure, the business case has been updated to clarify the role of the team.

No changes to either staffing structures have been made as a result of the consultation feedback, however the business cases have been updated in a number of areas to clarify working arrangements and address points of accuracy. Some minor changes have also been made to some of the job descriptions.

We would like to thank the staff who volunteered this information during the consultation process and those who helpfully enabled us to update the business cases.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected as part of the development of the Joint Planning Policy and Growth Strategy Business Case:

Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Planning Policy teams. Retaining the status quo while reflecting the different Local Plan positions of each council would not deliver the benefits set out in this business case or provides the additional resilience and shared expertise that a joint team could provide at a time of planning reform and following Brexit pressure to support additional growth.

Outsource Service

The preparation and monitoring of the Local Plans is a statutory responsibility and as such it is not considered appropriate to outsource the service without compromising the planning role of each District Council.

Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and Development Management.

- 6.2 The following alternative options have been identified and rejected as part of the development of the Joint Design and Conservation Business Case:

Status Quo (No Change)

Retaining the status quo is an option; however both Councils have fairly small Design and Conservation/Conservation teams. Retaining the status quo would not deliver the financial benefits set out in this business case or provide the additional resilience and shared expertise that a joint team would provide.

Outsource Service

The Councils could seek to outsource the service; however this is not considered a preferred option. Both Councils have well established teams that deliver a good service. The preferred option is to bring the existing teams together, build on that experience and expertise and seek opportunities to trade.

Joint Planning Policy and Conservation Team

Although there are some synergies between both areas of work, it is considered that the best model for joint working is to have two distinct joint functions covering planning policy and design and conservation. It should be noted that there are equally (if not more) synergies between these service areas and Development Management.

- 6.3 The approach in the recommendations is believed to be the best way forward. The proposal is to establish a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team.

7.0 Implications

Financial and Resource Implications

- 7.1 The final business cases set out the detailed financial implications for each proposal, however due to the staffing links and the proposed transfer of resource between the teams both business cases must be considered together.
- 7.2 Due to the phased approach proposed to the delivery of savings in the Planning Policy and Growth Strategy business case, costs/savings are shown as 'initial' and 'future' in the tables below. The range of costs presented is as a result of some of the assumptions made relating to the implementation process.

Initial Saving/Cost

- 7.3 Initially both business cases will result in a slight increase in salary costs of between £7,500 and £12,500. This is because the savings from the Planning Policy business case are deferred for the first two years to allow for the completion of the 3 Local Plans.

Business Case	Financial Implications		
	CDC	SNC	Total
Design and Conservation Business Case	(£11,750)	(£13,000)	(£24,750)
Planning Policy and Growth Strategy Business Case	£13,000 - £16,000	£19,250 - £21,250	£32,250 - £37,250
Total (initial additional cost)	£1,250 - £4,250	£6,250 - £8,250	£7,500 - £12,500

Future Savings – After the end of two year fixed term post in Planning Policy

- 7.4 At the end of the two year period, the business cases will have delivered an overall reduction in salary costs of between £28,750 (3.5%) and £33,350 (4%).

Business Case	Financial Implications		
	CDC	SNC	Total
Total (Savings from end of 2 year period onwards)	(£20,000) – (£23,500)	(£5,750) – (£9,750)	(£28,750) - (£33,750)

- 7.5 It should be noted that the saving proposed is below the 5% staffing savings target as agreed in the February 2015 Joint Working Business case.
- 7.6 Implementation costs of £60,000 are estimated across both business cases, primarily to cover potential pay protection and redundancy costs, potential ICT costs and to provide a contingency fund.
- 7.7 Due to the deferred savings for Planning Policy and Growth Strategy, the payback period for these business cases is significantly longer than usual and is estimated at between 4 and 5 years (range dependant implementation process).

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 003 0106

paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.8 As with all two way shared services this proposal, if implemented, will be covered by the section 113 agreement (as varied) entered into between the two Councils.
- 7.9 Following the decision of CDC and SNC Councils in February 2015 to approve the final business case for developing the approach to joint working and the delivery of local authority services, all services at both Councils are now included on the policy framework for the consideration of shared working. This means that the decision making process has been streamlined and the approval of draft and final business cases for two-way shared working can be taken by the Joint Commissioning Committee and Cabinet/Executive without the prior need of a decision of full Council.
- 7.10 A decision making timetable is included in Section 17 of the draft Planning Policy and Growth Strategy business case and in Section 16 of the draft Design and Conservation business case.

Comments checked by:
Kevin Lane, Head of Law and Governance, 0300 0030107
kevin.lane@cherwellandsouthnorthants.gov.uk

Risk Implications

- 7.11 Section 15 of the draft Planning Policy and Growth Strategy business case and in Section 14 of the draft Design and Conservation business case set out the risk implications of each proposal and how they will be mitigated.

Comments checked by:
Claire Taylor, Business Transformation Manager, 0300 0030113
claire.taylor@cherwellandsouthnorthants.gov.uk

Equality Implications

- 7.12 An Equality Impact Assessment initial screening assessment has been carried out for both business cases and it has been determined that the proposals do not have any adverse impact on equality groups and as a result a full impact assessment and associated action plan is not required. These are included as part of the business cases in Appendix 1 and 2.

Comments checked by:
Caroline French, Corporate Policy Officer, 01295 221586
caroline.french@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: Yes

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell: A district of opportunity;
Sound budgets and customer focused council.

Lead Councillor

Councillor Colin Clarke, Lead Member for Planning.

Document Information

Appendix No	Title
1 – EXEMPT	Joint Planning Policy and Growth Strategy Team – Final Business Case
2 - EXEMPT	Joint Design and Conservation Team – Final Business Case
Background Papers	
None	
Report Author	Adrian Colwell, Head of Strategic Planning and the Economy Andy Preston, Head of Development Management
Contact Information	0300 003 0110 / 0300 003 0109

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