



# Meeting of Council

Monday 18 October 2021

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 18 October 2021 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees**  
Chief Executive

Friday 8 October 2021

## AGENDA

**1 Apologies for Absence**

**2 Declarations of Interest**

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

**3 Communications (Pages 7 - 8)**

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

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

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

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) The deadline for petitions and requests to address this meeting is noon on Friday 15 October 2021.

Full details of public participation at meetings is available in the Constitution.

## 5 Urgent Business

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

## 6 Minutes of Council (Pages 9 - 16)

To confirm as a correct record the Minutes of Council held on 19 July 2021.

## 7 Minutes

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

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 19 July no decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

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

## 8 Questions (Pages 17 - 18)

- a) Written Questions

One written question has been submitted with advance notice in accordance with the Constitution. This is attached to the agenda.

Question from:	Question topic:
Councillor Mark Cherry	Regeneration of Garage Sites in Banbury

A written response to the question will be published on the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

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

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

c) Questions to Committee Chairmen on the Minutes

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

## **Council Business Reports**

**9 Revised Statement of Community Involvement (Planning)** (Pages 19 - 86)

Report of Assistant Director – Planning and Development

### **Purpose of report**

To consider the proposed Statement of Community Involvement (SCI) for adoption following recommendation from Executive dated 4 October 2021.

### **Recommendations**

The meeting is recommended:

- 1.1 To adopt the Statement of Community Involvement (SCI) at Appendix 2 as a replacement for the current statement of community involvement (CSCI) adopted on 18 July 2016
- 1.2 To delegate the adoption of future Statements of Community Involvement and the approval of amendments to the Executive.
- 1.3 To delegate to the Assistant Director – Planning and Development the authority to modify the Statement of Community Involvement in exceptional circumstances with the agreement of the Lead Member for Planning.

**10 Cherwell District Wide Community Governance Review 2021** (Pages 87 - 116)

Report of Director Law and Governance and Monitoring Officer

### **Purpose of report**

For Council to approve the Terms of Reference for the District Wide Community Governance Review 2021; to delegate authority to the Director Law and Governance and Monitoring Officer, in consultation with the Chairman or Vice-Chairman of the working group, to make minor amendments to the timetable if required.

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the Terms of Reference for the Community Governance Review (CGR) (appendix 1 to the report).
- 1.2 To delegate authority to the Director Law and Governance and Monitoring Officer, in consultation with the Chairman (or Vice-Chairman in the Chairman's absence) of the Parliamentary Boundary and Community Governance Review working group, to make minor amendments to the timetable for the CGR if required.

## **11 Calendar of Meetings 2022/2023 (Pages 117 - 126)**

Report of Director of Law and Governance and Monitoring Officer

### **Purpose of report**

Council is asked to consider and agree the proposed calendar of the meetings for the municipal year 2022/2023 (Appendix 1).

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council for the municipal year 2022/2023 (Appendix 1).

## **12 Capital Programme Amendments (Pages 127 - 130)**

Report of Director of Finance

### **Purpose of report**

To seek Council's approval to amend the Capital Programme for 2021/22 in line with the Financial Regulations.

### **Recommendations**

The meeting is recommended:

- 1.1 to approve the increase in the Capital Programme of £1.240m Disabled Facilities Grant (DFG), funded by grant received from the Government.

**13 Local Government and Social Care Ombudsman Annual Report 2020/21**  
(Pages 131 - 142)

Report of the Director of Law and Governance and Monitoring Officer

**Purpose of report**

To provide Council with the Local Government and Social Care Ombudsman's annual report on Cherwell District Council for the financial year 2020/21.

**Recommendations**

The meeting is recommended:

- 1.1 To receive the report and comment on the Local Government and Social Care Ombudsman's Annual Review of Cherwell District Council for 2020/21.

**14 Amendments to Committee Membership**

Group Leaders to advise Council of any changes to the membership of committees for their political group. Council will be asked to note any amendments to committee membership.

**15 Motions** (Pages 143 - 144)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Secunder
Planning	Cllr Ian Corkin	TBC
Banbury FM	Cllr Kieron Mallon	TBC
Oxford Cambridge ARC	Cllr Ian Middleton	Cllr John Broad

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 14 October 2021. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 15 October 2021. Amendments for motions will be dealt with in the order submitted.

## **For information**

Please note: Members are advised that written questions and motions for the next Council meeting on Monday 13 December 2021 must be submitted to the Director of Law and Governance, [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), by 12noon on Wednesday 1 December 2021.

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

## **Information about this Agenda**

### **Apologies for Absence**

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

### **Declarations of Interest**

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

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

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

### **Evacuation Procedure**

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

### **Access to Meetings**

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

The meeting will be webcast live and those who wish to view are strongly encouraged to do so online. Places at meetings are limited. If you wish to attend this meeting in person, please contact the Democratic and Elections Team, [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) by noon on Friday 15 October and they will advise if you can be accommodated and of arrangements for the meeting.

In line with current government guidance, all meeting attendees are strongly encouraged to take a lateral flow test in advance of 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 [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), 01295 221589

## CHAIR/VICE CHAIRMAN'S ATTENDANCE

19 July 2021 – 18 October 2021

During this period several scheduled events were cancelled or postponed even though lockdown restrictions had been lifted.

On **Wednesday 8 September** the Chair attended 'An Evening at Dorchester Abbey' at the invitation of the Lord-Lieutenant of Oxfordshire and the Bishop of Dorchester. The annual event to celebrate Local Government in Oxfordshire comprises a supper followed by a Service of Compline and is an opportunity for newly elected Mayors and Chairs to meet for the first time.

On **Sunday 19 September** at the invitation of Banbury Town Council the Chair joined an invited congregation at St. Mary's Church in Banbury for a service which marked the 81<sup>st</sup> anniversary of the Battle of Britain and remembered the Royal Air Force pilots and aircrew who took part. Unfortunately, the planned flypast by two Spitfires had to be cancelled at short notice.

Due to the Chair and Vice Chairman being unavailable due to prior commitments, Cllr McHugh was able to attend RAF Croughton on **Wednesday 22 September** for their Civic Open Day in his capacity as Lead Member covering Community Development and also Armed Forces Champion. The event was at the invitation of Col. Jon Hannah, Commander, 422d Air Base Group, CM Sgt Michael Taylor, Senior Enlisted Leader, 422d Air Base Group and Laura Haddy, Community Relations Adviser. A 'meet and greet' session with other Air Base Squadron personnel took place followed by a Q&A Session and a 'windshield' tour of the base.

On **Friday 24 September** The Chair attended a farewell reception for the outgoing Lord-Lieutenant, Sir Tim Stevenson KCVO OBE which was held in the Long Library at Blenheim Palace. A Book of Oxfordshire Memories was presented to the Lord-Lieutenant comprising photographs and memories from his thirteen years of service in Oxfordshire.

\*On **Monday 4 October** the Vice Chairman attended the Stage One Start of the AJ Bell Women's Tour Cycle Race in Sheep Street Bicester and on the same day the Chair attended the Stage One Finish in South Bar Street, Banbury.

\* **Wednesday 13 October** - the opening of the annual Banbury Fair will take place with the usual Golden Key Ceremony. More details will be given in the next report.

*Correct at time of printing.*

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## **Cherwell District Council**

### **Council**

Minutes of a meeting of the Council held at Spiceball Leisure Centre, Cherwell Drive, Banbury OX16 2BW, on 19 July 2021 at 6.30 pm

#### Present:

Councillor Hannah Banfield (Chair)  
Councillor Les Sibley (Vice-Chairman)  
Councillor Andrew Beere  
Councillor Nathan Bignell  
Councillor Hugo Brown  
Councillor Phil Chapman  
Councillor Mark Cherry  
Councillor Colin Clarke  
Councillor Patrick Clarke  
Councillor Ian Corkin  
Councillor Sandy Dallimore  
Councillor John Donaldson  
Councillor Carmen Griffiths  
Councillor Matt Hodgson  
Councillor David Hughes  
Councillor Shaida Hussain  
Councillor Tony Ilott  
Councillor Mike Kerford-Byrnes  
Councillor Nicholas Mawer  
Councillor Andrew McHugh  
Councillor Tony Mephram  
Councillor Ian Middleton  
Councillor Perran Moon  
Councillor Richard Mould  
Councillor Cassi Perry  
Councillor Lynn Pratt  
Councillor George Reynolds  
Councillor Barry Richards  
Councillor Dorothy Walker  
Councillor Bryn Williams  
Councillor Lucinda Wing  
Councillor Barry Wood  
Councillor Sean Woodcock

#### Apologies for absence:

Councillor Maurice Billington  
Councillor Mike Bishop  
Councillor John Broad  
Councillor Conrad Copeland  
Councillor Nick Cotter

Councillor Timothy Hallchurch MBE  
Councillor Simon Holland  
Councillor Kieron Mallon  
Councillor Adam Nell  
Councillor Dan Sames  
Councillor Jason Slaymaker  
Councillor Katherine Tyson  
Councillor Tom Wallis  
Councillor Douglas Webb  
Councillor Fraser Webster

Officers:

Yvonne Rees, Chief Executive  
Anita Bradley, Director Law and Governance & Monitoring Officer  
Natasha Clark, Governance and Elections Manager

17 **Declarations of Interest**

There were no declarations of interest.

18 **Communications**

**Chair's Announcements**

**Chair's Engagements**

A copy of the events the Chair or Vice-Chairman had attended was published with the agenda.

**Member Briefings**

Following an extensive induction and Member briefings during the past two months, the programme for the autumn was being drafted and Members should send any suggestions for briefing topics to the Democratic and Elections Team.

Information on online Safeguarding training, which it was important all councillors complete, would be emailed to councillors in due course.

**Length of Speeches and Voting**

Proposers of motions may speak for up to 5 minutes, and all other speakers may speak for up to 3 minutes. As there was no countdown clock, the Governance and Elections Manager would be monitoring the length of speeches and will give a 30 second warning when you are coming to your time limit. Voting would be by clear raising of hand for, against or to abstain.

**Leader of the Council's, Councillor Wood, Announcements**

**Deputy Leader Appointment**

The Leader of the Council advised Council that Councillor Ian Corkin had been appointed Deputy Leader of the Conservative Group and was therefore Deputy Leader of Executive and the Council.

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

There were no petitions or requests to address the meeting.

20 **Urgent Business**

There were no items of urgent business.

21 **Minutes of Council**

The minutes of the meeting held on 19 May 2021 were agreed as a correct record and signed by the Chairman.

22 **Minutes**

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

**Resolved**

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council at which this was reported, 22 February 2021, four key and/or exempt decisions have been taken by the Executive which were not included in the 28 day notice relating to: Lease for Waterside Development; Consideration of the Oxford to Cambridge ARC Principles; Strategic Vision for Oxfordshire; and, Public Sector Decarbonisation.

b) **Minutes of Committees**

**Resolved**

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

23 **Questions**

a) **Written Questions**

The Chairman advised Council that one written question addressed to the Leader of the Council, Councillor Wood, had been submitted with advance notice in accordance with the Constitution and had been published with the agenda. A response to the question had been published as a supplement to the agenda (and are an annex to the Minutes as set out in the Minute Book).

The question was from Councillor Beere in relation to the Environment Agency Flood Risk Survey. By way of a supplementary question, Councillor Beere referred to the recent flooding in Germany and the Benelux countries and asked the Leader if would write to the embassies on behalf of the Council extending sympathies to the affected communities. The Leader agreed to the request.

### **b) Questions to the Leader of the Council**

Questions were asked and answers received on the following issues:

Councillor Middleton: Use of herbicides across the district, including by the council's landscape contractor

Councillor Middleton: the council's approach to the 19 July easing of lockdown measures in its own offices and premises

Councillor Woodcock: Member training

Councillor Broad: Oxfordshire Plan 2050

### **c) Questions to Committee Chairmen on the Minutes**

There were no questions to Committee Chairman on the minutes of meetings.

## **24 Parliamentary Boundary Review and Cherwell District Wide Community Governance Review**

The Chief Executive submitted a report to advise Council of the 2023 Parliamentary Boundary Review; to seek agreement to conduct a district wide Community Governance Review; to request the establishment of a Parliamentary Boundary and Community Governance Review Working Group to consider issues from the Parliamentary Boundary review and the Community Governance Review.

### **Resolved**

- (1) That it be agreed to establish a Parliamentary Boundary and Community Governance Review (PBCGR) Working Group.
- (2) That authority be delegated to the Chief Executive, in consultation with Group Leaders/ Spokesperson, to appoint three members from the Conservative Group, two members from the Labour Group, two members from the Progressive Oxfordshire Group and one member from the Independent Group to the Working Group.

- (3) That it be agreed that Cherwell District Council submit a response to the Parliamentary Boundary Review and authority be delegated to the Chief Executive, in consultation with the Member Working Group, to finalise the Council's first consultation submission on the Parliamentary Boundary review to the Boundary Commission for England.
- (4) That it be agreed to undertake a district wide Community Governance Review and the next steps be endorsed

25

### **Standards Arrangements - Independent Persons**

The Director of Law and Governance & Monitoring Officer submitted a report to delegate authority to the standards committee, supported by the director of law and governance & monitoring officer, to agree the process for and to undertake the recruitment of three independent persons for recommendation to the 13 December 2021 council meeting. To extend the terms of the current independent persons pending the recruitment process.

#### **Resolved**

- (1) That responsibility be delegated to the Standards Committee to agree the process for and to undertake the recruitment of three Independent Persons for recommendation to the 13 December 2021 Council meeting.
- (2) That the appointments of Mr Graham Matthews, Mr Tom Edwards and Mr Stuart Green as Independent Persons be extended to the 13 December 2021 Council meeting.

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### **Capital Programme Amendments**

The Director of Finance submitted a report to seek Council's approval to amend the Capital Programme for 2021/22 in line with the Financial Regulations.

#### **Resolved**

- (1) That the inclusion of the Public Sector Decarbonisation Scheme into the Capital Programme at a cost of £5.987m funded by Government grant be approved.
- (2) That the inclusion of the Garden Town scheme for Banbury Road Roundabout into the Capital Programme at a cost of £4.550m funded by Government grant be approved.
- (3) That it be agreed to vire £75k from the Finance System Project to the iTrent payroll project.

27 **Treasury Management Outturn Report - 2020-21**

The Director of Finance submitted a report to receive information on treasury management performance and compliance with treasury management policy and Prudential Indicators for 2020-21 as required by the Treasury Management Code of Practice.

**Resolved**

- (1) That the contents of the 2020-21 Treasury Management Outturn Report be noted.

28 **Amendment to Committee Membership**

The Chairman invited the Leader of the Conservative Group, Councillor Wood, to advise Council of the amendments to Conservative Group committee membership.

**Resolved**

- (1) That the following change of Conservative Group committee membership be noted:

**Overview and Scrutiny Committee**

Remove: Councillor Maurice Billington

Add: Councillor David Hughes

29 **Motions**

The Chairman advised that one motion had been submitted. No amendments to the motions had been submitted and, in line with the Constitution, no amendments to the motion were now permitted.

**'Fire and Rehire'**

It was proposed by Councillor Richards and seconded by Councillor Woodcock that the following motion be adopted.

"Cherwell District Council condemns the use of 'Fire and Rehire' by any employers in the Cherwell District and

- Calls upon the Members of Parliament representing Cherwell residents (John Howell, Layla Moran and Victoria Prentis) to support Barry Gardiner's Private Member's Bill and do all in their power to make this practice unlawful, and
- Cherwell District Council resolves not to procure any goods or services from companies that have sought to gain commercial advantage by using or threatening to use this unscrupulous practice."

No amendments to the motion having been proposed, the motion was debated as submitted. In the course of the debate it was proposed by Councillor Corkin and seconded by Councillor Woodcock that a recorded vote be taken. Having been proposed and seconded, a recorded vote was duly taken, and Members voted as follows:

Councillor Hannah Banfield	For
Councillor Andrew Beere	For
Councillor Nathan Bignell	Against
Councillor John Broad	For
Councillor Hugo Brown	Against
Councillor Phil Chapman	Against
Councillor Mark Cherry	For
Councillor Colin Clarke	Against
Councillor Patrick Clarke	Against
Councillor Ian Corkin	Against
Councillor Sandy Dallimore	Against
Councillor John Donaldson	Against
Councillor Carmen Griffiths	Against
Councillor Matt Hodgson	For
Councillor David Hughes	Against
Councillor Shaida Hussain	For
Councillor Tony Ilott	Against
Councillor Mike Kerford-Byrnes	Against
Councillor Andrew McHugh	Against
Councillor Tony Mephram	Against
Councillor Ian Middleton	For
Councillor Perran Moon	For
Councillor Richard Mould	Against
Councillor Cassi Perry	For
Councillor Lynn Pratt	Against
Councillor George Reynolds	Against
Councillor Barry Richards	For
Councillor Les Sibley	For
Councillor Dorothy Walker	For
Councillor Bryn Williams	Against

Councillor Lucinda Wing	Against
Councillor Barry Wood	Against
Councillor Sean Woodcock	For

The vote was lost and the motion therefore fell.

The meeting ended at 7.35 pm

Chairman:

Date:



## **Council**

**Monday 18 October 2021**

### **Agenda Item 8 (a), Written Questions**

**Question From: Councillor Mark Cherry**

**Question To: Leader of the Council, Councillor Barry Wood**

**Topic: Regeneration of Garage Sites in Banbury**

#### **Question**

“Can the Leader update Ruscote ward councillors on the regeneration of garage sites that come under the ownership of Cherwell District Council like the Dover Avenue site in the proximity of the Hill community centre and will he continue to liaise with sanctuary housing and support the idea of social housing on the garages sites of Balmoral Avenue and Edmonds Road in line with due planning process local consultation.

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## **Cherwell District Council**

### **Council**

**18 October 2021**

### **Revised Statement of Community Involvement (Planning)**

### **Report of Assistant Director – Planning and Development**

This report is public.

#### **Purpose of report**

To consider the proposed Statement of Community Involvement (SCI) for adoption following recommendation from Executive dated 4 October 2021.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To adopt the Statement of Community Involvement (SCI) at Appendix 2 as a replacement for the current statement of community involvement (CSCI) adopted on 18 July 2016
- 1.2 To delegate the adoption of future Statements of Community Involvement and the approval of amendments to the Executive.
- 1.3 To delegate to the Assistant Director – Planning and Development the authority to modify the Statement of Community Involvement in exceptional circumstances with the agreement of the Lead Member for Planning.

#### **2.0 Introduction**

- 2.1 A statement of community involvement, as defined within the relevant planning legislation, sets out who the Council will engage with in preparing key planning policy documents and determining planning applications and how and when they will be engaged.
- 2.2 The CSCI was adopted by the Council on 18 July 2016. It is a statutory requirement to produce a Statement of Community Involvement and review it every five years from the date of adoption. Planning Practice Guidance (PPG) emphasises that this is to ensure that policies remain relevant and community involvement is effective at all stages of the planning process.

- 2.3 The review of the CSCI provides an opportunity to incorporate more flexible arrangements for consultation and engagement which have proven effective under the temporary measures which have been necessary during the pandemic, and to bring the council's statement of community involvement into line with changes to the way that customers choose to access information and interact with the Council. It encourages the use of information and communication technology while ensuring that those without the internet can access our planning services, engage, and comment.
- 2.4 A draft was published for public consultation for a six-week period ending on 23 August 2021. Consultation and engagement were undertaken in accordance with the principles set out in the 2016 SCI. In total, the Council received 36 representations:
- 19 were from Town and Parish Councils;
  - 1 from a neighbourhood planning group;
  - 1 from developer interests; and
  - 15 from others (including statutory consultees, neighbouring authorities and the public).
- 2.5 All representations received are summarised in Appendix 1. Officers' comments on those responses and any amendments that have been made to the SCI to address the consultation feedback are also reflected in Appendix 1.
- 2.6 Appendix 2 contains the final, proposed version of the SCI and incorporates changes as a result of the consultation. The key change in the document compared to the consultation draft version is the retention of 'neighbour notifications' for most planning applications while providing for alternative means of publicity for defined 'strategic' applications. Other points of clarity, including listing other local planning authorities that border Cherwell have also been incorporated.
- 2.7 The Executive considered the proposed SCI at a meeting on 4 October 2021. It resolved to recommend to Council that the SCI be adopted and that the future delegation arrangements be made for Executive and the Assistant Director – Planning and Development as set in the recommendations to this report to Council.
- 2.8 If adopted by Council, the 2021 SCI would replace the CSCI adopted in July 2016 and its 2020 addendum. It would then be used as the framework for future consultation and engagement across the planning service.

### **3.0 Report Details**

- 3.1 The Council must comply with its adopted statement of community involvement in preparing relevant planning policy documents and in determining planning applications.
- 3.2 The proposed SCI sets out the consultation and engagement processes that will be used in preparing planning policy documents and in determining planning applications. It explains the statutory requirements that the Council must meet at each stage and what other consultation or engagement processes may be undertaken in addition to these minimum requirements. This gives the public and

stakeholders certainty over what sort of engagement they can expect within the planning process and the ways they can get involved.

- 3.3 Since the adoption of the CSCI in July 2016 there have been several changes to planning legislation, policy and guidance that need to be reflected. This includes the current National Planning Policy Framework (NPPF) and a requirement for a statement of community involvement to set out the Council's policies for giving advice and assistance in relation to Neighbourhood Planning.
- 3.4 The review of the CSCI has prompted consideration of how information is made available, how more up-to-date means of communication can be employed, how we can facilitate easier engagement with the planning system and how we can be more efficient and cost-effective. The Council's climate emergency declaration and the need to make the best use of resources have also been influential.
- 3.5 The pandemic has led to a dramatic acceleration in the use of information and communication technology for remote and instant contact often with large groups of people. In addition to increased reliance on email and social media, video calling, conferencing and consultation have become widespread. Since the adoption of the CSCI in 2016, there has been acceptance that public information is most readily accessible online. It is likely that digital forms of consultation and engagement will continue to grow.
- 3.6 Officers have taken this into account in preparing the SCI whilst recognising that not all our communities and customers will be able to readily access information digitally. We may experience a reaction to pandemic 'lockdown' and remote contact with a renewed demand for face-to-face engagement. In preparing the SCI, we have sought to strike a balance while responding to the realities of finite resources.

### **Plan Making**

- 3.7 The timely review of the Cherwell Local Plan is important in meeting the Council's priorities, to economic recovery and to meeting the Government's aspirations to have plans in place across the country by December 2023. Public participation is integral to plan-making and needs to be undertaken positively, effectively and efficiently. The Plan must be capable of being found 'sound'; must be shaped by "*... proportionate and effective engagement*" and "*...accessible through the use of digital tools to assist public involvement*" (NPPF).
- 3.8 The consultation and engagement methods within the SCI for plan-making seek to embrace the use of technology. For example, a new corporate consultation system is expected and more provision is made within the SCI for remote engagement.
- 3.9 However, in-person community involvement is still provided for and flexibility is accommodated for either online or physical events and workshops depending on the circumstances. We need to continue to provide the opportunity for those without access to online resources, or the confidence to use them, to be heard in how we plan the district. The less rigid approach in the SCI to how we engage seeks to reduce the possible need for further review in the near term.

- 3.10 The SCI updates the approach for making documents publicly available, reflects the closure of Council link-points, but maintains the availability of documents at public libraries when open.
- 3.11 The SCI sets out what can be expected of officers in supporting Parish/Town Council in preparing new Neighbourhood Plans or their review.
- 3.12 In response to the consultation on the draft of the SCI, some Parish Councils have raised concerns about Local Plan consultation matters - particularly the issue of consultations over holiday periods or timeliness in relation to bi-monthly Parish Council meetings. It is not proposed that the SCI restricts the periods that Local Plans are consulted upon as, firstly, there are statutory timescales that must be adhered to at certain stages of plan-making; and secondly, a commitment to avoid certain periods could lead to delays to complex work programmes and have unintended consequences in terms of resourcing and project prioritisation. Officers are, however, always mindful of such issues in planning consultations and provide appropriate accommodation where it is necessary, reasonable and practicable to do so having regard to the relevant regulations as appropriate. It is important that officers retain flexibility, consulting with Lead Member where required.

### **Development Management**

- 3.13 The SCI has been updated to take account of latest government guidance on development management. It explains the process for considering applications and the opportunity for engagement with the decision-making process. There is a need to balance the need for timely decision making and improved efficiency with the need to maintain participation in the planning process.
- 3.14 The SCI encourages pre-application engagement with local communities for 'large scale development' Respondents to the consultation on the draft SCI generally felt that the term 'large scale development' should be left undefined and it is helpful to officers to have flexibility in targeting this. The proposed version of the SCI therefore remains unchanged from the consultation version.
- 3.15 In response to consultation, it was suggested by some that the Council publishes a local validation checklist including a requirement that all major applications be accompanied by a statement of community involvement. National advice on submitting a valid application is available on the Planning Portal and officers consider that local flexibility is more helpful at this time to target requests for additional information and avoid potentially unnecessary requirements by default.
- 3.16 A significant response was received to consultation on whether the Council should move away from individual neighbour notification letters to a more widespread use of site notices to publicise planning applications. One representation was received in support of this proposal whilst 28 representations felt that both letters and site notices should continue to be used. Notwithstanding the potential efficiency benefits of such a change, officers have taken this feedback on board and the recommended version of the SCI commits the Council to continue sending neighbour notification letters to adjoining owners or occupiers for most applications.
- 3.17 However, it is proposed that alternative means of publicity are used for defined 'strategic' sites (table 7 of the SCI). These applications do not form the bulk of case work and the process of identifying and notifying individual neighbours is a more

resource demanding process for much larger sites. The SCI therefore proposes the use of the Council's website and other bespoke publicity arrangements instead of neighbour notifications in those particular cases. Table 6 in the SCI, which sets out minimum publicity requirements has been updated from the CSCI accordingly.

- 3.18 Within the SCI is detailed explanation of when and how consultation takes place on different types of application and how and when information is published. Officers have sought to be clear on process and to help manage expectations.
- 3.19 There is no specific statutory obligation to take late representations into account in considering applications for planning permission<sup>1</sup> but the Council presently does so. Having regard to consultation responses, the SCI proposes that the Council continues to use discretion positively and continue to accept representations up until the point of determination. However, to help manage this, and to encourage the timely submission of representations, our on-line facility for submitting representations would be closed at the end of each consultation period. Officers would, however, exercise discretion in accepting late responses received by email or post after the formal end of consultation as far as it is reasonably practicable to do so. The SCI has been updated from the CSCI to reflect this change.

### **Climate Action**

- 3.20 It is considered that the proposed SCI can provide a contribution to the Council's climate action response. The increased potential to employ information and communication technology in community engagement on a more 'permanent' basis and to secure some reduction in the use of paper and printing would be beneficial.

### **Adoption**

- 3.21 The 2021 SCI must be considered by Council as the CSCI was adopted as Council policy and only Council has the authority to change that. Once formally adopted, it would replace the SCI adopted in July 2016 and its 2020 addendum. It would be used as the framework for future consultation and engagement across the planning service. It is proposed that Council delegates responsibility for approving future reviews of the SCI to the Executive and provides delegation to modify the SCI in exceptional circumstances to the Assistant Director in consultation with the Lead Member.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The recommendation of this report is to adopt the new Statement of Community Involvement, to replace the existing document adopted in 2016 and its 2020 addendum. The proposed SCI updates the Council's approach to engagement and consultation in providing its planning services. The SCI incorporates more flexibility for the use of information and communication technology and seeks to achieve some efficiencies. However, it maintains a clear commitment to ensure those without internet access remain participants in the planning process and that engagement and consultation is effective for all. The SCI conforms to national

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<sup>1</sup> The Council is under a duty to take account of all material considerations and there is no statutory authority that allows the Council to ignore any just because they come to light after the consultation deadline: Sec 70(2) Town and Country Planning Act 1990.

planning guidance and has been through a formal six-week public consultation (13 July – 23 August 2021). Comments received during this period have been considered by officers and appropriate changes are recommended to form the final version of the SCI.

## **5.0 Consultation**

5.1 Councillor Colin Clarke - Lead Member for Planning.

## **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 continue to use the existing 2016 SCI.

The existing document does not address all requirements introduced since 2016 and does not provide the necessary flexibility for community engagement in the future. The 2016 SCI will become increasingly out-of-date.

**Option 2:** To reconsider the content of the revised SCI

The revised SCI has been produced having regard to statutory and policy requirements for plan making and development management and to associated guidance. It is considered by officers to be appropriate for adoption.

## **7.0 Implications**

### **Financial and Resource Implications**

7.1 There are no significant finance and resource implications arising from this report. The revised SCI has been prepared within existing resources. The changes to engagement and consultation policy set out in the revised SCI would be met within existing budgets.

Comments checked by:

Janet Du Preez, Service Accountant

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### **Legal Implications**

7.2 The SCI has been prepared to meet statutory requirements: specifically Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) which requires a statement of community involvement; Section 6 of the Neighbourhood Planning Act 2017 requiring a statement of community involvement to set out the local planning authority's policies for giving 'advice and assistance' in relation to Neighbourhood Planning; and, Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requiring review of a statement of community involvement within five years of adoption.

The comments under 'Risk Implications' are also endorsed as failure to properly consult can indicate that the Council has acted unlawfully

Comments checked by:

Matthew Barrett, Planning Solicitor

Tel. 01295 753798, [matthew.barrett@Cherwell-DC.gov.uk](mailto:matthew.barrett@Cherwell-DC.gov.uk)

### **Risk Implications**

- 7.3 An up-to-date statement of community involvement is important to ensure that the Council is able to engage and consult effectively in providing its planning services. Without an up-to-date statement of community involvement, there is an increased risk of challenge to planning decisions and an increased risk that its local plan processes will not withstand scrutiny under examination

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes

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### **Equality & Diversity Implications**

- 7.4 Engagement and community involvement are key aspects of the Council's approach to equalities, diversity and inclusion. The revised SCI seeks to ensure there is equal opportunity for all to participate in the planning process. An Equalities Impact Assessment has been prepared. There is no equality or diversity impediment to adopting the SCI.

Comments checked by:

Emily Schofield, Acting Head of Strategy

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## **8.0 Decision Information**

### **Key Decision:**

Financial Threshold Met N/A

Community Impact Threshold Met: N/A

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability

- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

### **Lead Councillor**

Councillor Colin Clarke - Lead Member for Planning

### **Document Information**

#### **Appendix Number and Title**

- Appendix 1: Comments received during the consultation on the Draft Statement of Community Involvement and Officers' response.
- Appendix 2: Proposed Statement of Community Involvement
- Appendix 3: Equalities Impact Assessment

#### **Background papers**

None

#### **Report Author and contact details**

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## Appendix 1

### Representations received to the Consultation Draft Statement of Community Involvement, July 2021, and Officer Responses

Consultation on the draft Statement of Community Involvement (SCI) was held over a six-week period, between 13 July 2021 and 23 August 2021. The draft document, containing the consultation questions, is available at:

<https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CIId=115&MIId=3529&Ver=4>

36 responses were received. The following provides a summary of each representation received and officer responses, including an outline of any changes proposed to the SCI.

Comment ID name / organisation	Section of document / question no.	Comment summary	Cherwell District Council – officer response
SCI01 Network Rail	Whole document	<p>Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).</p> <p>Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's</p>	<p>Noted.</p> <p>Noted.</p>

		specific land interests will need to be carefully considered.	
SCI02 Historic England	Whole document	Thank you for consulting Historic England on the above. We do not wish to make any substantive comment, though I note a reference to English Heritage in the neighbourhood planning section.	Noted.
SCI03 Mid-Cherwell Neighbourhood Plan Forum	Question 1	No.	Noted.
	Question 2	Yes. There are no provisions proposed for assisting “made” neighbourhood plans which require support from the Council to review their policies. Such reviews will shortly become a requirement as a result of the Local Plan 2031 process, and under the forthcoming Planning Bill.  We request that an additional section be added to the SCI setting out what support will be provided to NDP groups that are preparing for review.	Reviews are covered by the same duty to support as new plans.  Noted
	Question 3	Yes.	
	Question 4	No. Both methods of notification should be used, not one or the other. The resources required to post letters in addition to site notices will be significant, whereas the benefits will be.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI .
	Question 5	Yes.	Noted.
SCI04 Middle Aston Parish Meeting	Question 4	In general, Middle Aston Parish Meeting finds the proposals acceptable. However, we do not agree with the proposal contained in Question 4. Given the importance of neighbour awareness of planning applications, and the low cost involved in sending out letters, we wish to see a	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.

		continuation of current practice rather than the proposed change.	
SCI05 James Macnamara	Question 4	<p>I would be grateful if you could register my strong opposition to the proposal to discontinue neighbour notification letters. Reliance solely on site notices is open to abuse by removal or obscure positioning of those notices and, even if used correctly, is discriminatory towards the elderly and those with limited mobility. In addition, for all residents, the limited time allowed for objections to be lodged means that even a brief absence could lead to a notice being missed.</p> <p>I therefore believe it is essential that you retain notification by letter, without which consultation would be rendered ineffective.</p>	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI06 Lower Heyford Parish Council	Question 4	<p>Lower Heyford Parish Council strongly disagree with this proposal. It would be open to abuse by applicants, who could remove or obscure site notices. In addition, this proposal relies upon residents passing and noting the notice. It is also of concern that this proposal doesn't accommodate those residents who have limited or no mobility.</p> <p>CDC have a duty to communicate with residents on matters what affect them, planning being a significant matter for many, it must not be the victim of a reduction in communications. A letter through the door of those potentially affected by planning applications is the only way to maintain transparency and fairness in the planning process.</p>	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.

<p>SCI07 Liz Smith</p>	<p>Question 4</p>	<p>I am concerned that this proposal will make it unacceptably difficult to be aware of planning applications. The site notice could be taken down leaving neighbours unaware. Residents in rural communities will be expected to keep an eye open for notices, which is not easily spotted even when you are looking for them. People with mobility issues or health conditions that keep them inside would be completely excluded.</p> <p>This proposal represents a dereliction of duty to residents, especially during a time where developments are increasing. I therefore ask that you continue to send letters to nearby neighbours.</p>	<p>Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.</p>
<p>SCI08 Dr HF Askew</p>	<p>Question 4</p>	<p>It is a function of the planning process to ensure that the impact of any proposal on a variety of issues is taken into account, and in particular any impact on neighbours is considered, preferably eliminated or at least mitigated.</p> <p>We strongly object to the reduction in notification of any planning application as it is likely to result in many potential objectors not knowing about an application until too late. Surely it is not too much to ask that applications be adequately publicised as now by notices AND direct mail.</p>	<p>Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.</p>
<p>SCI09 Bloxham Parish Council</p>	<p>Question 1</p>	<p>Yes, given the speed of technological and cultural change, this requires the head of planning policy to review and evaluate the effectiveness of policy consultations after each round and consider what changes might be needed, so that it is as flexible as possible.</p>	<p>Noted.</p>

	Question 2	Yes, advice on how to ensure that the whole system has teeth and is aligned with regard to conservation areas, Article IV directions and other local strategies such as biodiversity and transport.	Noted.
	Question 3	No, but some principles relating to what large scale impact might be would be helpful.	This is defined within the SCI.
	Question 4	No, site notices should continue to be displayed and householder letters continue to be sent.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
	Question 5	Yes, because they can contain last minute critical, substantive points that have come to light because of other comments made.	Noted. Proposed to retain the current approach to late representations.
SCI10 Oxfordshire Clinical Commissioning Group	Question 1	OCCG welcomes being included within the Duty to Cooperate, on page 9. From April 2022, OCCG will formally become an ICS (Integrated Care System) and we look forward to continuing to work with CDC in this new organisational form as well.	Noted.
	Question 2	OCCG and CDC hold regular meetings to discuss the planning taking place in the area. These meetings are extremely valuable to us in planning the impact on our primary care infrastructure. In addition, all planning applications are sent to the OCCG planning portal to enable OCCG to respond.	Noted.
	Question 3	Yes, this is a sensible approach.	Noted.

	Question 4	Yes.	Noted.
	Question 5	Yes. We welcome being able to submit or amend responses up to when an application is considered as we are unable to secure primary care infrastructure where we miss an application deadline.	Noted. Proposed to retain the current approach to late representations.
SCI11 John Karlake	Question 4	No, both letters and site notices should continue to be used.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI12 Fringford Parish Council	Question 4	Fringford Parish Council objects to the proposal to use site notices rather than neighbour notification letters. Both letters and notices should continue to be used. The proposal would remove an important democratic step in enabling residents to be made aware of applications and would be open to abuse by applicants who could remove notices. The proposal would also be harmful to the policies of openness and transparency in conducting Council business on matters that may impact residents.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI13 Sibford Gower Parish Council	Question 4	Letters to neighbours are an important part of the process as it provides opportunity for people to respond and there may be people who don't have knowledge of or access of the internet who would not necessarily find out about the application if they did not receive a letter. Site notices are not always put up in places close to the property in question so those who are affected may not see the notice. The Parish Council do not agree with the proposal to use site notices rather than neighbour notification letters.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.

<p>SCI14 Thakeham Homes</p>	<p>Question 3</p> <p>Question 5</p>	<p>Agree that this term should remain undefined.</p> <p>Paragraph 34 of the National Planning Policy Guidance leaves acceptance of late comments to each local planning authority's discretion. However, setting this out within an adopted Council document would formalise this as an accepted approach through the planning process.</p> <p>Local planning authorities have a statutory obligation to determine major applications within 13 weeks; or 8 weeks for all other types of development (unless an application is subject to an EIA, in which case a 16-week limit applies).</p> <p>Statutory consultees must provide a response:</p> <ul style="list-style-type: none"> <li>a) Within the period of 21 days beginning with the day on which – (i) the documents on which the views of consultation are sought, or (ii) where there are several documents and they are sent on different days, on which the last of those documents is received. In the case of applications for public service infrastructure development made on or after 1 August 2021 the period is 18 days; or</li> <li>b) Such other period as may be agreed in writing between the consultees and consultant.</li> </ul> <p>Paragraphs 13, 14 and 16 of the National Planning Policy Guidance are referenced. National guidance expects pre-application discussions to ensure no delays during the application process and stipulates that consultation</p>	<p>Noted.</p> <p>Noted. This approach continues the existing way of working. The restriction of comments to email/letter e.g. removing the commenting function on the website is considered a proportionate approach. We recognise that it is not always possible for consultees to respond within the timeframes specified.</p>
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		<p>“must” take place within 21 days, and not to the detriment of determining applications within the statutory timeframes.</p> <p>The statutory determination period incorporates the 21-day consultation period and allows for confirmation that additional information has addressed any concerns within the statutory determination period.</p> <p>Alternative recommendation: We support and encourage public consultation throughout the planning process but believe the Council should be seeking improvements to publication and notification processes as a more appropriate means to encourage and ensure timely public engagement. We suggest the Council publishes a local validation checklist that requires all major applications to submit a Statement of Community Involvement in order to validate the application. Therefore, applicants must undertake some public consultation prior to submission in order to ensure the application is valid. This, alongside the statutory consultation period of 21 days would provide sufficient time for consultees to respond to applications.</p>	<p>We do not consider the inclusion of a validation checklist within the SCI appropriate as it will limit officer flexibility.</p>
SCI15 Middleton Stoney Parish Council	Whole document	<p>In general, we strong welcome the commitment to encourage community and stakeholder participation in the planning process but think the draft SCI falls short in several respects. The main improvements we would like to see are:</p> <ul style="list-style-type: none"> <li>• A commitment to make the online register user friendly, especially in relation to large-scale applications. When new documents are published</li> </ul>	<p>Noted.</p> <p>Noted. Officers will consider this separately from the SCI.</p>

	<p>Question 1</p> <p>Question 2</p> <p>Question 3</p> <p>Question 4</p> <p>Question 5</p>	<p>they should be posted up front or highlighted. Summaries of the key elements of a new planning application proposal should be included in the notification email. The current practice of alerting Councils to a decision on an application but not what that decision is is infuriating.</p> <ul style="list-style-type: none"> <li>• A commitment to avoid consultation on Local Plans in holiday periods</li> <li>• A commitment to use both site notices and neighbour notifications when publicising planning applications.</li> <li>• A commitment to require rather than encourage developers to engage in pre-application consultation with local communities.</li> </ul> <p>A commitment to add extra time if commencing consultations during holiday times.</p> <p>Yes. Provision should be made to support “made” neighbourhood plans requiring review.</p> <p>Yes.</p> <p>No. Both methods should be used.</p> <p>Yes.</p>	<p>The timeframes for producing Local Plans can be fixed by Government or other key dates. Whilst these dates will try to be avoided it may not be possible. This is therefore not taken forward for inclusion within the SCI.</p> <p>Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.</p> <p>We are unable to require developers to engage.</p> <p>The review of Neighbourhood Plans is covered by the same duty to assist as new Neighbourhood Plans.</p>
SCI16 Wardington Parish Council	Question 4	We do not agree that the Council should stop notifying neighbours about planning applications as doing so could unfairly discriminate against those who do not get the opportunity to see the notice and such a system assumes	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.

		that no one will remove the notice. Sending notifications by post appears to be the only guaranteed way of ensuring neighbours are aware of a planning application which may affect them.	
SCI17 Chesterton Parish Council	Question 4	Chesterton Parish Council are firmly opposed to the proposal to no longer notify householders by mail of nearby planning applications, relying instead on a single site notice. This is a retrograde step. Site notices can be removed, they are usually ignored by residents and not all residents are particularly mobile and some are housebound. It is problematic where site notices would be posted for some major developments e.g. Albion Land and Himley Village. Parish Councils do not receive planning applications by mail and have to rely on the planning portal and it is not easy to arrange Planning Committee meetings.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI18 Caversfield Parish Council	Question 4	The Parish Council did not agree with the proposal to use site notices rather than neighbour notification letters. It was felt that neighbour notification letters were of significant benefit in the planning process.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
	Question 5	The Parish Council welcomes the approach of Planning Officers accepting representations on planning applications submitted after the formal consultation period has ended. It has enabled a good working relationship between Parish Councils and District Officers.	Noted.
SCI19 Chris Robins	Question 3	No. I appreciate the wish to provide flexibility but it does not give the Council flexibility to intervene in cases where a development is below what might of otherwise been a defined threshold. It also gives developers flexibility to	Noted. Limiting the threshold may mean that some smaller schemes with greater impacts would not be required to engage. Discretion is therefore

	<p>Question 4</p> <p>Question 5</p>	<p>wriggle out of the obligation to undertake local consultation in cases that would otherwise have been above the threshold.</p> <p>I would like to see a maximum above which local consultation is required, whilst leaving the Council the option of requiring consultation about smaller developments where justified by particular circumstances.</p> <p>I think it is desirable for there to be wider notification than just the immediate neighbours, from which point of view site notices are preferable. However, there should be some effort to address the danger that immediate neighbours might miss site notices. Would it be possible to send immediate neighbours a brief notice advising them of the existence of site notices?</p> <p>Yes. Whilst there is no obligation to consider late comments, they should be taken into account where it doesn't disrupt the application process.</p>	<p>considered important. This will be monitored and reviewed.</p> <p>Noted. The proposed changes mean that neighbour notifications will be retained for some schemes.</p> <p>Noted.</p>
<p>SCI20 Dr Christopher Abbott</p>	<p>Question 4</p>	<p>As a retired resident with mobility problems I would be very unhappy to see postal information withdrawn.</p>	<p>Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI. Other methods, such as publicity on the website will also be used.</p>
<p>SCI21 Councillor George Reynolds</p>	<p>Question 1</p>	<p>Make sure all parish and town councils are consulted. Many parish councils meet bi-monthly, usually in the first two weeks of the month.</p>	<p>Town and Parish Councils are consulted on local plan documents. Whilst flexibility on consultation deadlines is</p>

	Question 2	No.	accommodated where necessary, appropriate and practicable, there is a need to meet programme deadlines and to plan the use of resources. There can be unintended consequences in rescheduling consultation periods. It may not always be possible to be flexible with consultation periods (some of which are prescribed).
	Question 3	Agree. If pre-apps are confidential then it would be unlikely to be consulted on by parish councils.	
	Question 4	The majority of parish councils say to continue with letters. These are useful when some adjacent properties are in different streets. Any application affecting a neighbouring property should be notified. It is not unknown for site notices to disappear and unless it is very close to the site it may be overlooked.	Noted.
	Question 5	I agree with the principle however which consultation period must be made clear. Many consultees (OCC CDC) are usually quite late. A cut off may mean developers will wait until the last day residents and parish councils can respond, and full information may not be available. It should mean late responses will be ignored but is this legal? It will put parish councils, ward members and residents at a disadvantage.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.  Late comments are open to all bodies, including Parish Councils. The changes formalise the current arrangements and enable discretion by the planning officers. The principal change is that web comments will no longer be accepted after the closing date.
SCI22 Natural England	Whole document	We are supportive of the principle of meaningful and early engagement of the community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and in determining planning applications.	Noted.

		We regret we are unable to comment in detail on individual Statements of Community Involvement.	
SCI23 Bucknell Parish Council	Question 4	We strongly object to the proposal that written notification of planning applications no longer be given to neighbours of the site. This is an essential part of the consultation process and there is a risk that neighbours will not have notice of applications that may affect them if reliance is placed solely on notices. Such notices can easily be missed, can be removed and can be rendered unreadable. The proposal is contrary to the principle of openness and is not justified by the climate emergency. We ask that the present system of notification of planning applications remains in place, namely notification to neighbours by letter and by site notice. We raise concern that consultation on such an important change is sought in August when many consultees are on holiday.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI24 Banbury Town Council	Question 1  Question 4	The Town Council are content with the intended consultation processes on planning policy.  The Town Council express concern about the possible change on application neighbour notification to move to only using site notices. It is possible that residents will miss the opportunity to contribute due to failure to see notices particularly when an application site is in a different street.	Noted.  Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI25 Deddington Parish Council	Question 1	Would like CDC and OCCG to review the developer contributions SPD to ensure it is fit for purpose and will deliver the funding required to expand primary care across Cherwell. OCCG are required to create a plan for the expansion of primary care with evidence to secure the	This sits outside of the Statement of Community Involvement- no changes required.

	Question 4	<p>necessary s106 contributions.</p> <p>Informing residents of planning applications should continue by both letter and notices. Reliance on notices alone is open to abuse with the potential for signs to be removed or obscured and would discriminate those who are housebound or those with limited mobility.</p>	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI26 Drayton Parish Council	Question 1	Policy documents specific to our parish should be sent as a paper copy as well as publication on the website.	A paper copy will be available on request. No change required.
	Question 4	The council does not agree that neighbour notifications should be discontinued. Site notices are not always near the site nor prominent and could be missed by residents.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
	Question 5	In principle the council agrees but there will be cases when late representations accepted by the LPA need to be responded to.	Noted. The proposed changes to not prohibit this, but mean that responses will need to be made by email/letter, rather than through the website.
SCI27 Launton Parish Council	Question 4	The Parish Council did not agree with the proposal to use site notices rather than neighbour notification letters. Neighbour notification letters are of benefit to the planning process.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
	Question 5	The Parish Council welcomes the approach of Planning Officers accepting representations on planning applications submitted after the formal consultation period has ended. It has enabled a good working relationship between Parish Councils and District Officers.	Noted.

		The time frame for Parish Councils to ask a District Councillor to call in an application to be considered by the Planning Committee should have the same system. The current system is unworkable as by the time the Parish Council has had an opportunity to discuss the application it is often too late to have it 'called in'.	This is not within the scope of the SCI. However the comments have been noted and will be considered.
SCI28 Wendlebury Parish Council	Question 4	The proposal to cease notifying residents in the vicinity of planning applications by post and relying on one notification pinned up locally is a retrograde step. We strongly oppose any changes to the current system of notification of planning applications.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
SCI29 Fritwell Parish Council	Question 1	<p>Planning documents can be long, complex and difficult for people to follow and properly understand the implications. CDC should increase its use of live or online presentations and workshops to engage residents, explain the issues and make the process easier to navigate and respond.</p> <p>Small parish councils only hold formal meetings every 2 months and it is often difficult for councillors to come to agreed positions or consult properly within the time allowed. Timescales for responses need to take account of the additional workload caused by lengthy consultations and avoid overload, particularly during the summer when some councillors and clerks are likely to be away.</p>	<p>A new corporate on-line consultation system is expected.</p> <p>Whilst flexibility on consultation deadlines is accommodated where necessary, appropriate and practicable, there is a need to meet programme deadlines and to plan the use of resources. There can be unintended consequences in rescheduling consultation periods. It may not always be possible to be flexible with consultation periods (some of which are prescribed).</p>
	Question 2	There should be specific mention for officer assistance and support for reviewing Neighbouring Plans.	Reviews are covered by the same duty to assist as a 'new' plan.

	Question 3	Yes. A relatively small development in a small village will have significant effects on the settlement.	Noted.
	Question 4	Site notices are often not noticed by residents, particularly those that drive out of the village every day to work. Site notices compete for space on telegraph poles, it is an unreliable method and people tend not to notice them. Notification distribution should be to all premises in the immediate area, not just those directly adjoining. These notifications could be hand delivered when the site notice is posted.	There is a need to meet plan deadlines. It may not always be possible to ensure that consultation periods (some of which are a prescribed 6-weeks in law) can achieve this aim.
	Question 5	Yes. It is often difficult for small parish councils to respond within 21 days, and almost impossible to do any resident consultation within this timescale.	Noted.
SCI30 Laura Beir	Question 4	No. Letters and site notices should continue to be used. Site notices are easily torn down or destroyed and reliance on them would be an easy way to allow people to sneak through unpopular planning applications. Those who could be affected by a proposal may never pass the site notice and not everyone is able to get out regularly. One cannot expect everyone to check online applications. Notification should be via both letters and site notices to ensure everyone can object where necessary and ensure their town/village remains a satisfactory place.	There is a need to meet plan deadlines. It may not always be possible to ensure that consultation periods (some of which are a prescribed 6-weeks in law) can achieve this aim.
SCI31 Bodicote Parish Council	Question 1	The means of consultation set out are comprehensive. We would appreciate advance notice of documents, so that we know to expect them, and for parish councils to be involved as a matter of course in all things that affect their parish and the wider area. We recommend the use of	Noted. We are trialling this approach with our Local Plan Review 'options' consultation.

	Question 2	social media be considered more fully as a method of communicating with the public.  The means of providing advice set out seem comprehensive.	Noted.
	Question 3	We are content that this term goes undefined but are concerned that developers of smaller developments could argue they are not large scale and therefore do not need to conduct pre-application community engagement. There are instances where relatively small developments would have a great impact. Such developments need community buy-in as much as large scale development. We would appreciate that pre-application engagement include liaison with parish councils as a matter of routine.	Noted.  Whilst we encourage applicants to engage with Parish Councils as a matter of course it is not proposed that we alter the current approach as this could cause unnecessary concern amongst local communities.
	Question 4	The Council should continue to do both. Site notices can be missed or removed, newspaper notices have a limited reach, and online publication of applications requires residents to consult the website regularly. There should ideally remain at least one method of communicating directly with adjacent households to be certain they have the chance to know of planning applications, although we take the point about climate impact seriously. We agree it is beneficial to erect site notices in order that any resident passing by can be alerted of the application.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.  Noted.
	Question 5	Yes.	
SCI32 Cropreddy Parish	Question 1	The statement appears comprehensive and inclusive of all groups including those without internet access. We would	Noted- the Policy Team will review the request.

Council	Question 2	be interested in how Parish Councils might increase their role in communicating Local Plan consultations.  The Parish Council would be interested in further details on alternatives to Neighbourhood Plans as a way of communicating the parish's 'vision' for the area's future.	Noted- The Policy Team will review this request.
	Question 3	Yes, but would like to see a rationale on what types of development and context would be considered for developer engagement at pre-application.	Noted- at present it is intended to retain flexibility.
	Question 4	No. Neighbour notification remains a key channel for communicating planning applications. Would like to see evidence on how often neighbour notifications are the sole sources of information of a planning application for affected residents.	Noted. Change has been made to retain Neighbour Notifications for non-strategic sites as defined within Table 7 of the updated SCI.
	Question 5	Yes, this seems reasonable and helpful, although timely responses should be encouraged whenever possible.	Noted.
	SCI33 South Oxfordshire and Vale of White Horse District Councils	Whole document	We support the draft Statement of Community Involvement and have no other comments to make in response to this consultation.
SCI34 Epwell Parish Council	Question 1	No.	Noted
	Question 2	No.	Noted
	Question 3	Yes.	Noted.

	Question 4	Yes. Would recommend parishes put notification letters on their village websites or at least a list of current planning applications.	Noted.
	Question 5	Yes. This has worked well over the years.	Noted.
SCI35 Environment Agency	Whole document	We have nothing to add except that there appears to be a spelling mistake on page 30 – The Environment Agenda – we are assuming should read The Environment Agency.	Noted. Change made.
SCI36* West Northamptonshire Council	Whole document	The Council has no detailed comments to make on the SCI however, reference to neighbouring authorities beyond the Oxfordshire border should be included in paragraph 3.5.	Noted. Change made to include authorities such as West Northamptonshire at 3.5.

\* Denotes late representation

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# Statement of Community Involvement 2021

## CHERWELL DISTRICT COUNCIL Statement of Community Involvement September 2021



*Cherwell*  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

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# 1 INTRODUCTION

## 1.1 What is the Statement of Community Involvement?

A Statement of Community Involvement (SCI) sets out who, how and when Cherwell District Council will engage as part of the planning process. This includes preparing key planning policy documents and the determination of planning applications. The aim of the SCI is to explain how we will consult and provide information to help encourage community and stakeholder participation in the planning process. The SCI gives the public and stakeholders certainty over the type of engagement expected and the ways they can get involved. The SCI sets the framework for planning-related consultations which will enable us to demonstrate how we have met and, in some cases, exceeded statutory requirements.

We must comply with the adopted SCI in preparing relevant planning policy documents and in determining planning applications.

There is no formal requirement for local planning authorities to consult when reviewing or updating their SCI. However, community involvement from the outset in the local planning system is important. This SCI was made available for comment for a period of 6 weeks in July 2021 and comments received have been used to inform this final version.

## 1.2 Why is a new Statement of Community Involvement required?

The previous SCI dates back to 2016. Since its adoption, there have been changes to planning legislation and guidance. In addition, there have been changes to how the public and other stakeholders access information relating to the planning process. This includes an increased use and availability of electronic communications (e.g. the more widespread use of 'smart phones' for internet access) and increased use of social media to access information and news. These changes provided opportunities to change the way we engage on planning matters to make planning more accessible to a wider audience.

As part of this review, we have taken the opportunity to:

- review the availability of planning documents considering the impacts of the COVID-19 pandemic;
- consider ways in which we can be flexible in our approach to consultation and engagement to ensure that the Council can still proceed with its planning duties whilst responding to national or local circumstances; and
- recognise the importance of ensuring that consultation is cost effective and that the Council is working efficiently to free up limited resources.

This SCI is intended to provide a more flexible approach to consultation and engagement to ensure that the Council can still proceed with its planning duties whilst responding to unpredictable national or local circumstances. This SCI supersedes the 2016 SCI and the Addendum adopted in July 2020.

## 1.3 Content

Our Statement of Community Involvement comprises five sections:

1. **Context** – summarises the principles of community involvement in planning and sets out the relevant national planning context.
2. **Community Involvement in Planning Policy** – provides information on how to get involved with and influence the preparation of planning policy documents and includes an overview of the consultation and engagement methods that may be used.
3. **Neighbourhood Planning**- provides a statement of the assistance that the Council will provide to those groups wishing to prepare Neighbourhood Plans for their area.
4. **Community Involvement in Planning Applications** – provides information on how to become aware, comment and view planning applications and how to submit details of a potential breach of planning control to the Council.
5. **Reviewing and Monitoring the SCI** – sets out how the SCI will be monitored and under what circumstances it might be reviewed.

## 2 CONTEXT

### 2.1 Principles of community involvement in planning

Planning is important in shaping the neighbourhoods and communities in which we all live and work. Early and meaningful engagement with local communities and stakeholders is an integral part of the planning process. In preparing this SCI, regard has been had to the National Planning Policy Framework (NPPF) and accompanying Planning Policy Guidance (PPG). These highlight the Government's commitment to engaging the public in planning both in plan making and decision taking.

The NPPF states that plans should *"be shaped by early, proportionate and meaningful engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and statutory consultees"*. In relation to decision taking, it states that *"early engagement has significant potential to improve the efficiency and effectiveness of the planning application system"*. It enables improved outcomes for the community. We take public and stakeholder engagement seriously and consider it important that everyone has an opportunity to be involved in and influence decisions that are made through the planning process.

The Council is seeking to delivery upon its Climate Emergency declaration. We have considered how the SCI can contribute through encouraging the appropriate use of information and communication technology and reducing resource use. We will be mindful of the declared climate change emergency when conducting our consultations balancing this against the needs to ensure access to information for all.

## 3 COMMUNITY INVOLVEMENT IN PLANNING POLICY

### 3.1 Overview of the plan making process

As a Local Planning Authority, we have a statutory duty to put in place a framework of planning policies (known as the Development Plan or Local Plan) used to guide development proposals and to help determine planning applications. Our 'Local Development Scheme' or LDS sets out the programme for preparing new planning policy documents.

As part of the preparation of these planning policies and supporting documents there are statutory stages of consultation that must be undertaken to allow the public and stakeholders to have their say on what is being proposed. This section of the SCI provides an overview. **Statutory requirements will always be met.**

Completed documents that are relevant to the plan-making process, but which are not required to be subject to consultation will be published on the Council's website in the interest of accessibility and transparency. Examples include technical and information documents, the Local Development Scheme and our Annual Monitoring Report.

### 3.2 Types of Planning documents subject to consultation

We are required to prepare a Local Plan. This plan can comprise one or more documents prepared either individually, or jointly with other Local Planning Authorities. Plans must be kept 'up-to-date' and are subject to review every 5 years (or sooner if circumstances alter) having regard to latest national policy and guidance.

For some joint plans, such as the Oxfordshire Plan 2050, the council may adopt a different Statement of Community Involvement that sets out how it will engage on that specific document. This is to ensure that each of the Local Planning Authorities involved are following the same procedures.

In addition, the Council may prepare other documents such as a Community Infrastructure Levy or Supplementary Planning Documents (SPDs) which are also prepared in accordance with regulations.

From time to time other documents such as masterplans, development briefs and guidance notes will be prepared on specific topics or areas. Who, how and when we consult on these documents will vary dependent on their scope.

#### **Local Plans**

Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. They provide a basis for managing development, for safeguarding the environment, adapting to climate change and securing good design. Local Plans can allocate land for development and areas that may need to be protected. Local Plans form part of the statutory Development Plan and are the starting point for the determination of planning applications.

Preparation of a Local Plan will follow a set of statutory stages. In broad terms they include the identification of issues and the testing of options for addressing those issues, the preparation and publication of plan proposals and the submission of a plan for examination. The stages involve on-going community engagement, defined periods of formal consultation and the submission of comments known as representations which must be considered. There are prescribed requirements for making documents available: to who, for how long and where. The requirements are a minimum.

Local Plans are independently examined by an Inspector appointed by a Secretary of State (via the Planning Inspectorate). During the examination, an Inspector will wish to ensure that the preparation of the plan has followed the relevant procedures including that the Council has consulted and considered comments received.

#### **Supplementary Planning Documents**

Supplementary Planning Documents (SPDs) expand upon and provide additional guidance and interpretation to support policies in a Local Plan. They must be consistent with the Local Plan and, where relevant, are a *material consideration* in the determination of planning applications. They do not form part of the statutory Development Plan.

Consultation is part of the process for preparing SPDs but, unlike a Local Plan, they are not examined.

## Other planning documents

The Council also prepares other planning-related documents which will be subject to public consultation and engagement. As these documents do not form part of the 'Local Plan' and do not have regulations to guide their preparation, there is discretion in who, how and when we consult.

### 3.3 Sustainability Appraisals / Habitats Regulations Assessments

Local Plans and some SPDs and Neighbourhood Plans need to be assessed for social, environmental and economic implications of policies and proposals. Sustainability Appraisals (SAs) and Strategic Environmental Assessments (SEAs) help to test the 'soundness' (or robustness) of planning policy documents by ensuring they reflect sustainable development objectives, as well as being consistent with each other in terms of their objectives and policies.

The requirements of The Sustainability Appraisal, Strategic Environmental Assessment and Habitats regulations assessments are prescribed by a European Directive. However, they have been transposed and remain a requirement.

A Habitats Regulations Assessment (HRA) may be required under the European Directive 92/43/EEC on the "*conservation of natural habitats and wild fauna and flora for plans*" that may have an impact of European (Natura 2000) Sites. The screening stage determines if a document, such as a Local Plan, contains proposals that are likely to have a significant effect on international sites (such as the Oxford Meadows Special Area of Conservation, which falls within the district). This is the likely effect of the plan before any mitigation is included. The screening can lead to the need for 'Appropriate Assessment'.

### 3.4 Who will we engage with?

Who we engage with will depend on the document being prepared. For some documents such as Local Plans, consultees are prescribed in the regulations and are known as ‘general’ consultation bodies or ‘specific’ consultation bodies. This list is subject to change and review. Definitions of these bodies is provided at Appendix 2.

The Council maintains a database of individuals and organisations who have expressed an interest in the preparation of planning policy documents. The database is used to notify individuals and organisations of forthcoming consultations, opportunities to comment or for the purposes of wider engagement and awareness raising. For the Local Plan, this also includes those who have responded to planning policy consultations in the past as there is a requirement in the regulations that the council needs to notify those individuals at future stages.

The database is periodically reviewed and managed to comply with the General Data Protection Regulations 2016 (GDPR) and Data Protection Act 2018 (DPA) or any successor legislation. Full details about how we use this data and the rights you have around this can be found on the Council’s website. Individuals can be added to or removed from the database. Please contact the Planning Policy Team by emailing [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk).

Who we consult with will depend on the type of document. The main groups are summarised in **Table 1** below. As is illustrated, the Local Plan has specific regulations that guide who we need to consult with, whereas masterplans and other guidance there is greater discretion. At each stage we will be transparent about the ‘scope’ including the area or topic and who was consulted.

**Table 1: Who will be consulted**

Group	Document		
	Local Plan	Sustainability Appraisal/ Habitats Regulations Assessment	Other guidance
<b>Specific Consultation bodies</b>	All - as per the prescribed regulations	All - as per the prescribed regulations	Will depend on the matters covered will usually include: Environment Agency, Natural England, Homes England, Town and Parish Councils.
<b>General Consultation Bodies</b>	All - as contained on the Planning Policy Database	All - as contained on the Planning Policy Database	Will depend on the geographical area or topic.
<b>Interested Persons</b>	All individuals who wish to comment	All individuals who wish to comment	All individuals who wish to comment

### 3.5 The Duty to Cooperate

The preparation of a Local Plan is subject to a statutory ‘Duty to Cooperate’. This is a requirement to consider strategic planning issues beyond administrative boundaries and address issues that cannot be dealt with by the local authority working alone. To ensure that Cherwell’s Local Plan can be adopted, compliance with the Duty to Cooperate must be demonstrated. It requires an on-going process. The bodies for cooperation are defined in the regulations.

Within Oxfordshire, the Oxfordshire Councils are assisted in meeting the Duty to Cooperate by an ‘Oxfordshire Growth Board’ (a Joint Committee) comprising ourselves, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council, West Oxfordshire District Council and Oxfordshire County Council. It also includes co-opted non-voting named members from the following organisations:

- Oxfordshire Clinical Commissioning Group
- Environment Agency
- Homes England
- Oxford Universities
- Oxfordshire Skills Board
- Oxfordshire Local Enterprise Partnership

The Council must also work closely with the authorities outside of Oxfordshire who share a boundary. This includes Buckinghamshire, West Northamptonshire and Stratford Upon Avon.

### 3.6 Community engagement

The Council is committed to ensuring on-going and meaningful engagement in the plan making process. In preparing our plans and policies we will actively seek to engage with our communities, businesses and other relevant stakeholders. Planning Practice Guidance (PPG) emphasises that this is to ensure that policies remain relevant and community involvement is effective at all stages of the planning process.

On occasion we receive requests to attend Parish meetings and briefings and whilst we cannot commit as a matter of course, we will continue to consider such requests, subject to resources and programming.

We may use any of the engagement methods set out in **Table 2** based on individual circumstances. In choosing methods, we will ensure these are appropriate to the stage of plan preparation and proportionate to the scale and impact of the proposals. Methods will also need to be considered in relation to the circumstances at the time of consultation, as well as the latest government and planning guidance.

**Table 2: Engagement methods**

<b>Method</b>	<b>Use</b>
<b>Online consultation system</b>	The Council has committed to purchasing software which will help facilitate on-line engagement. This will be available via our website in due course.
<b>Online meetings and events</b>	On-line meetings and events may be used in conjunction with other consultation techniques to discuss specific issues. The experience of the pandemic has shown that, if managed well, this can be both efficient and effective. The ability to engage on-line provides resilience if the pandemic or other unanticipated future circumstances provides restrictions on social contact
<b>In person meetings and events</b>	Whilst it will not always possible to meet, we are happy to consider requests and find ways to ensure that our communities and other interested parties are heard where on-line communication would not be effective.
<b>Exhibitions</b>	Exhibitions may be used to present information and options to the public. They may be used to reporting back the findings of previous consultation exercises or to present ideas. Exhibitions may include unstaffed displays (or virtual events).  Exhibitions offer the chance to provide feedback through interactive displays, informal polls/voting, or through discussions with officers. Where Officers of the council will be present at exhibitions, this will be clearly advertised.
<b>Briefings</b>	Briefings may be held with Town and Parish Councils/Meetings to disseminate information and discuss issues. They may be on-line or held in person.
<b>Workshops</b>	Workshops may be organised to explore issues and options in detail with a wider group of participants and an interactive environment. Workshops will be held either virtually or in accessible locations appropriate for the subject issues and will be held at times of the day best suited for appropriate community involvement.
<b>Focus Groups or Forums</b>	Focus groups or forums may be used to enable local people to discuss planning issues either in person or virtually. They will usually be held during the earlier stages of plan making and be arranged with specific groups, dependent on the topic.  Focus groups may be used to gain a more in-depth understanding of public concerns or those of specific groups e.g. younger people on specific matters or to help focus wider consultations.

### 3.7 Publicising Planning Policy Documents

The Local Plan and other policy documents will routinely be published online, and the consultation bodies notified of how and where they can be accessed. It should be noted that **paper copies will not routinely be available other than at those locations listed in Appendix 1.**

Requests can be made for a paper copy of primary consultation documents by contacting the Planning Policy Team. A reasonable charge may be levied for requests for printed copies of the documents to cover the cost of production.

**Table 3** (below) provides specific details of the availability of Local Plans, Supplementary Planning Documents and the Sustainability Appraisal.

**Table 3: Availability of documents**

Method	Commentary
<b>Website</b>	<p>The Council's website is the principal source for all consultations and information relating to plan making. It is used for:</p> <ul style="list-style-type: none"> <li>- Publication of all local plan consultation documents</li> <li>- Publication of latest news</li> <li>- Publication of evidence base documents</li> <li>- Publication of public notices including where documents are available for inspection.</li> </ul>
<b>Direct notification</b>	<p>All relevant organisations and individuals on the Planning Policy consultation database will receive direct notice of the publication of a planning policy document (see <b>Table 1</b>) for consultation. Notifications will be sent by:</p> <ul style="list-style-type: none"> <li>- Email (including electronic alerts)</li> </ul> <p>Letters will be sent where no email address is held, or the individual has made a specific request. To minimise costs to the council and to help meet our climate action targets individuals and organisations are encouraged to register an email address with the Planning Policy team.</p>
<b>Public notice</b>	<p>Public notices detailing the availability of the document(s) will be posted at the following locations:</p> <ul style="list-style-type: none"> <li>- On the Council's website</li> <li>- In local newspapers both online and in hard copy insofar as they are circulating in the district. For documents only affecting Cherwell, these are the Banbury Guardian, Bicester Advertiser and the Oxford Mail.</li> </ul> <p>When open to the public, notices will be also be available at:</p> <ul style="list-style-type: none"> <li>- Public Libraries within Cherwell District</li> </ul>

Method	Commentary
	<p>- Bodicote House, Bodicote, Banbury, OX15 4AA (the Council's principal office)</p> <p>An A4 paper copy of the notice will be provided to Town/Parish Councils for inclusion on local boards at their discretion.</p>
<b>Inspection Copies</b>	<p>Inspection copies of the document will be made available at Bodicote House (the Council's principal office) and the libraries listed in <b>Appendix 1</b> when publicly accessible during advertised opening hours.</p>

In addition, the council may utilise the following methods to publicise consultations relating to the local plan and other planning policy documents:

- **Cherwell Parish Bulletin:** regular electronic newsletter sent to all parish councils in the Cherwell area. This will be used to help raise awareness of forthcoming consultations. In addition, we are open to discuss ways in which we can help parish councils disseminate information in their own newsletters.
- **Social Media:** The Council has several official channels covering the principal social media platforms (Facebook and Twitter). These will be used to raise awareness of consultation and how individuals/organisations can engage. Weblinks will be provided to enable interested parties to view the consultation documents and submit representations.
- **Press releases:** these may be issued to local newspapers to draw attention to policy documents.
- **Posters and Leaflets** may be prepared to raise awareness of the matter, summarise the principal matters and direct consultees to sources of further information where this is appropriate.

### 3.8 How long will we consult for?

We will meet our statutory requirements. Presently, consultation periods for the Local Plan are a minimum of 6 weeks. The consultation period for a Supplementary Planning Document (SPD) is 4 weeks.

On some occasions we may have discretion to extend consultation periods beyond the *minimum* set out in the regulations. This will depend on the stage of plan making (as some stages are 'prescribed' in the regulations and cannot be altered) and our required programme of work.

### 3.9 When will we Consult?

The planning policy team will engage throughout the process of preparing a local plan. Formal periods of consultation/representations will reflect the stages of document preparation. The Local Development Scheme (LDS) sets out the stages for Local Plan production and is reviewed periodically. The key stages for a Local Plan are:

- Regulation 18- Preparation
- Regulation 19- Pre-Submission stage
- Regulation 22- Submission stage (and examination)

Local Plan regulations prescribe what we must do at each stage.

### 3.10 Providing feedback

Responses provided to consultations are an integral part of the plan- and policy-making process. We will receive and encourage comments, representations and feedback using one or more of the following methods set out in **Table 4** depending on the consultation.

**Table 4: Gathering Feedback**

Method	Use
<b>Online consultation system</b>	The Council has committed to purchasing software to make responding to planning consultations simpler. This will be available via our website in due course.
<b>Questionnaires and response forms</b>	<p>The type of questionnaire/ response form will be dependent on the stage of plan making. At the earlier stages, questionnaires may provide polls, closed questions or other requests for evidence. At the latter stages, those responding to consultations will need to provide information on specific parts of the plan making process. Using the published response form(s) ensures that all the information required to allow views to be considered at the examination.</p> <p>The Council will make questionnaires and response forms available online. Paper copies of primary documents will be provided on request.</p> <p>Questionnaires and response forms can be:</p> <ul style="list-style-type: none"> <li>• Completed online</li> <li>• Completed electronically and emailed, or</li> <li>• Returned to the Council by post.</li> </ul> <p><b>It is our preference that submissions are made on-line.</b></p>
<b>Emails and letters</b>	Although it will be our preference that comments / representations are made using on-line facilities, emails will continue to be accepted. We will provide an address for each consultation. Letters can also be sent to the Council by post.

<b>Online meetings, events and presentations</b>	Online meetings, events and presentations may be used in conjunction with other consultation techniques to help explain our consultations and encourage feedback.
<b>In person meetings and events</b>	Whilst it will not always possible to meet, we are happy to consider requests and find ways to ensure that our communities and other interested parties are heard where on-line communication would not be effective.
<b>Exhibitions</b>	Exhibitions may be used to present information and options to the public. Exhibitions may include unstaffed displays (or virtual events).  Exhibitions offer the chance to provide feedback through interactive displays, informal polls/voting, or through discussions with officers. Where Officers of the council will be present at exhibitions, this will be clearly advertised.
<b>Briefings</b>	Briefings may be held with Town and Parish Councils/Meetings to disseminate information and discuss issues. They may be on-line or held in person.

At certain statutory stages of plan making it is important that responses are received during the advertised timeframe. This will be made clear on all public notices and consultation documents. We will also specify the means by which comments should be made.

For formal consultations, we cannot take into consideration anonymous comments. We will require the respondent's name and address and contact information. An email address will be requested to assist efficient communication. It must be expected that comments will be made publicly available with personal data redacted to comply with privacy legislation.

### 3.11 Other ways to get involved

Whilst engagement and formal consultation is likely to increasingly take place on-line, it is important we continue to promote effective community engagement for all. It is recognised that there are a significant number of people who do not have internet access or who do not feel confident responding in this way.

We will take reasonable steps to facilitate this. This may involve representative groups, striving to contact people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf. The Planning Policy team will provide telephone contact details for each consultation (which will be advertised on the public notices or on leaflets) and will be happy to discuss the best way of ensuring that all views are heard.

### 3.12 How are comments and responses considered?

After each formal consultation period ends, all comments received during the consultation period will be reviewed and considered by officers. We will consider all relevant matters made. How the issues raised are then addressed depends on the stage and purpose of consultation. At the formative stages of plan-making they will be used alongside evidence to help develop or refine, and test the robustness of, our proposals. At the final stage of plan-making they are provided to an appointed Inspector to consider together with any proposed modifications to the plan.

Comments will normally be published on-line with personal information protected in accordance with the Council's privacy policy and associated legislation (see paragraph 3.4.3). It is common to receive a large volume of responses and it is not possible to respond to each individually. Comments are typically summarised or grouped in reports and officer responses provided to the issues raised.

In particular, before Local Plans are submitted for examination, or in the case of an SPD before it is adopted, a Consultation Statement will be produced which sets out the comments received and, where required, how they have been addressed. For Local Plans, a consultation statement may be prepared at key milestones in the process to demonstrate how comments have been reflected at each stage

Formal plan making processes are subject to democratic oversight. Officers make recommendations to the Councillors to proceed with the key stages of consultation, having considered the responses to consultation and in presenting proposals. Public involvement at Council meetings is overseen by the Council's Democracy team in accordance with the constitution.

We will notify respondents and others on our database at key stages. The examination of a local plan, including any associated communications and the arrangements for participation at public hearings, is administered by a programme officer on behalf of the appointed Inspector.

## 4 Neighbourhood Plans and Development Orders

Local communities can prepare Neighbourhood Development Plans for their areas. These can be prepared by Town and Parish Councils or formal 'neighbourhood forums' where no town/parish council exists. Additional rights also allow communities to grant planning permission through specific Neighbourhood Development Orders or Community Right to Build Orders.

The responsibility for consulting on Neighbourhood Plans rests with the organisation that has chosen to prepare the document. However, we have a duty to provide advice to groups who are preparing or modifying a Neighbourhood Plan. We also help administer consultation and the examination of submitted plans with a view to becoming a 'made' (adopted) part of the statutory development plan.

The Council's role in the process of neighbourhood planning is set out within regulations. Several of the stages have prescribed deadlines to ensure that the neighbourhood plan process can run smoothly and efficiently. Our statutory duties include:

- To confirm formal designation of an area for a Neighbourhood Plan / Order and publicise the application and decision;
- To confirm formal designation of a Neighbourhood Forum (where no Parish/Town council exists);
- To publicise and consult on the submitted Neighbourhood Plan (Regulation 16 version) for a period of six weeks, publish responses online and send to the examiner;
- To arrange and meet the cost of an independent examination of the Plan / Order;
- To consider the examiner's recommendations and publicise the examiner's report and a decision statement;
- To check compliance with 'basic conditions' and regulations;
- To organise and meet the cost of the relevant referendum/s for Neighbourhood Plans / Orders;
- To formally 'make' (adopt) the plan as a development plan document and produce the adoption statement/s (subject to the result of the referendum);

Further advice on how local planning authorities should assist groups is provided in national guidance this includes providing technical advice and support to communities in the preparation of a Neighbourhood Plan / Order and a local indicative housing requirement figure, if requested to do so by the neighbourhood planning body.

#### 4.1 How will we support Neighbourhood Planning?

We will seek to support the preparation of Neighbourhood Plans, recognising that they usually be prepared by local communities rather than planning professionals.

We will help representatives of local communities determine whether Neighbourhood Planning will assist them with their goals, to understand the process, and to access advice and information.

There are a range of sources of government advice including those prepared by organisations such as Planning Aid, Locality and the Association of Local Councils as well as national planning guidance. We will be able to provide or point towards examples of Neighbourhood Planning to help make informed decisions. Officers will be happy to discuss alternatives to Neighbourhood Plans where requested e.g. Local Plan submissions, Village Design Statements and Village/Parish Plans.

We will endeavour to support those communities who wish to prepare a Neighbourhood Plan process by providing impartial advice in the interest of the community concerned. We can support groups by:

- Providing a named officer to act as a single point of contact;
- Advising and supporting on whether matters can be included in the plan;
- Seeking internal advice on issues of democratic governance
- Advising on how to approach the appointment of suitably qualified consultants if required to assist with plan preparation/evidence gathering (including potentially attending interviews where requested)
- Advising on some of the technical, planning-related aspects of producing the plan (for example, drafting policies, undertaking a sustainability appraisal, negotiations with developers);
- Signposting to sources of evidence and assisting in the analysis of evidence received from village surveys;
- Signposting to relevant contacts within the Council or within other stakeholder / partner organisations (e.g Oxfordshire County Council, the Environment Agency, Historic England etc);
- Providing advice on consultation, including on proposed surveys or questionnaires; and;
- Providing practical support such as providing a venue for meeting and access to mapping.

The level of assistance given, and our availability will depend on the circumstances at the time. Advanced planning and mutual flexibility will be required. Where necessary, we may seek to formalise arrangements through service level agreements.

Our resources are finite and in some circumstances charges may need to be considered subject to appropriate oversight and approval.

We will provide advice on sources of Government or other financial and technical support that may exist. We cannot provide direct financial assistance to groups preparing a Neighbourhood Plan.

## 5 COMMUNITY INVOLVEMENT IN PLANNING APPLICATIONS

### 5.1 Introduction

The Council as Local Planning Authority is responsible for the processing of planning applications within the District. Publicity and consultation are a key part of the process. Some planning applications are dealt with by Oxfordshire County Council, for example those relating to minerals and waste. The County Council produces its own Statement of Community Involvement which details how they will consult on these applications.

Planning legislation sets out the minimum requirements for publishing and consulting the community and stakeholders on planning applications. This section sets out our interpretation of how we will meet those requirements through the development management process.

### 5.2 Pre-application discussions and consultations

For enquiries relating to specific schemes or emerging proposals, we offer a formal pre-application service. All potential applicants are encouraged to use this service before applying. Information on accessing pre-application advice, the service that will be provided and financial costs involved can be viewed on the Council's website<sup>1</sup>.

Government guidance encourages pre-application engagement with the community where it will add value to the process and the outcome. We therefore encourage developers and promoters for large scale development to undertake their own consultation and engagement process with local people.

The term 'large scale development' for the purposes of pre-application discussion is not defined in the SCI to allow flexibility as the level of impact and local interest for prospective developments can differ depending on their context. Setting a defined threshold level would limit the ability of Council Officers to promote the benefits of this proactive developer lead consultation with applicants for proposals beneath the threshold.

In any submission which has included pre-application consultation, the Applicant should set out: what consultation was undertaken; and how any and all comments received have been addressed in the evolution of their design and the detail of their proposals.

The Council will not undertake a public consultation exercise on pre-application submissions received and the detail of pre-application submissions will not be published on the Council's website (unless otherwise first agreed with the applicant). However, subject to prior agreement with the applicant, we may consult with technical consultees at the pre-application stage. This process can include Ward Councillors and Town and Parish Councils where appropriate.

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<sup>1</sup> <https://www.cherwell.gov.uk/info/115/planning/55/apply-for-pre-application-advice>

### 5.3 Submission of an application

Once a planning application has been submitted and validated, we will record the application on our online planning register and make the application available for public inspection via our website.

The methods we will use to publicise planning applications (as explained in **Table 5**) will meet the minimum requirements provided in legislation relating to the methods for publicising applications. The requirements vary according to the type of development proposed and are set out in national Planning Practice Guidance.

Where it is not reasonably practical to comply with publicity requirements due to local or national restrictions in place at the time, we will take reasonable steps to inform those likely to have an interest in the application by other means. The level of publicity we undertake will be proportionate to the scale and impact of the development proposed and will be in accordance with legal requirements.

**Table 5 Publication methods for planning applications**

Method	Commentary
The Council's website	<p>All undetermined applications are available to view on the Council's online planning register <a href="https://planningregister.cherwell.gov.uk/">https://planningregister.cherwell.gov.uk/</a> which enables people to:</p> <ul style="list-style-type: none"> <li>• find an application using a quick search, advanced search, address search or map search;</li> <li>• view the progress of applications;</li> <li>• view all associated documents, including consultation responses;</li> <li>• comment on an application;</li> <li>• research the related planning history of a property (back to 1990);</li> </ul> <p>For those who cannot the website, submitted plans and documents can be inspected at Bodicote House on one of the council's self-service computers at any time between 8:45 a.m. and 5:15 p.m. Monday to Friday.</p> <p>During any period when access to Bodicote House is restricted, we will withdraw the facility to view planning applications at our office. We will, however, include contact details on all publicity to help anyone who may have difficulty in accessing the documents online.</p> <p>If you require help or support to use the website in order to submit your comments, or for any accessibility issues, please contact the Council on 01295 227006 and we will guide you through the process.</p>
Site notices	Site notices are displayed in a public place at or near the

Method	Commentary
	<p>application site. They provide details of the planning application, where to view plans, how to make comments and by what date. One or more site notices may be displayed for not less than 21 days.</p>
<p>Direct notifications</p>	<p>We will send a direct notification<sup>2</sup> to the following:</p> <ul style="list-style-type: none"> <li>• Internal and external statutory consultees in accordance with relevant regulations. Consultation with these bodies will vary depending on the type of development proposed and / or the location.</li> <li>• Ward Members and Town and Parish Councils / Meetings will be notified when an application relates to their area.</li> <li>• Adjoining Town and Parish Councils / Meetings and adjacent Local Planning Authorities will be notified where strategic development sites border their respective administrative area.</li> </ul>
<p>Neighbour notification</p>	<p>Neighbour Notifications will be used for non-strategic development<sup>3</sup>.</p> <p>Notifications will be sent to properties which physically adjoin, or are directly opposite, an application site (i.e. share a boundary with the “red line” planning application site boundary or is only separated from the application site by a public right of way or highway) will be notified.</p>
<p>Newspaper advertisements</p>	<p>Planning legislation requires local planning authorities to publish details in the local press of all planning applications for the following:</p> <ul style="list-style-type: none"> <li>• Major developments.</li> <li>• An application accompanied by an Environmental Impact Statement.</li> <li>• A departure from the Local Plan.</li> <li>• A development that would affect a public right of way, under Part III of the Wildlife and Countryside Act 1981.</li> <li>• Development affecting the character or appearance of a Conservation Area.</li> <li>• Development affecting a Listed Building or its setting.</li> </ul>

<sup>2</sup> To help minimise costs, the default notification method will be email unless no email address is held by the Council or the stakeholder indicates they require communication by letter.

<sup>3</sup> See Table 7

Once an application has been registered and validated, we undertake a formal period of notification and consultation and invite comments.

The consultation period for planning applications will be 21 days unless the notification period states otherwise.

**Table 6** summarises examples of our arrangements for publicising applications. All applications will continue to be published on our website. In all cases, publicity will meet legal requirements.

**Table 6: How we will publicise planning applications**

Application type	Site notice	Neighbour notification	Newspaper advert	Website
<b>Applications for Planning Permission</b>				
<i>Note: greyed out cells = not required to meet minimum requirements</i>				
Major developments	✓	Non-strategic applications only (as defined in table 7)	✓	✓
Non-major and Householder development		✓		✓
Householder Prior Approvals		✓		✓
Non-material Amendment submissions				✓
An Environmental Impact Assessment accompanied by an environmental statement	✓	Non-strategic applications only (see table 7)	✓	✓
Development that does not accord with the Development Plan in force in the area	✓	Non-strategic applications only (see table 7)	✓	✓
Development that would affect a public right of way	✓	Non-strategic applications only (see table 7)	✓	✓
Technical details consent (permission in principle)	✓			✓

Application type	Site notice	Neighbour notification	Newspaper advert	Website
Development which would affect the setting of a listed building or affect the character or appearance of a conservation area	✓	Non-strategic applications only (see table 7)	✓	✓
<b>Applications for Listed Building Consent</b>				
Applications for listed building consent where works to the exterior of the building are proposed	✓		✓	✓
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building	✓		✓	✓
<b>Other Consents</b>				
Applications for prior approval under the GPDO (excluding householder prior approvals)	✓			✓
Applications for advertisement consent	✓			✓
Applications for tree preservation order consent	✓			✓
Applications for works to trees within a Conservation Area	✓			✓
Applications for a Lawful Development Certificate in respect of existing development	✓	✓		✓
Application types not covered in any other entry above				✓

The legislation that governs the consultation process provides Local Planning Authorities (LPAs) with a choice on how to publicise applications submitted to them for determination. In most cases, LPAs can **either** erect site notice in at least one place on or near the land to which the application relates; or by serving the notice on any adjoining owner or occupier.

### Neighbour Notifications

Neighbour notifications will continue to be sent for non-strategic development. For the purposes of this SCI strategic development in respect of neighbour notifications is defined in Table 7.

**Table 7: Neighbour Notification Thresholds**

<b>Development type</b>	<b>Strategic Development</b>
Residential Development	Proposals for 100 dwellings or more
Commercial Development (Employment, retail and leisure)	Proposals where the application site measures 0.2ha or more
Other development (school sites, agricultural development)	Proposals where the application site measures 0.2ha or more
Mixed use development	The lower threshold of residential, commercial or other development.

Where sites are classed as 'strategic' in Table 7, in addition to Site Notices we will also publicise these applications on our website. We will consider bespoke arrangements to ensure that the application is brought to the attention of those in the local area. This may include press and social media releases.

#### 5.4 Commenting on a planning application

The purpose of the consultation process undertaken for each application is to highlight development proposals to the widest number of interested parties. There are no limitations who can respond to a consultation and anyone can make comments upon an application. Those without access to the internet can telephone the planning service and advice on how to access information and make comments will be provided.

Delays in the determination of planning applications hinder the delivery of new development and the associated benefits and infrastructure investment they bring. We need to consider applications in a timely manner, particularly as the Government measures our performance. Failure to meet targets can result in a Local Planning Authority losing its planning powers.

During the prescribed consultation periods, anyone may make comments via the website, email or letter.

However, to balance the need to ensure our performance is not unduly impacted the following measures will apply:

- Comments via the website will close once the overall consultation expiry date has passed (the last date specified by any site notice, press notice or notification letter).

However, we will balance the need for pace with providing a fair opportunity for our communities to engage and comment. Whilst there is no statutory obligation to take late comments into account, we will exercise discretion in a positive manner and accept late comments, as far as it is reasonably practicable to do so, up until the application is ready to be determined. **Late responses may only be made via email or letter.**

#### 5.5 Amendments to an application

Dialogue between applicants, stakeholders and the Planning Officers is an important part of the planning process and can contribute to delivering sustainable, high quality development. Negotiation may lead to amendments to a scheme which may resolve objections or take on board recommendations made by interested parties.

Where negotiation with the applicant results in amended plans or additional information being submitted, the application will not be automatically re-advertised.

#### 5.6 Consultation on applications that are not within the Cherwell administrative boundary

The statutory duty to notify residents on a planning application sits with the decision-making authority. In some cases, this may not be this Council. Such applications will be advertised in accordance with that Council's SCI and any comments must be directed back to that authority to ensure that they are considered in the decision-making process.

## 5.7 Determination of the application

All material comments received will be considered in decisions made by the Council. Planning applications are determined by the Council either through Planning Committee or powers delegated to Council Officers, in accordance with the decision-making processes set out in the Council's constitution<sup>4</sup>.

### ***Planning Committee***

The Planning Committee is a public meeting and both applicants and members of the public have the right to speak in relation to an application. Speakers must be registered in advance with the Council's Democracy team. Planning Committee agendas are normally published 5 working days in advance of the meeting with the items for consideration. The committee is administered by the Council's Democracy team.

## 5.8 Post determination

Once a decision is issued (either through delegated decision or Planning Committee), the decision notice is published on the application case file on the Council's online planning register.

## 5.9 Planning appeals

Where an applicant has an application refused, not determined or disagrees with the conditions attached to a planning permission, they have the right to submit an appeal to the Planning Inspectorate.

In the event of an appeal, the Council will comply with the notification required set by the Planning Inspectorate. The appeal process and any public inquiries or hearings are administered by the Inspectorate.

All appeal decisions will be made available on the application case file on the Council's online planning register and published on the Planning Inspectorate website.

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<sup>4</sup> <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?XXR=0&Year=2019&CId=531&Info=1&MD=constitution>

## 6 REVIEW AND MONITORING THE SCI

Once approved we must conform with the SCI. We will monitor the effectiveness of the SCI to ensure that community involvement has been appropriate and effective in the production of planning policy documents and in decision making. We will also monitor any changes to national legislation and policy, and internal service plans.

The SCI will also be updated within 5 years or if other significant changes suggest a review is required. For example, this might be the result of changes to:

- Groups we engage with
- Legislation / national policy
- Consultation methods
- The Council's constitution
- New technology

We will also review the SCI if it is failing to deliver effective community involvement on planning matters.

## APPENDICES

### Appendix 1: Planning Policy Deposit Locations

<b>Deposit location name</b>	<b>Deposit location address<sup>5</sup></b>
Cherwell District Council Offices	Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA
Banbury Library	Marlborough Road, Banbury, OX16 5DB
Woodgreen Library	Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0AT
Bicester Library	Franklins House, Wesley Lane, Bicester, OX26 6JU
Kidlington Library	Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP
Adderbury Library	Church House, High Street, Adderbury, OX17 3LS
Deddington Library	The Old Court House, Horse Fair, Deddington, OX15 0SH
Hook Norton Library	High Street, Hook Norton, OX15 5NH

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<sup>5</sup> Current opening times for the deposit locations are published online:  
<https://www.cherwell.gov.uk/info/5/your-council/478/contact-us/2;>  
<https://www.oxfordshire.gov.uk/residents/leisure-and-culture/libraries>

## Appendix 2: Planning Policy Consultation Bodies

**Interested Person** is the term used in planning regulations to refer to members of the public who wish to comment on planning policy documents. Interested persons do not have to live within Cherwell to comment on the planning policy documents.

**General consultation bodies.** These are identified locally, although there are several national organisations that also are classified as a general consultation body. The Planning Policy Team maintains a database of the general consultation bodies for the purpose of preparing planning policy documents. In the case of Local Plans all organisations will be notified of consultations. Organisations that fall into one of the categories below can request to be added to the database at any time. General Consultation bodies include organisations that are in one or more of the following categories:

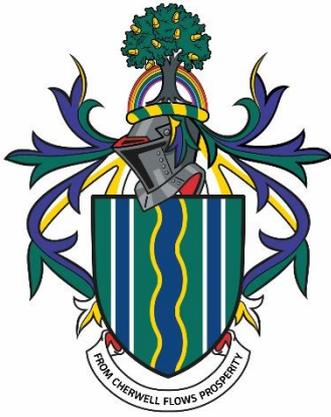
- Voluntary organisations some or all whose activities benefit any part of the local planning authority area.
- Bodies that represent the interest of different racial, ethnic or national groups
- Bodies which represent the interests of different religious groups
- Bodies that represent the interests of disable people
- Bodies which represent business interests

**Specific consultation bodies** are organisations that are 'prescribed' e.g. set out within the regulations. They include bodies such as:

- Town and Parish Councils
- The County Council
- Neighbouring Council areas
- The Environment Agenda
- Historic England
- Natural England
- Network Rail (or any successor body)
- The Highways England
- Utilities companies and sewerage undertakers
- The Primary Care Trust (now Clinical Commissioning Groups)
- Homes England

Consultation with specific bodies is dependent on the document being prepared. The regulations will guide which specific bodies are consulted during the preparation of any planning policy document.

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*Cherwell*

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

**EQUALITY IMPACT ASSESSMENT SCREENING**

**STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

**September 2021**

# Equality Impact Assessments

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## 1. INTRODUCTION

1.1. This Equality Impact Assessment (EQIA) reviews the Statement of Community Involvement (SCI). The SCI sets out who, how and when Cherwell District Council will engage as part of the planning process. This includes preparing key planning policy documents and the determination of planning applications. All local planning authorities are required under section 18(1) of the Planning and Compulsory Purchase Act 2004, to prepare and maintain a SCI.

1.2. The purpose of this EQIA is to assess what impact the temporary changes set out in the draft SCI will have on different sections of the community referred to as the 'protected characteristics' which include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

1.3. Equality Impact Assessments systematically assess and record the actual, potential or likely impact of a service, policy or project – or a significant change in the same – on different groups of people. The consequences of policies and projects on particular groups are analysed and anticipated so that, as far as possible, any negative consequences can be eliminated or minimised and opportunities for ensuring equality can be maximised. This EQIA will be published on the Council's website with the draft SCI.

1.4. This EQIA highlights the steps that have been undertaken to evaluate the potential impact of the publicity arrangements on those in the community with protected characteristics, and what steps have been taken to address any negative impacts. The assessment follows the Council's standard methodology as outlined below:

**Stage 1 involves the Initial Screening** of the assessment and is intended to check whether the SCI Addendum has an adverse impact on equality groups and identify relevant actions and likely costs/resources associated with any proposed improvement. **Appendix 1** contains the initial screening of the draft SCI.

**Stage 2** of the Council's EQIA requires the completion of an In Depth (Full) Assessment if the answer is yes to more than one of the Initial Screening questions.

1.5. Following the initial screening of the SCI it is concluded that an In Depth (Full) Equality Impact Assessment is not required.

## Equality Impact Assessment

### APPENDIX 1 STAGE 1 - INITIAL SCREENING DETAILS ASSESSING POLICIES AND ACTIVITIES

Please tick/delete as appropriate: Is this EQIA for a,

<b>Strategy</b>	<input checked="" type="checkbox"/>	<b>Existing</b>	<input checked="" type="checkbox"/>	
<b>Policy</b>	<input type="checkbox"/>	<b>New/Existing</b>	<input type="checkbox"/>	
<b>Service</b>	<input type="checkbox"/>	<b>Development</b>	<input type="checkbox"/>	<b>New/Existing</b>

**Name of Strategy, Policy or Service Development:**

Statement of Community Involvement (SCI)

#### AIMS, OBJECTIVES & PURPOSE OF THE POLICY OR ACTIVITY:

A Statement of Community Involvement (SCI) sets out who, how and when Cherwell District Council will engage as part of the planning process. This includes preparing key planning policy documents and the determination of planning applications.

The aim of the draft SCI is to explain how we will consult and provide information to help encourage community and stakeholder participation in the planning process. The SCI gives the public and stakeholders certainty over the type of engagement expected and the ways they can get involved. The SCI sets the framework for planning-related consultation which will enable us to demonstrate how we have met and, in some cases, exceeded statutory requirements.

We must comply with the adopted SCI in preparing relevant planning policy documents and in determining planning applications.

#### PLEASE LIST THE MAIN STAKEHOLDERS/BENEFICIARIES IN TERMS OF THE RECIPIENTS OF THE ACTIVITY OR THE TARGET GROUP AT WHOM THE POLICY IS AIMED:

The SCI sets out how planning applications and planning policy documents are publicised and explains how responses could be made, therefore this could have an impact on all those that live and work in the district. The main stakeholders are, therefore, the Cherwell community and those with an interest in the Cherwell District. These include residents, local businesses, stakeholders, staff, and partners.

#### IF THE ACTIVITY IS PROVIDED BY ANOTHER DEPARTMENT, ORGANISATION, PARTNERSHIP OR AGENCY ON BEHALF OF THE AUTHORITY, PLEASE GIVE THE NAMES OF THESE ORGANISATIONS/AGENCIES:

N/A

**LEAD OFFICER:** Heather Seale **TEL:** 01295 227985  
**SERVICE AREA:** Planning and Development  
**DIRECTORATE:** Environment and Place

**ASSESSMENT REVIEW DATE:** 15 September 2021



	<p>consultation events, the Council will seek to hold meetings in places that are accessible to those who have mobility issues, where possible. In addition, we will make hard copies of documents available at request, consider holding virtual meetings and utilise disability networks/organisations from the consultation database to promote information.</p> <p>The SCI could act as a barrier to people on low incomes due to digital inequality. Research confirms that low income households have lower rates of in-home internet connectivity compared with higher-income groups. People on lower incomes are also more likely to depend exclusively on non-contract smartphones and other handheld devices to access the internet in the home and therefore may not have the ability to download large documents. This is mitigated through internet availability at libraries and other locations where internet access is provided and by inspection copies of the documents being made available at Bodicote House (and libraries for planning policy documents) within the District when publicly accessible and during advertised opening hours. There is also an option to contact the Planning Department for assistance or to request information in an alternative format.</p>	
9	<p>Is the proposed policy or activity likely to have a negative effect on our relations with certain equality groups or local community? If so, please explain.</p> <p>The SCI aims to remove barriers to participation in the planning process. Where barriers to participation have been identified, the Council have put measures in place to mitigate against any negative effects.</p>	<b>N</b>
10	<p>There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:</p> <p>The draft SCI was subject to a six-week period of public consultation in summer 2021. A final SCI has been prepared taking into account representations received from the public consultation before being presented to Members for approval.</p> <p>The Council's EQIA contact officer was consulted on the preparation of this EQIA.</p> <p>It is considered that all sectors of the community still have the opportunity to have their say in how their community is planned and developed, irrespective of age, sex, ability, ethnicity, background or disability as a result of the measures contained in the draft SCI.</p>	<b>N</b>
11	<p>Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?</p> <p>No. The Council will continue to encourage the participation of all sectors of the community in the preparation of planning policy documents and consultation of planning applications.</p> <p>The SCI promotes the use of a range of engagement methods in order to reach local people, local businesses and other key organisations and stakeholders.</p> <p>In order to promote equality of opportunity for young people the Council will continue to use social media as a means of involving the community in planning policy.</p> <p>Research suggests that young people are difficult/reluctant to engage in the planning process. Social media is a popular means of interaction for young</p>	<b>N</b>

	<p>people and the Council is committed to the use of online platforms to engage younger people on planning matters, as a means of enhancing equality of opportunity.</p> <p>The SCI commits to facilitate focussed meetings or forums with interest groups, organisations and other stakeholders where there is demand. These may be held in person or virtually. Overall, the aim of this is to advance equality of opportunity to respond to consultations.</p> <p>The SCI helps to foster positive attitudes by ensuring that the Council is open about how it will engage with the community in the delivery of its planning function, thus removing barriers to participation in the planning process.</p>	
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**Proceed to In Depth (Full) Assessment (complete **Appendix 2**) if the answer is YES to more than one of the above questions.**

**For any YES answers include an improvement action in your Equality Improvement Plan.**

**Declaration**

I am satisfied that an initial screening has been carried out on this policy or activity and an In Depth (Full) Equality Impact Assessment is not required. I understand that the EQIA is required by the Council and take responsibility for the completion and quality of this assessment.

**Completed by:**

**Heather Seale – Planning Research and Monitoring Officer**  
**Date: 15 September 2021**

**Approved by Assistant Director Planning and Development**

**David Peckford**  
**Date: 15 September 2021**

## Equality Impact Assessment

Please detail below your evidence which has determined whether you have answered either Yes or No to the initial screening questions.

Screening Questions	Screening Narrative
Does the policy or activity knowingly prevent us in any way from meeting our statutory equality duties under the 2010 Equality Act?	The Statement of Community Involvement (SCI), which sets out how we will engage our community in the preparation of planning policy documents and planning applications are consulted, actively seeks involvement in planning from all areas of the community.
Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	<p>There is no evidence to suggest that any of the protected groups have been disadvantaged by the SCI as the aim of the document is to try and help people engage in the planning process.</p> <p>Where the consultation and engagement methods set out in the SCI could act as a barrier to participation for some equality groups, the Council have put measures in place to mitigate against these negative impacts.</p>
Is there any evidence that information about the policy or activity is not accessible to any equality groups?	<p>There is no evidence that information about the SCI is not accessible to any equality groups.</p> <p>The aim of the SCI is to encourage community and stakeholder involvement.</p> <p>The consultation draft SCI was published on the Council's website and emails/letters were sent to specific, general and all other relevant consultees and stakeholders on the Planning Policy consultation database. Contact details for the Planning Policy team were provided for anyone who may have difficulty in viewing documents online and a hard copy of the document could be sent by post for a fee. Stakeholders were given the option of responding to the consultation by email or by post. The draft SCI and the consultation were promoted through the Council's social media accounts.</p>
Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	No. There is no evidence to suggest that any equality issue related complaints have been received.
Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	No recommendations received
Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	There are no negative outcomes identified.
This Strategy, Policy or Service Development has an impact on other council	The SCI has been prepared in consultation with the Council's EQIA contact officer and the changes do not affect how other Council services are provided.

<p>services i.e. Customer Services and those services have not yet been consulted.</p>	
<p>Will there be a negative impact on any equality groups?</p>	<p>No. The SCI includes various ways the Council will ensure that there are no barriers to people having a say in the planning process, with the aim of advancing equality of opportunity for all.</p> <p>Where barriers to participation have been identified, the Council have put measures in place to mitigate against any negative effects.</p>
<p>Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so, please explain.</p>	<p>No. The SCI includes various ways the Council will ensure that there are no barriers to people having a say in the planning process, with the aim of advancing equality of opportunity for all.</p> <p>Where barriers to participation have been identified, the Council have put measures in place to mitigate against any negative effects.</p>
<p>There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:</p>	<p>The draft SCI was subject to a six-week period of public consultation in summer 2021.</p> <p>The Council's EQIA contact officer was consulted on the preparation of this EQIA.</p> <p>The aim of the SCI is to encourage community and stakeholder involvement.</p> <p>Consultations on planning policy documents and planning applications are open to everyone to comment. These are widely publicised to give opportunities to anyone who wishes to be involved.</p> <p>Consultation responses to planning policy documents are captured in Statements of Consultation, which are published on the Council's website.</p> <p>The consultation draft SCI was published on the Council's website and emails/letters were sent to specific, general and all other relevant consultees and stakeholders on the Planning Policy consultation database. Contact details for the Planning Policy team were provided for anyone who may have difficulty in viewing documents online and a hard copy of the document could be sent by post for a fee. Stakeholders were given the option of responding to the consultation by email or by post. The draft SCI and the consultation were promoted through the Council's social media accounts.</p>
<p>Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?</p>	<p>No</p>

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## **Cherwell District Council**

### **Council**

**18 October 2021**

## **Cherwell District Wide Community Governance Review 2021**

### **Report of Director Law and Governance and Monitoring Officer**

This report is public

#### **Purpose of report**

For Council to approve the Terms of Reference for the District Wide Community Governance Review 2021; to delegate authority to the Director Law and Governance and Monitoring Officer, in consultation with the Chairman or Vice-Chairman of the working group, to make minor amendments to the timetable if required.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To approve the Terms of Reference for the Community Governance Review (CGR) (appendix 1 to the report)
- 1.2 To delegate authority to the Director Law and Governance and Monitoring Officer, in consultation with the Chairman (or Vice-Chairman in the Chairman's absence) of the Parliamentary Boundary and Community Governance Review working group, to make minor amendments to the timetable for the CGR if required.

#### **2.0 Introduction**

- 2.1 At the 19 July 2021 meeting Council agreed that a district wide CGR should be undertaken.
- 2.2 The Parliamentary Boundary and Community Governance Review working group ("the working group") was established, and consists of Councillors Kieron Mallon (Chairman), Andrew Beere (Vice-Chairman), Conrad Copeland, Perran Moon, Ian Middleton, Lynn Pratt, George Reynolds and Les Sibley.
- 2.3 All town/parish councils and district councillors were invited to submit issues for consideration between 20 July and 17 September 2021.
- 2.4 All responses have been gathered and Terms of Reference for the review have been drafted.

### **3.0 Report Details**

- 3.1 A Community Governance Review (CGR) is the process for making changes to parishes in a Council area. Changes that can be made include creating, merging or abolishing parishes; changing the boundaries; and altering the number of parish councillors.
- 3.2 All town/parish councils were contacted in July and given the opportunity to submit issues for consideration as part of the CGR.
- 3.3 All District Councillors and a small group of officers were also contacted and asked to submit details of any issues they were aware of in their Wards/in the district in general.
- 3.4 The officers contacted were from teams that have regular involvement with boundaries, such as Street Naming and Numbering, GIS mapping, Council Tax and Planning, and were therefore in a position to advise the Democratic and Elections Team of any areas that may benefit from review during the CGR.
- 3.5 The following responses were received:

#### **Boundary between Ambrosden and Blackthorn**

- 3.6 Ambrosden Parish Council and Councillor Dan Sames had previously raised the situation regarding new development across the Ambrosden/Blackthorn boundary.
- 3.7 Ambrosden Parish Council again requested that the boundary be reviewed around the Church Leys Field development (map 1, area A in the Terms of Reference).

#### **Banbury**

- 3.8 Banbury Town Council requested that their external boundaries with all neighbouring parishes be reviewed, following recent developments across the town (maps 2 and 3 in the Terms of Reference).

#### **Drayton/Banbury**

- 3.9 Drayton Parish Council and Councillor George Reynolds had previously raised the situation regarding the boundary between Drayton and Banbury.
- 3.10 Drayton Parish Council confirmed that they would like the boundary to be reviewed around the Walker Road/Jarvis Circle development, with consideration also given to the Drayton Lodge Farm development and the land leading up to the Hanwell boundary (map 2, areas B, C and D in the Terms of Reference).

#### **Bodicote/Banbury**

- 3.11 Councillor Kieron Mallon, Chairman of the Working Group, and the Street Naming and Numbering Officer of the Council both advised that two properties within the Longford Park development in Banbury remain in Bodicote parish. The rest of

Longford Park was moved into Banbury in 2013 (map 3, area F in the Terms of Reference).

### **Banbury/Bodicote/Adderbury**

- 3.12 The Street Naming and Numbering Officer highlighted recently permitted planning application 19/01047/OUT, which crosses the boundaries of Banbury, Bodicote and Adderbury (map 3, area E in the Terms of Reference).

### **Bicester**

- 3.13 A number of issues were submitted relating to boundaries in Bicester

### **Bicester Avenue/Chesterton**

- 3.14 The Street Naming and Numbering Officer advised that Charles Shouler Way in Bicester, specifically the commercial development under planning application reference 19/01740/HYBRID, was in Chesterton parish rather than Bicester (map 5, area K in the Terms of Reference).

### **Skimmingdish Lane/Launton**

- 3.15 The Street Naming and Numbering Officer advised that the boundary along Skimmingdish Lane follows the smaller lane and not the main A41 Skimmingdish Lane, meaning Bicester Airfield and commercial development to the north of the A41 is within Launton parish (map 5, area J in the Terms of Reference).

### **Wretchwick Green**

- 3.16 Councillor Dan Sames and the Street Naming and Numbering Officer both advised that the proposed Wretchwick Green development, being considered under planning application reference number 16/01268/OUT, would be in Ambrosden and Blackthorn parishes rather than Bicester (map 5, area L in the Terms of Reference).

### **Bicester/Bucknell/Chesterton**

- 3.17 Several requests have been made relating to the same area of boundary between Bicester, Bucknell and Chesterton (map 4 in the Terms of Reference).
- 3.18 Chesterton Parish Council requested that the boundary with Bucknell be considered, as it currently strays from the Middleton Stoney Road to follow field boundaries on either side of the road (map 4, areas G and H).
- 3.19 Bucknell Parish Council had separately requested a review of the boundary with Bicester, in relation to planning application 21/02339/REM.
- 3.20 The Planning Officer for the application advised that the development was already within the parish boundary of Bicester, but a small section of the outline application 14/02121/OUT was within Chesterton Parish due to the boundary not following the road at that point (map 4, area I).

### **Epwell/Sibford Gower**

- 3.21 Epwell Parish Council requested that the boundary with Sibford Gower be reviewed, to move an area of woodland and some fields from Sibford Gower in to Epwell (map 6, area M in the Terms of Reference).
- 3.22 Epwell Parish Council advised that they had spoken to Sibford Gower prior to submitting the request, and Sibford Gower had been supportive of the proposal.

### **Horley/Hanwell/Wroxton**

- 3.23 Horley Parish Council requested that the boundaries with Hanwell and Wroxton be reviewed to move land out of the neighbouring parishes and into Horley (map 7, areas N and O in the Terms of Reference).

### **Kidlington/Gosford & Water Eaton**

- 3.24 Kidlington Parish Council expressed an early interest in being involved in the review, and following detailed discussion requested that consideration be given to merging the parish with Gosford & Water Eaton Parish Council (map 8 in the Terms of Reference).
- 3.25 Kidlington Parish Council have subsequently requested that consideration also be given to amending the existing boundary with Gosford & Water Eaton Parish, so that it follows the North-South Bicester Road (map 8, area P in the Terms of Reference).
- 3.26 Gosford & Water Eaton Parish Council do not support the proposal to merge the two parishes. At the time of writing it is not known if Gosford & Water Eaton support the alternative suggestion regarding an amended boundary.

### **Begbroke**

- 3.27 Begbroke Parish Council requested that the number of parish councillors be increased by one, taking them from six to seven.

### **Chesterton**

- 3.28 As well as reviewing the boundary with Bucknell, Chesterton Parish Council requested that the number of parish councillors be increased by one, taking them from seven to eight.

### **Somerton**

- 3.29 Somerton Parish Council requested that the number of parish councillors be increased by one, taking them from five to six.

### **Issues not pursued.**

- 3.30 A number of parishes expressed early interest in being involved in the review, but following detailed discussions decided not to request anything specific for their area.

- 3.31 Bodicote Parish Council considered the situation with the recent housing developments, and subsequently requested assurance that the existing parish boundaries would remain unaltered.
- 3.32 As a result of requests from Banbury Town Council and issues raised by officers as set out at paragraphs 3.8 and 3.12, it was not possible to provide the assurances requested.
- 3.33 Councillor Barry Wood raised a recent scoping planning application on the Bicester/Bucknell boundary, and whether consideration should be given to amending the existing boundary between the parishes.
- 3.34 After consulting Planning officers it was decided that considering any form of boundary amendment in the area of the scoping application would be premature, as no pre-application discussions had taken place and the majority of the scoping application site already sits within Bicester.
- 3.35 Caversfield Parish Council expressed an early interest in being involved in the review, but following detailed discussion decided not to request any areas for review.
- 3.36 Claydon with Clattercote Parish Council had previously contacted the Democratic and Elections team requesting an additional parish councillor.
- 3.37 Democratic and Elections officers contacted the parish council to see if they still wanted to pursue this, and they responded that they are content with their current number.
- 3.38 Claydon with Clattercote Parish Council did raise the issue of the parish council model in general, and how parishes such as Claydon and Banbury may appear the same on paper but in reality the workloads and requirements of the two parishes are very different.
- 3.39 Unfortunately the points raised by Claydon with Clattercote Parish Council are not within the remit of a CGR, and Cherwell District Council is not able to address them.
- 3.40 Yarnton Parish Council expressed an early interest in being involved in the review, and discussed the possibility of reviewing boundaries in light of anticipated local plan development.
- 3.41 Following further discussion Yarnton decided it was too early to consider boundaries, and advised they would not be putting forward any issues for consideration.
- 3.42 The next stage for the review is for the Terms of Reference to be approved, at which point the CGR officially starts.
- 3.43 Once the Terms of Reference for the review have been approved, it will not be possible for further issues or areas to be added as this would require further consideration and resolution of Council, which would mean the review would not be concluded within the 12 month timeframe.

- 3.44 The first consultation period is scheduled to start on Monday 22 November 2021. Officers will spend the weeks after the Council meeting preparing various consultation documents and response questionnaires, which will be made available to any interested party in line with government guidance on the conduct of a CGR.
- 3.45 Where a residential property is directly affected by a proposal i.e. if a boundary is moved and the property becomes part of a different parish, a paper consultation document, reply slip and envelope will be posted out in order to ensure residents are aware of the proposals. Relevant town/parish councils will also be invited to submit consultation responses.
- 3.46 Copies of consultation documents will be provided to any community buildings in relevant areas such as community centres or libraries, to increase awareness of the consultation. An online response method will also be available, in line with guidance from the council's Communications and Engagement Team.
- 3.47 Democratic and Elections Officers will also engage the Communications and Engagement Team to ensure awareness of the consultation across the district, and will offer to attend town/parish council meetings and any other public events which may be taking place during the consultation periods, to discuss the proposals and answer any questions people may have.
- 3.48 The first consultation will run to Monday 31 January 2022, after which the working group will consider all consultation responses received before drafting recommendations for stage two of the review.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 A Community Governance Review provides an opportunity for the Council to review and consider and make changes to community governance, subject to consultation outcomes, within the district.
- 4.2 The timetable included in the Terms of Reference has been drafted taking into account timescales for consultation documents to be produced and printed by an external provider and avoiding consultation during the pre-election period in the lead up to the May 2022 local elections.
- 4.3 The calendar of meetings for 2022-2023 is due to be considered later on in the Council agenda. Once approved, the proposed date of the October 2022 Council meeting, 17 October, will be added to the timetable before the final Terms of Reference are published.
- 4.4 Delegating authority to the Director Law and Governance in consultation with the Chairman of the working group (or Vice-Chairman in his absence) to make minor amendments to the timetable will allow work on the review to continue should any issues occur during the drafting of consultation documents.

## **5.0 Consultation**

- 5.1 The Community Governance Review Working Group has agreed the proposed consultation approach.
- 5.2 Public consultation will take place from 22 November 2021 to 31 January 2022, and from 4 July to 9 September 2022

## **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 Terms of Reference for the review. This is rejected, as Council has already agreed to carry out a Community Governance Review and the requests submitted by town/parish councils, district councillors and officers are all valid and should proceed to consultation.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The cost of carrying out the Community Governance Review can be met from existing budgets, with consultation documents made available electronically and paper copies limited to those residential addresses directly affected.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845,  
[michael.furness@cherwell-dc.gov.uk](mailto:michael.furness@cherwell-dc.gov.uk)

### **Legal Implications**

- 7.2 The Council is empowered to undertake a Community Governance Review by the Local Government and Public Involvement in Health Act 2007. The review will be carried out in line with government guidance and following the wishes of the Parliamentary Boundary and Community Governance Review Working Group.

Comments checked by:

Richard Hawtin, Team Leader – Property and Contracts, Tel: 01295 221695, Email:  
[richard.hawtin@cherwell-dc.gov.uk](mailto:richard.hawtin@cherwell-dc.gov.uk)

### **Risk Implications**

- 7.3 The last district-wide Community Governance Review was completed in 2013. Since the completion of that review there has been large scale development across the district, which in some areas has crossed parish boundaries. These areas have been included in the Terms of Reference for the review. The CGR process is an opportunity for the council to re-draw parish boundaries where the proposals are supported by electors, resulting in clarity regarding local identity and reducing the risk of elector confusion.

Comments checked by:  
Louise Tustian, Head of Insight and Corporate Programmes  
[Louise.tustian@cherwell-dc.gov.uk](mailto:Louise.tustian@cherwell-dc.gov.uk)

### **Equalities and Inclusion Implications**

- 7.4 There are no equalities and inclusion implications arising directly from this report. The council will take steps to ensure that the outcome of the review reflects the identities and interests of the area(s) being reviewed and the need to ensure effective and convenient community governance.

Comments checked by:  
Emily Schofield, Acting Head of Strategy, 07881 311707,  
[emily.schofield@cherwell-dc.gov.uk](mailto:emily.schofield@cherwell-dc.gov.uk),

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

N/A

### **Lead Councillor**

N/A

### **Document Information**

#### **Appendix number and title**

- Appendix 1 and associated annexes – Terms of Reference

### **Background papers**

None

### **Report Author and contact details**

Emma Faulkner, Democratic and Elections Officer.  
Tel: 01295 221534, Email: [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk)

# Cherwell District Council

## Local Government and Public Involvement in Health Act 2007

### Community Governance Review 2021

#### Terms of Reference

##### Introduction

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

Table 1

Parish/Area and map reference	Matter to be considered
Begbroke (no map required)	Increasing the number of parish councillors from six to seven
Chesterton (no map required)	Increasing the number of parish councillors from seven to eight
Somerton (no map required)	Increasing the number of parish councillors from five to six
Ambrosden/Blackthorn (map 1)	The parish boundary in relation to the development around Church Leys Field. Part of this development is in Blackthorn parish with the rest in Ambrosden – Area A
Banbury/Drayton (map 2)	The parish boundary in relation to the development around Walker Road/Jarvis Circle. This development is in Drayton – Area D Drayton Lodge Farm development, would currently sit within Drayton – Area C Land either side of the B4100 Warwick Road, boundary with Hanwell – Area B
Banbury (maps 2 and 3)	All boundaries with neighbouring parishes in light of recent developments. Consideration may need to be given to the number of Town Councillors for Banbury.
Banbury/Bodicote/Adderbury (map 3)	Boundary between the three parishes following approval of planning application 19/01047/OUT – Area E
Bodicote (map 3)	Properties in Longford Park which are

	still within Bodicote parish – Area F
Bicester/Ambrosden/Blackthorn (map 5)	Wretchwick Green development, currently in Ambrosden and Blackthorn parishes. Planning application 16/01268/OUT refers – Area L Consideration may need to be given to the number of Town Councillors for Bicester.
Bicester/Launton (map 5)	Skimmingdish Lane commercial development currently in Launton – Area J
Bicester/Chesterton (map 5)	Charles Shouler Way commercial development is currently within Chesterton – Area K
Bicester/Bucknell/Chesterton (map 4)	Boundary between Chesterton and Bucknell, and Bucknell/Bicester, taking into account planning application 14/02121/OUT which straddles the boundary – Area I
Epwell/Sibford Gower (map 6)	Boundary between Epwell and Sibford Gower, to consider moving some fields and a wood into Epwell – Area M
Horley/Hanwell/Wroxton (map 7)	Boundary between Horley and Hanwell, to consider altering so that it follows the road - Area O, and the boundary between Horley and Wroxton, to put Old Forge and the caravan/scout camp into Horley – Area N
Kidlington/Gosford & Water Eaton (map 8)	To consider a merger between Kidlington and Gosford & Water Eaton parish councils, and any subsequent review required relating to the number of parish councillors. Boundary between Kidlington and Gosford & Water Eaton, to consider altering so that it follows the north-south Bicester Road – Area P

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

#### What is a Community Governance Review?

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

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes

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

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

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

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

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

#### Why is the Council undertaking the review?

The guidance states that it is good practice for principal councils (in this context that means this council) to undertake CGRs every 10-15 years. The last district wide review was concluded in December 2013, and several parish specific reviews have been completed since then.

#### Who undertakes the review?

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

#### Consultation

Two consultation stages will be held, and a full consultation document will be produced for each stage, for each area/issue detailed in table 1. The documents will be available electronically, being published on a dedicated 'Community Governance Review' page on the Cherwell District Council website

[www.cherwell.gov.uk/communitygovernance](http://www.cherwell.gov.uk/communitygovernance)

Where a residential property is directly affected by an issue, i.e. where it may be moved into a different parish, a hard copy consultation letter will be sent to the property which will include a reply slip and pre-paid reply envelope.

Local sites such as but not limited to community buildings, libraries and notice boards will also be used to publicise the consultation.

Consultation responses will not be limited to one per household, anybody with an interest in the review will be able to submit a consultation response, in line with guidance on CGRs.

Democratic and Elections Officers will contact all parish/town councils involved in the review, and offer to attend parish/town meetings or any other events taking place in affected areas during the consultation periods, to discuss the review and proposals under consideration.

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

### Timetable for the Review

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

Monday 18 October 2021	Council meeting	
Tuesday 19 October 2021	If approved, Terms of Reference published for the review. CGR officially starts	
Monday 22 November 2021 to Monday 31 January 2022	First stage consultation. Consultation documents to be available electronically via the CGR page of the Cherwell District Council website. An online response method such as survey monkey or equivalent as advised by the Consultation and Engagement Team to be live to allow online responses. A paper copy of documents to be sent to directly affected residential addresses in the relevant parishes. All parish/town councils involved in the review encouraged to consider the relevant consultation documents and submit a response.	10 weeks
Between Monday 7 February and Friday 11 March 2022	Meeting(s) of the CGR working group, to go through the consultation responses and formulate recommendations for second stage consultation. Multiple meetings may be required if a large volume of consultation responses received.	5 weeks
Wednesday 18 May 2022	Annual Council meeting – consideration and approval of recommendations for second stage consultation	
Monday 4 July to Friday 9	Second stage consultation. Consultation documents to be available electronically via	10 weeks

September 2022	the CGR page of the Cherwell District Council website. An online response method such as survey monkey or equivalent as advised by the Consultation and Engagement Team to be live to allow online responses. A paper copy of documents to be sent to directly affected residential addresses in the relevant parishes. All parish/town councils involved in the review encouraged to consider the relevant consultation documents and submit a response.	
Between 12 and 30 September 2022	Meeting(s) of the CGR working group, to go through the consultation responses and formulate final recommendations. Multiple meetings may be required if a large volume of consultation responses received.	3 weeks
Early October 2022	Publication of final recommendations on CGR page of CDC website	
October 2022 (Meeting date TBC)	Report to full Council – final recommendations.	
October 2022	Any required reorganisation orders to be drafted, subject to Council approval of final recommendations, to take effect at next ordinary year of election for affected parishes – starting in May 2023, unless order includes provision to shorten term of office to bring in sooner.	

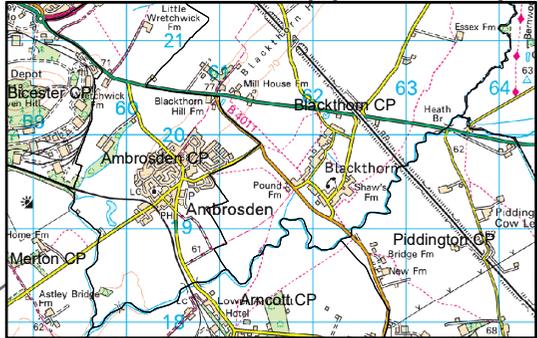
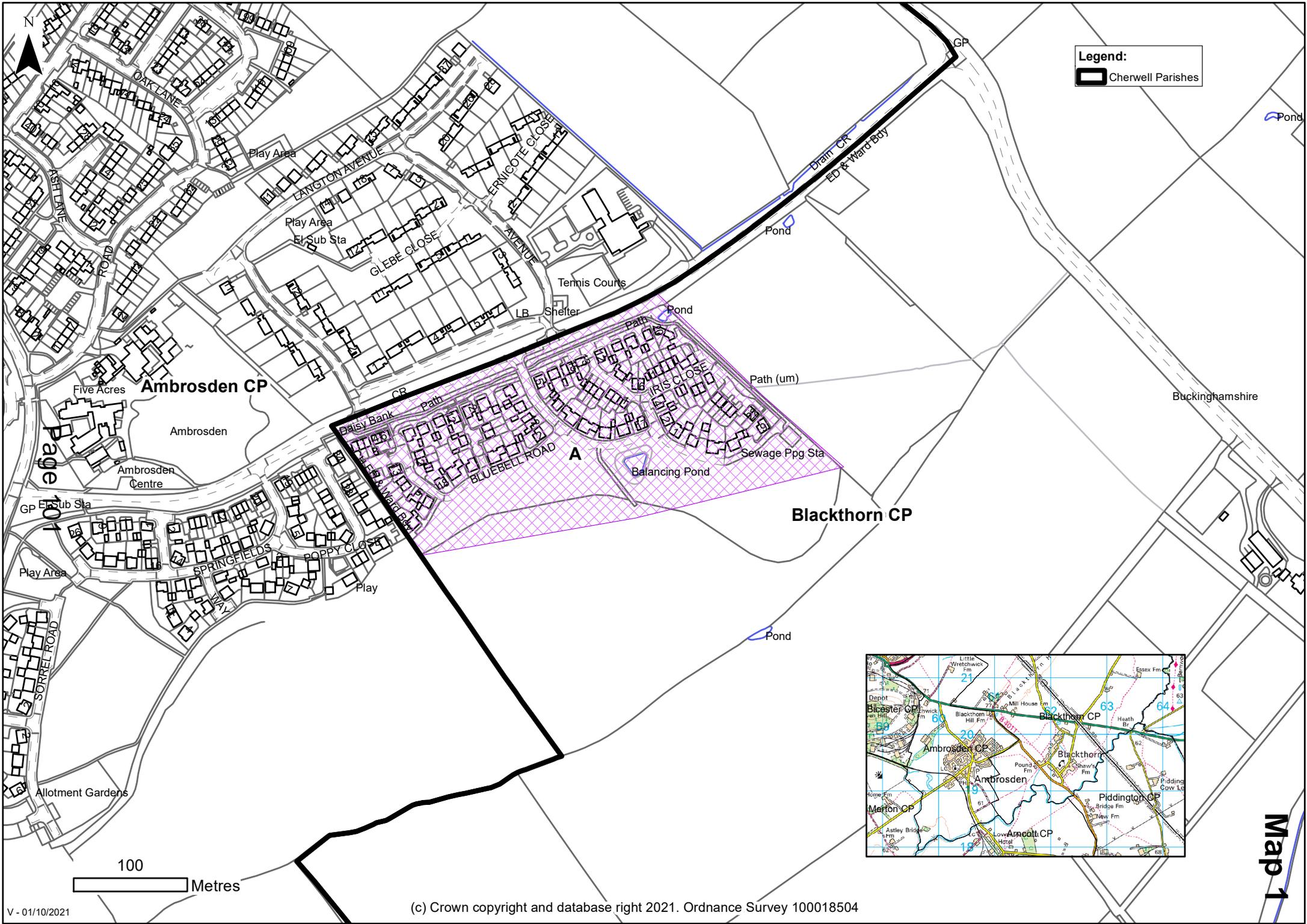
### How to respond

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

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

Dated:

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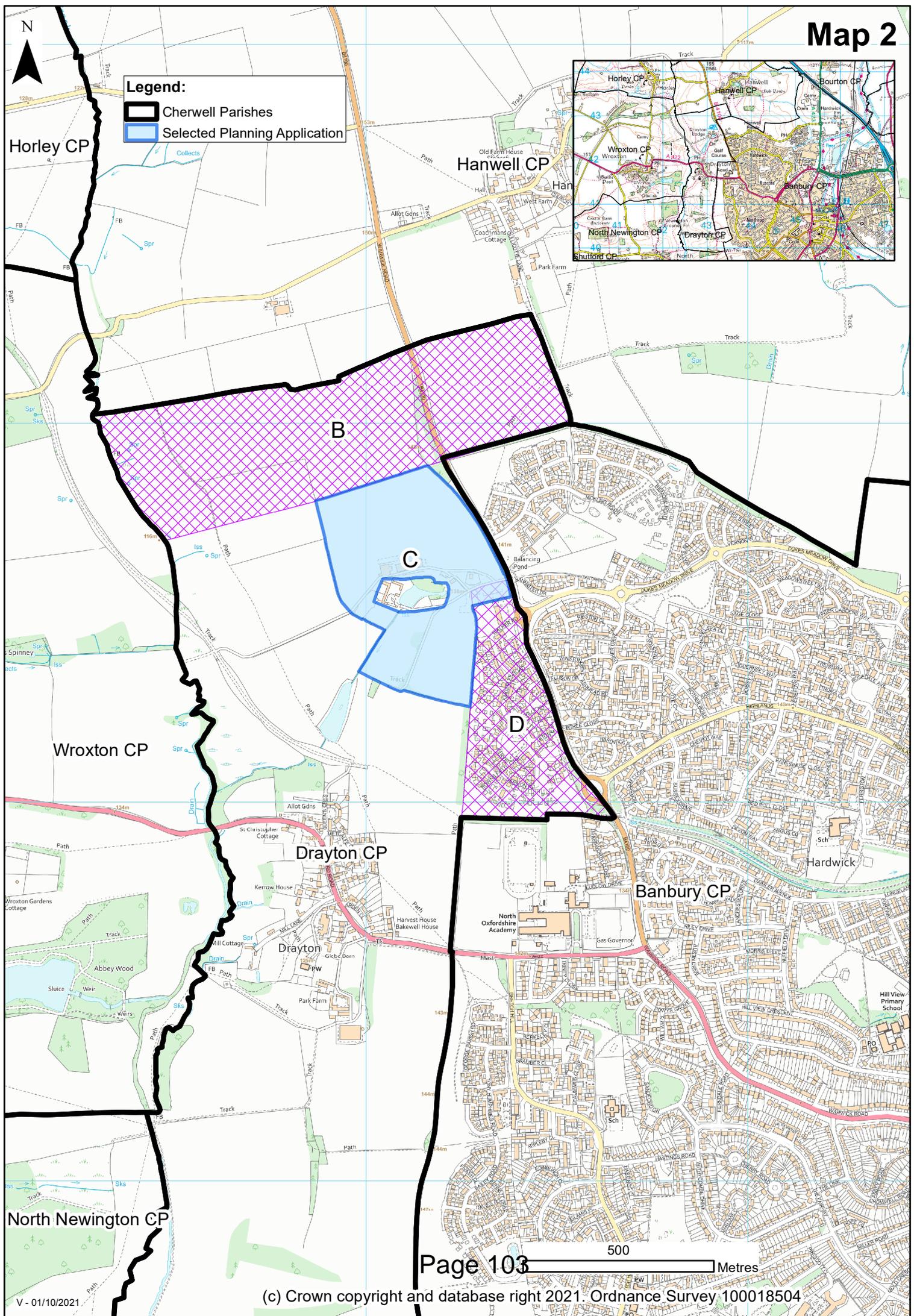


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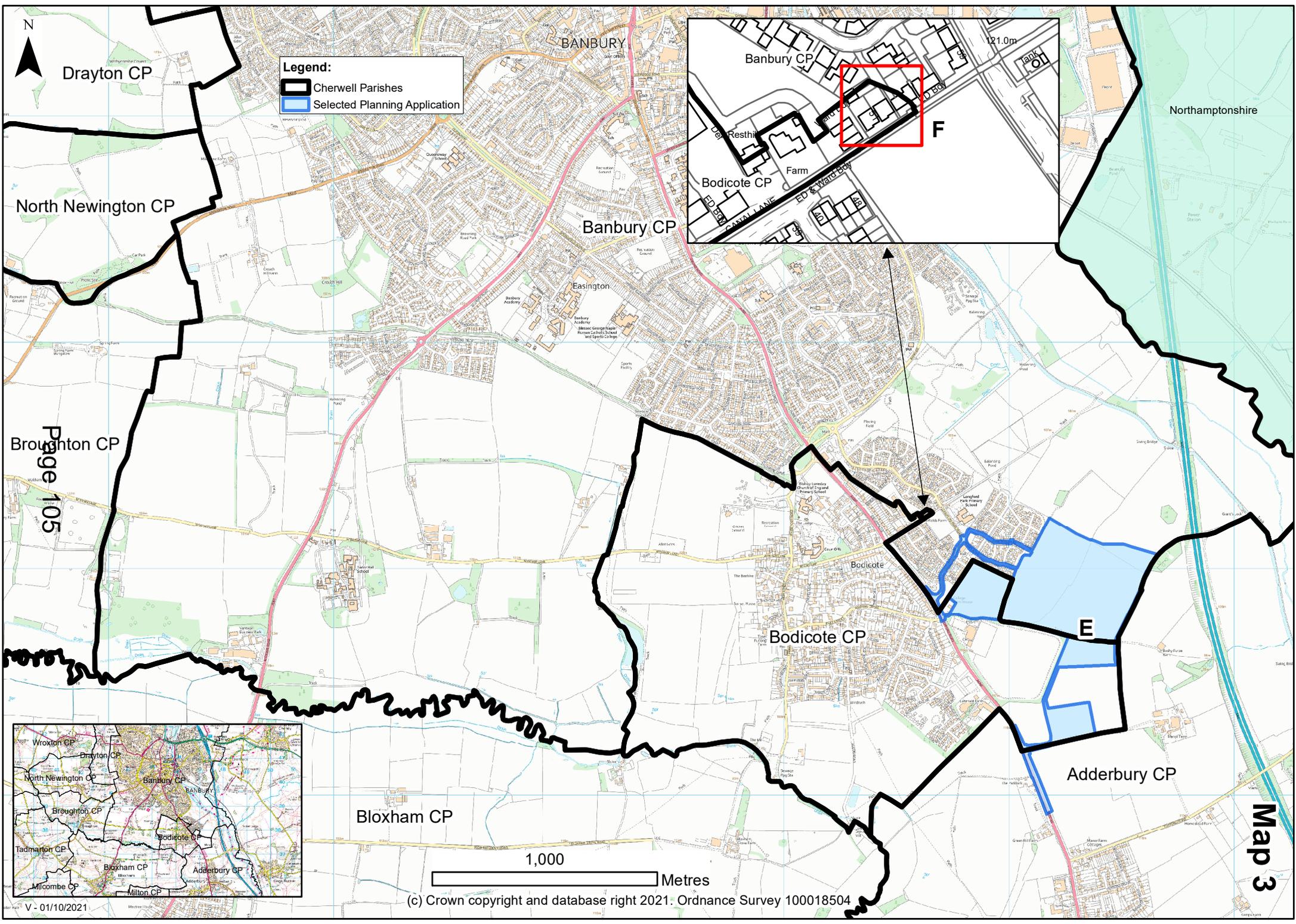
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-  Selected Planning Application

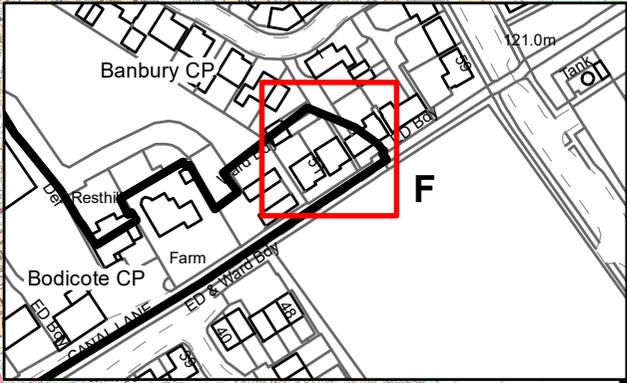


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**Legend:**  
Cherwell Parishes  
Selected Planning Application



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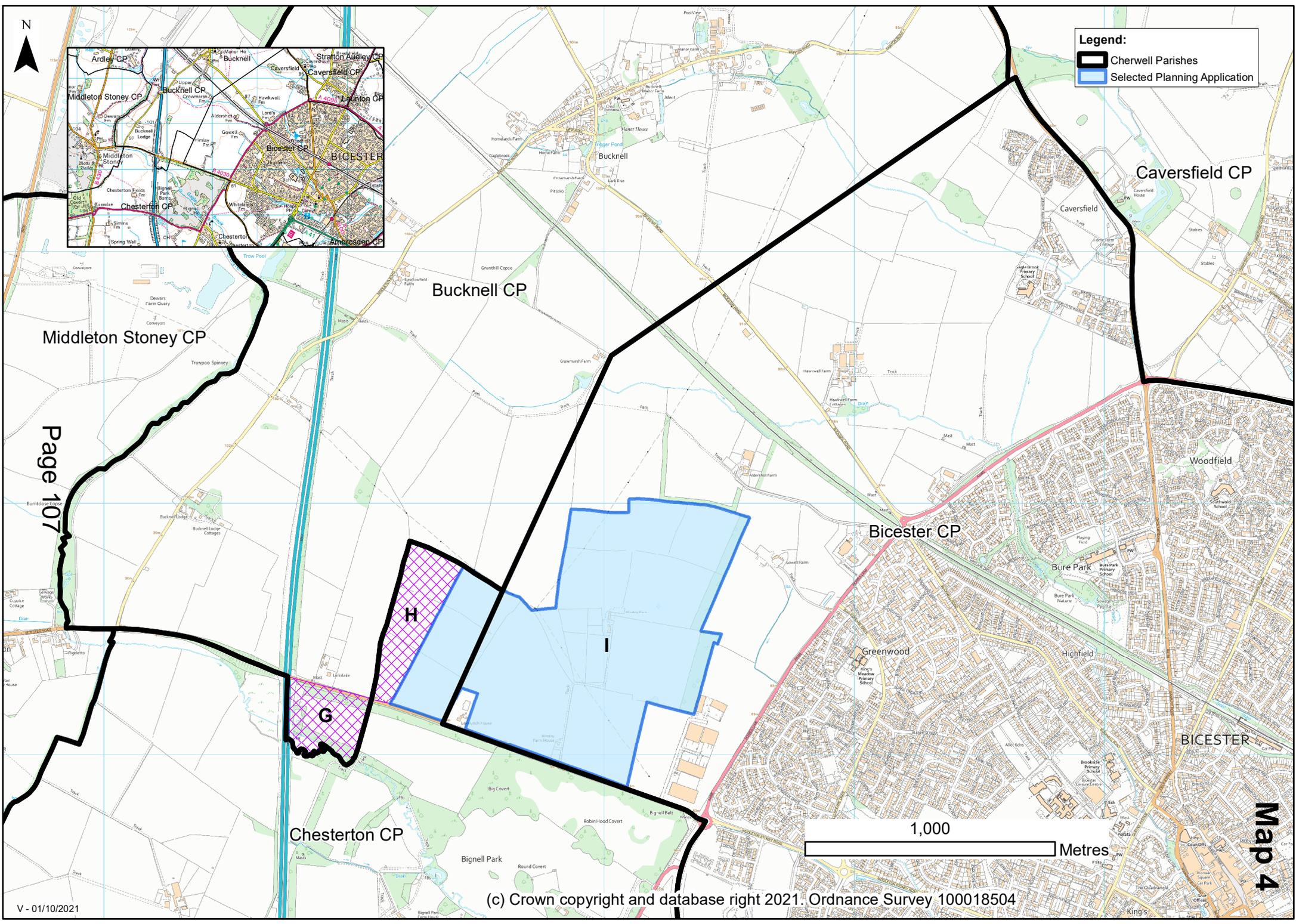
Map 3

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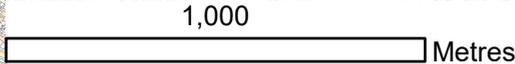


**Legend:**

-  Cherwell Parishes
-  Selected Planning Application

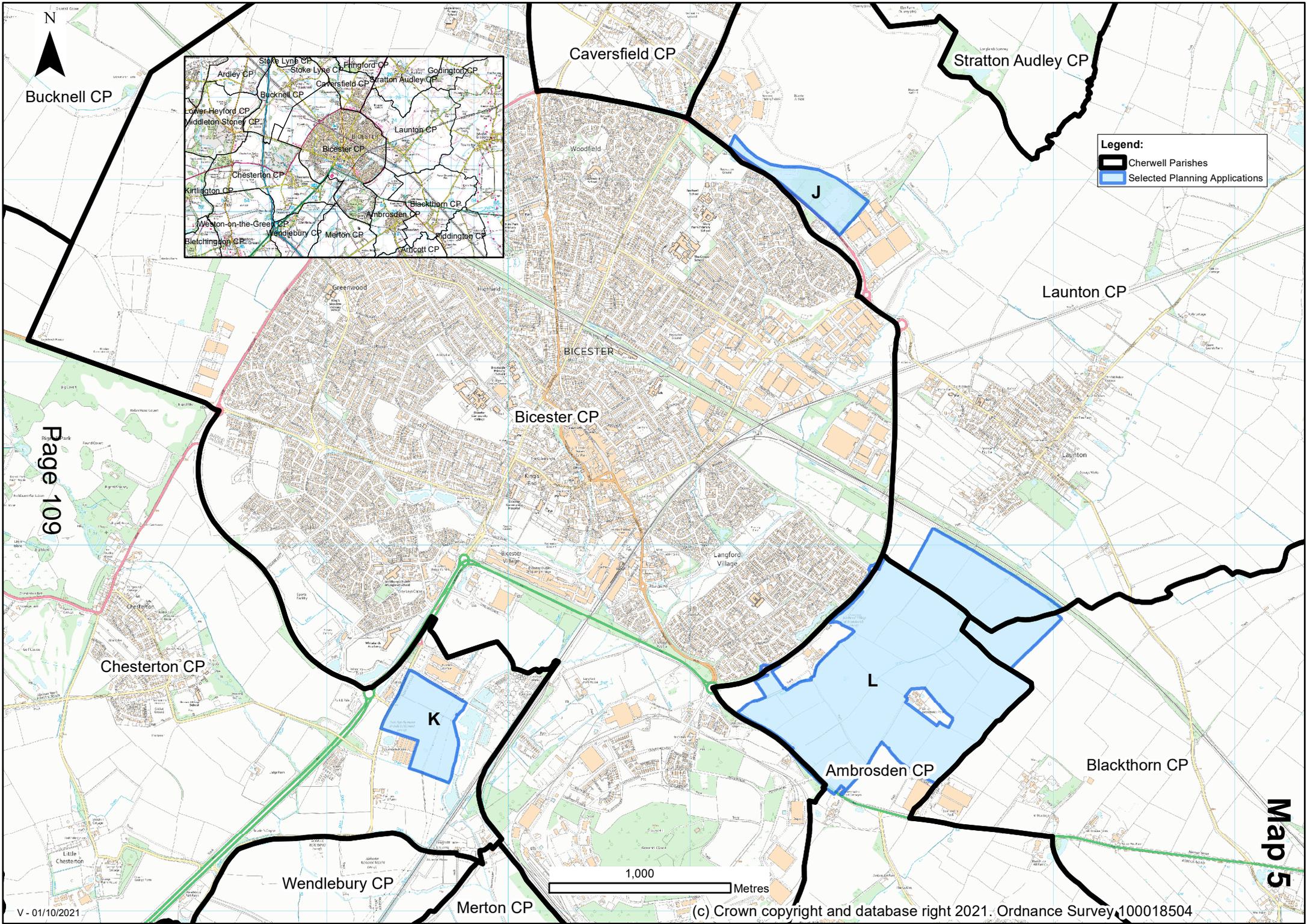


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Map 4

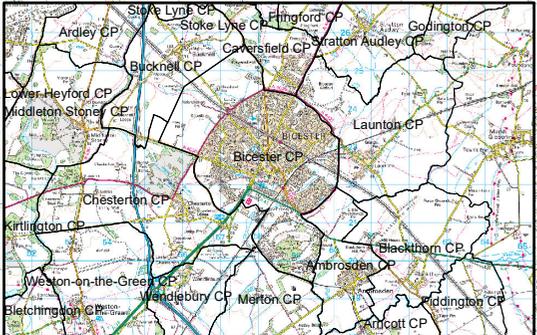
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Bucknell CP

Caversfield CP

Stratton Audley CP



**Legend:**

- Cherwell Parishes
- Selected Planning Applications

Launton CP

Bicester CP

Page 109

Chesterton CP

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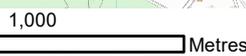
K

Ambrosden CP

Blackthorn CP

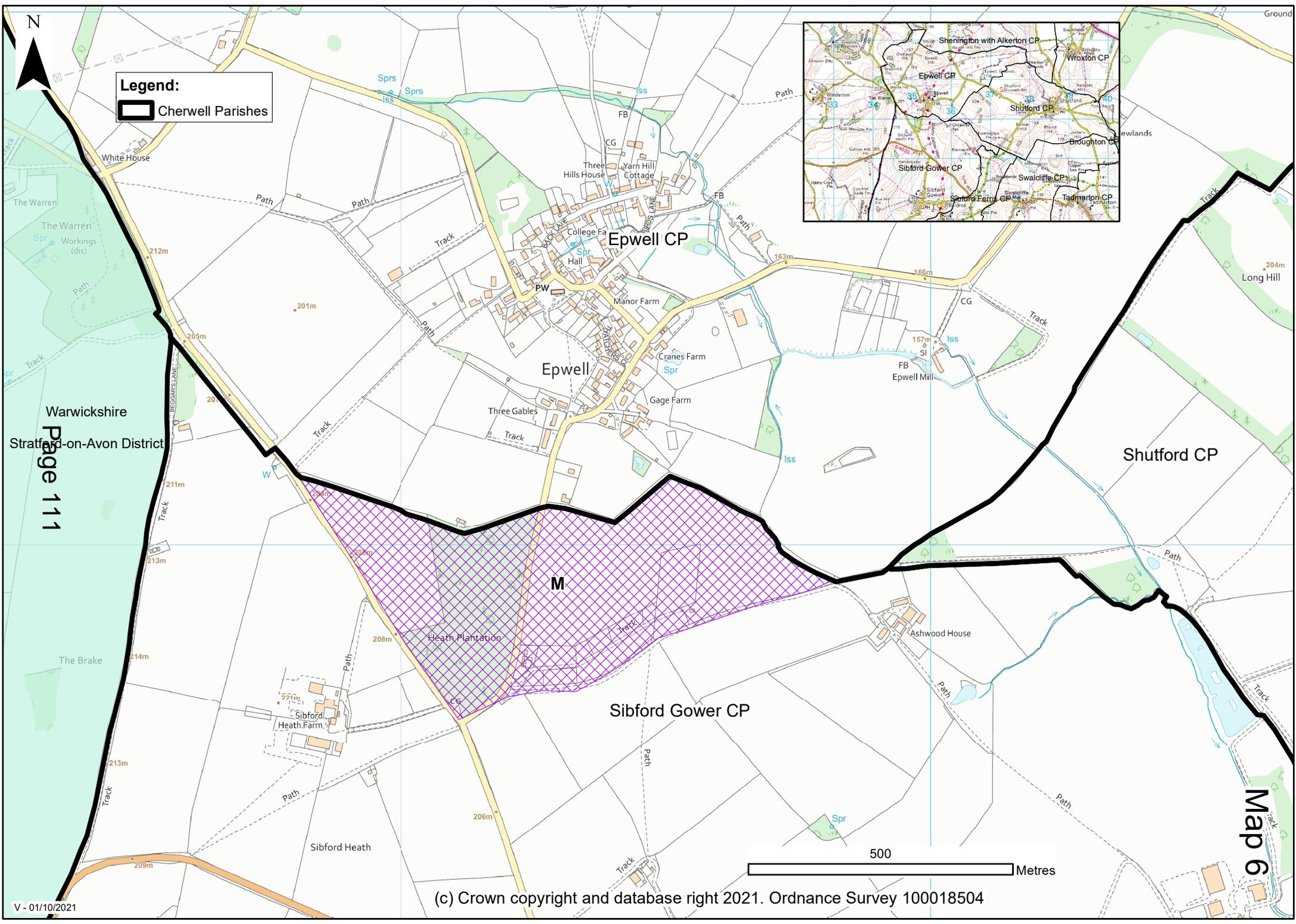
Wendlebury CP

Merton CP



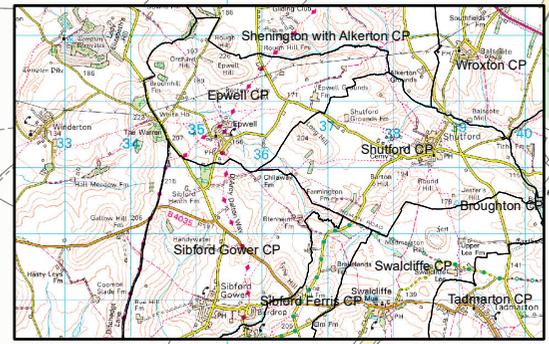
Map 5

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**Legend:**  
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Warwickshire  
Stratford-on-Avon District  
Page 111



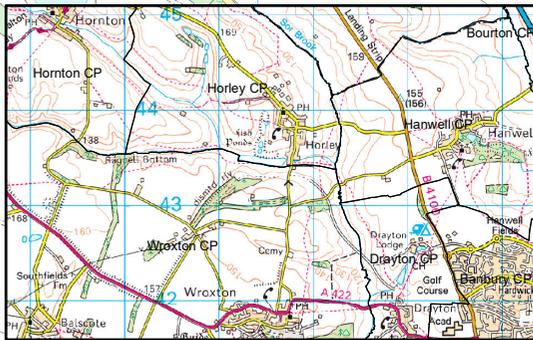
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Map 6

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Warwickshire  
Stratford-on-Avon District

**Legend:**  
Cherwell Parishes

Horley CP

Hanwell CP

Horley

Hanwell

Wroxton CP

Drayton CP

Banbury CP

500

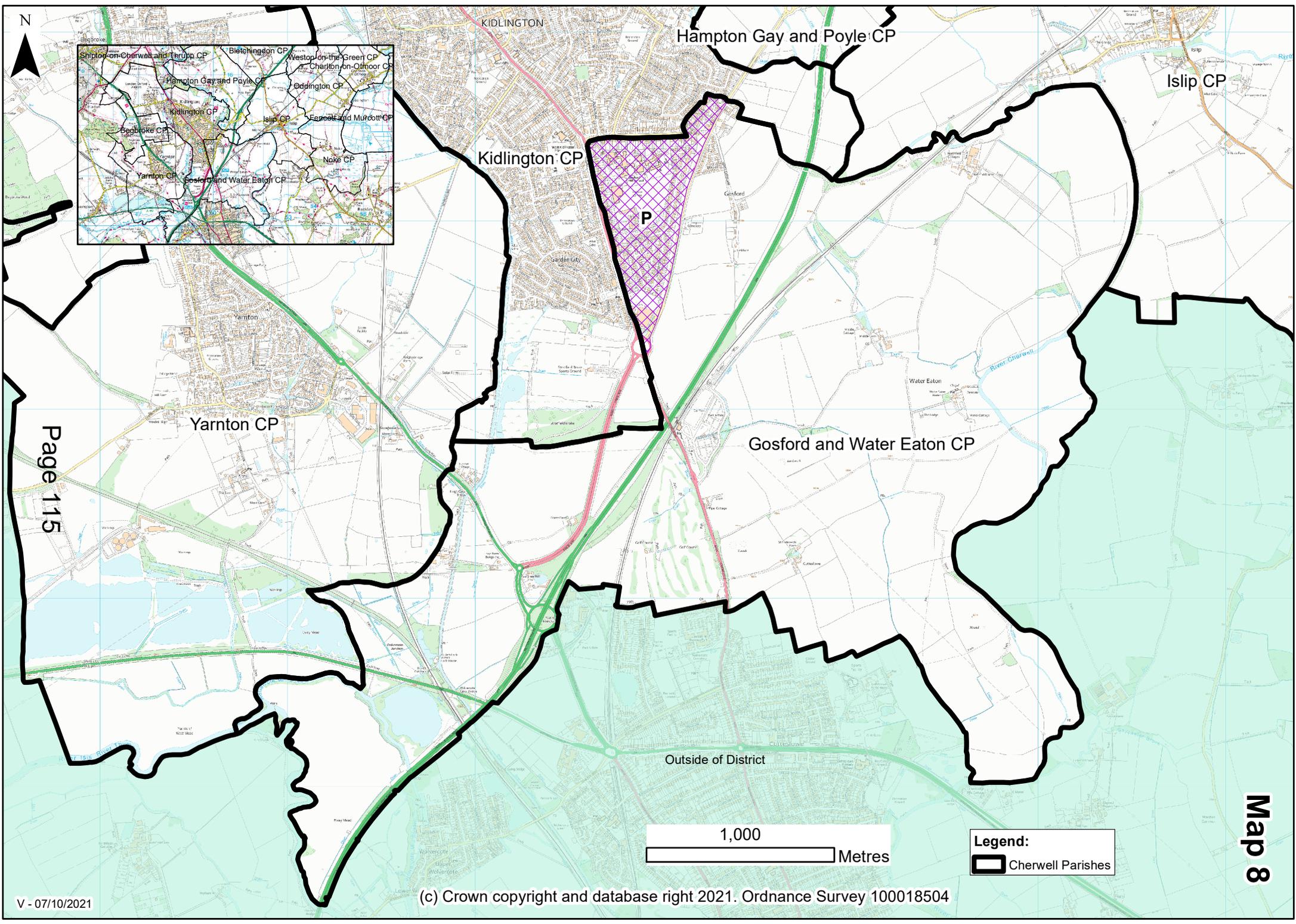
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Map 7

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N



KIDLINGTON

Hampton Gay and Poyle CP

Islip CP

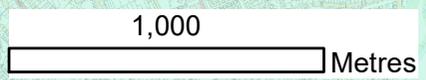
Kidlington CP

P

Yarnton CP

Gosford and Water Eaton CP

Outside of District



**Legend:**  
 Cherwell Parishes

**Map 8**

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## **Cherwell District Council**

### **Council**

**18 October 2021**

### **Calendar of Meetings 2022/2023**

### **Report of Director of Law and Governance and Monitoring Officer**

This report is public

### **Purpose of report**

Council is asked to consider and agree the proposed calendar of the meetings for the municipal year 2022/2023 (Appendix 1).

### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council for the municipal year 2022/2023 (Appendix 1).

### **2.0 Introduction**

- 2.1 It is necessary for Council to agree a calendar of meetings to enable the business of the council to be programmed appropriately in conjunction with its statutory requirements and the Executive's and Committee's work programmes and to enable the senior leadership team and senior managers to programme key dates into their work plans.
- 2.2 The proposed Cherwell District Council 2022/2023 calendar of meetings is attached at Appendix 1.

### **3.0 Report Details**

#### **Cherwell District Council (CDC) Meeting Calendar**

- 3.1 The Cherwell District Council calendar of meetings has been prepared on the basis of the considerations set out in the paragraphs below and takes into account Bank Holidays, the summer period when meetings are traditionally avoided as far as practicable and the 2022 post-election and 2023 pre-election periods.
- 3.2 Meeting dates for Committees reflect the dates in previous years as far as possible.

- 3.3 Meeting dates are set to ensure linked committees follow in a timely manner for items to be considered by more than one committee.
- 3.4 In light of the shared working arrangements with Oxfordshire County Council (OCC) and to assist “twin hatter” councillors (Members who are both an OCC and a CDC councillor), the calendar of meetings has also been prepared giving consideration to the calendar of meetings for OCC.

### **Full Council**

- 3.5 Council meetings are held on Mondays with the exception of the 2022/2023 Annual Council meeting which will be held on Wednesday 18 May 2022. This allows for the inclusion of proportionality calculations following the local elections taking place on Thursday 5 May 2022 and allows sufficient time for political groups to meet and nominate their committee members before the Annual Council meeting.
- 3.6 At the conclusion of the Annual Meeting, the first meetings of formal committees will be held to appoint their Chairman and Vice-Chairman for the municipal year.

### **Executive**

- 3.7 Meetings of Executive being held on the first Monday of each month with the following exceptions: August and May when no meetings are scheduled and January, as the first Monday in January is a Bank Holiday.
- 3.8 The Shareholder Committee is a sub-committee comprising three Executive members. Shareholder Committee meetings will be scheduled roughly quarterly according to the needs of the companies and the Shareholder Representative and following consultation with Shareholder Committee members.

### **Overview and Scrutiny Committee and Budget Planning Committee**

- 3.9 Meetings of the Overview and Scrutiny Committee and the Budget Planning Committee are scheduled to tie in with key activities undertaken by each Committee. The scheduling ensures that meetings enable feedback between the Executive and the respective Committee.
- 3.10 The first meeting of 2022/2023 municipal year of the Overview and Scrutiny Committee has been scheduled for a Wednesday rather than a Tuesday to avoid a clash with the already scheduled Future Oxfordshire Partnership Scrutiny Panel. This meeting is also at 6.30pm and CDC’s three representatives on the Panel are drawn from the Overview and Scrutiny Committee.
- 3.11 If the Overview and Scrutiny Committee agrees to establish any scrutiny review working groups, these groups will set their own meeting dates.

### **Planning Committee**

- 3.12 Meetings of the Planning Committee are scheduled every 4 weeks as far as practicable taking into account Bank Holidays and elections.

- 3.13 It is mandatory for Planning Committee members and substitutes to have received training prior to sitting on the committee. This date will be included as part of the 2022 Member Induction and Training programme and Members notified accordingly. Additional training/briefings for Planning Committee members will continue to be scheduled prior to scheduled meetings as this has been received favourably by Committee members.

#### **Accounts, Audit and Risk Committee**

- 3.14 The Accounts, Audit and Risk Committee meeting six times. It is mandatory for Accounts, Audit and Risk Committee members to have received training prior to sitting on the committee. This date will be included as part of the 2022 Member Induction and Training programme and Members notified accordingly. Additional training/briefings for Accounts, Audit and Risk Committee members will continue to be scheduled prior to or at the conclusion of scheduled meetings as this has been received favourably by Committee members.

#### **Licensing Committee and Licensing Sub-Committee**

- 3.15 Meetings of the Licensing Committee and the Licensing Sub-Committee will be arranged as required.
- 3.16 The Licensing Sub-Committee has to meet within set timescales and meeting dates will be agreed with Sub-Committee members and Licensing Officers to ensure the statutory requirements are fulfilled.

#### **Personnel Committee and Appeals Panel**

- 3.17 The Personnel Committee is responsible for staffing matters in accordance with its Terms of Reference. Meetings will be arranged if required, following consultation with the Personnel Committee Chairman (or Vice-Chairman in their absence), HR and relevant Director(s).
- 3.18 The Appeals Panel would only meet to determine appeals in accordance with its Terms of Reference. Meetings will be arranged if required, following consultation with the Appeals Panel Chairman (or Vice-Chairman in their absence), HR and relevant Director(s).

#### **Standards Committee**

- 3.19 The Standards Committee is responsible for matters relating to Member conduct and the ethical framework.
- 3.20 Meetings of the Committee are arranged if required, following consultation with the Standards Committee Chairman (or Vice-Chairman in their absence) and the Director of Law and Governance & Monitoring Officer.

#### **All Member Seminar**

- 3.21 Dates for monthly “All Member Seminars” have been included on the proposed calendar of meetings. The seminars are scheduled monthly and the day of the week varies in acknowledgement of other commitments Members have.

- 3.22 The first scheduled date, Monday 16 May 2022, will be a Member Welcome Event following the local elections. Details of the topic for other monthly seminars will be notified to Members closer to the date.
- 3.23 In addition to the scheduled seminar dates, an induction programme of training and briefing sessions will be circulated separately to Members by the Democratic and Elections Team. This will include committee specific training for Planning Committee, Accounts, Audit and Risk Committee and Overview and Scrutiny Committee members prior to their first meetings of the municipal year.
- 3.24 Additional seminars, training and briefing sessions will be arranged as necessary to cover matters as requested by Members or officers.
- 3.25 These seminars are not open to the public. It is anticipated that sessions will be virtual in continuation of the well-received and well-attended virtual sessions this municipal year. Virtual seminars also help the Council meet its climate change objectives by eliminating the need for travel, which in turn supports Members in reducing the time taken to travel.

### **Cherwell Parish Liaison Meetings**

- 3.26 The bi-annual Parish Liaison Meetings are scheduled and organised by the Communities Team. The 2022/2023 meetings will be held on Wednesday 8 June and Wednesday 9 November 2022. The dates are included on this report for information. Further details will be provided to Parish Councils and Members in advance of each meeting.

### **Joint Meetings with Oxfordshire County Council (OCC)**

- 3.27 There are currently two formal committees with OCC: Joint Shared Services and Personnel Committee, and Joint Appeals Committee. Meetings of these committees will be arranged as business requires.
- 3.28 In addition to the above formal committees, there is one informal working group with OCC: the Partnership Working Group (PWG). The quarterly meeting dates are agreed with the Chair and Vice-Chair of PWG and notified to PWG members and subs.

### **Publicising Meeting Dates and Addition of Meeting Dates to Calendars**

- 3.29 Once agreed, all committee meeting dates listed at Appendix 1 will be added to the Council's website. This online diary is the most effective way to view accurate and up to date public meeting dates. Members (and anyone who wishes) can download meeting dates into their own calendars from the websites.
- 3.30 The Democratic and Elections Team will send meeting requests to committee members to ensure Members have meeting dates in their calendars. After the May 2022 Annual Meeting, updated meeting requests will be sent as required to reflect any changes to committee membership.
- 3.31 For Member Training and Briefing sessions, the meeting requests will include details to join the sessions virtually.

## **Amendments to the Calendar of Meetings**

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

## **Format of Meetings**

- 3.34 In response to the Covid-19 pandemic, the Government included s.78 in the Coronavirus Act 2020 which enabled the Secretary of State the power to make The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which enabled virtual formal committee meetings to be held.
- 3.35 These Regulations ended on 7 May 2021. Committee members are required to attend formal meetings in person to be able to participate and vote. Formal meetings are being held as hybrid meetings which enables non-committee members, officers and members of the public wishing to address a meeting. All meetings continue to be webcast.
- 3.36 The majority of informal meetings and Member briefings have continued to be held virtually.
- 3.37 It is anticipated that the current meeting arrangements will continue in 2022/2023, however if there are any legislative changes, Members will be advised.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 It is believed that the proposed calendar of meetings for the municipal year 2022/2023 as set out at Appendix 1 will provide a suitable decision making framework for Cherwell District Council.

## **5.0 Consultation**

Senior Leadership Team

Support and recommend the adoption of the proposed calendar of meetings.

## **6.0 Alternative Options and Reasons for Rejection**

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

Option 1: To amend dates in the proposed calendar. This is not recommended as any changes to the proposed calendar may have a knock on effect to the meeting cycle or performance targets / statutory deadlines which may in turn require the whole calendar to be redrafted. The Constitution allows for in-year meeting dates to be added and changes to meeting dates and the process for this is set out at paragraphs 3.32 and 3.33.

## 7.0 Implications

### Financial and Resource Implications

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

Comments checked by:

Michael Furness, Assistant Director Finance, 01295 221845,  
[Michael.furness@cherwell-dc.gov.uk](mailto:Michael.furness@cherwell-dc.gov.uk)

### Legal Implications

7.2 Meetings which the Council is required by legislation to hold have been included on the meeting calendar. There are no other legal issues arising from this report.

Comments checked by:

Richard Hawtin, Team Leader – Non-contentious Business, 01295 221695  
[richard.hawtin@cherwell-dc.gov.uk](mailto:richard.hawtin@cherwell-dc.gov.uk)

### Risk Implications

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

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes. 01295 221786,  
[louise.tustian@cherwell-dc.gov.uk](mailto:louise.tustian@cherwell-dc.gov.uk)

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### Wards Affected

All

## **Links to Corporate Plan and Policy Framework**

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

### **Lead Councillor**

Councillor Tony Ilott, Lead Member for Finance and Governance

## **Document Information**

### **Appendix number and title**

- Appendix 1 – Proposed Calendar of meetings 2022/2023

### **Background papers**

None

### **Report Author and contact details**

Natasha Clark, Governance and Elections Manager,  
01295 221589, [natasha.clark@cherwell-dc.gov.uk](mailto:natasha.clark@cherwell-dc.gov.uk)

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## Appendix 1 - Cherwell District Council (Proposed) Calendar of Meetings 2022/2023<sup>1</sup>

CDC Council	Executive	CDC Accounts, Audit & Risk Committee	CDC Budget Planning Committee	CDC Overview & Scrutiny Committee	CDC Planning Committee	All Member Seminar <sup>2</sup>
Mon, 6.30pm	Mon, 6.30pm	Weds, 6.30pm	Tues, 6.30pm	Tues, 6.30pm	Thurs, 4pm	Monthly, 6.30pm - 8.30pm
<b>2022</b> Wednesday 18 May (Annual Council) 18 July 17 October 19 December <b>2023</b> 27 February <b>2022/23</b> Wednesday 17 May 202 (Annual Council)  <i>(Local elections, Thursday 4 May 2023)</i>	<b>2022</b> 6 June 4 July 5 September 3 October 7 November 5 December <b>2023</b> 9 January <sup>3</sup> 6 February 6 March 3 April	<b>2022</b> 25 May <sup>4</sup> 27 July 28 September 16 November <b>2023</b> 25 January 22 March	<b>2022</b> 7 June 26 July 13 September 25 October 6 December <b>2023</b> 17 January 7 March	<b>2022</b> Wednesday 1 June <sup>5</sup> 5 July 6 September 11 October 29 November <b>2023</b> 24 January 14 March	<b>2022</b> 19 May <sup>6</sup> 16 June 14 July 11 August 8 September 6 October 3 November 8 December <b>2023</b> 12 January 9 February 9 March 13 April	<b>2022</b> Monday 16 May Monday 13 June Tuesday 12 July Wednesday 21 September Wednesday 12 October Thursday 10 November Thursday 1 December <b>2023</b> Thursday 26 January Wednesday 22 February Thursday 23 March

<sup>1</sup> Dates are subject to change. The website will be updated and Members notified accordingly.

<sup>2</sup> The Member Seminar day varies to avoid clashes. Additional dates will be scheduled as needed, particularly after the elections. Member Seminars are private briefings and not open to the public or press.

<sup>3</sup> 2 January 2023 is a Bank Holiday as New Year's Day is on a Sunday.

<sup>4</sup> Training to be held ahead of first meeting as mandatory for Accounts, Audit & risk Committee members to have been trained before attending a meeting

<sup>5</sup> Wednesday to avoid a clash with the Future Oxfordshire Partnership Scrutiny Panel meeting – CDC representatives on the Panel are from the Overview & Scrutiny Committee

<sup>6</sup> Training to be held ahead of first meeting as mandatory for Planning Committee members /subs to have been trained before attending a meeting

Notes:

- First meetings of Committees will be held at the conclusion of the Annual Meeting to enable each Committee to appoint its Chairman and Vice-Chairman for 2022/2023
- Licensing Committee, Licensing Sub-Committees, Personnel Committee, Appeals Panel and Standards Committee meetings will be arranged as required.

DRAFT

## **Cherwell District Council**

### **Council**

**18 October 2021**

### **Capital Programme Amendments**

### **Report of Director of Finance**

This report is public

#### **Purpose of report**

To seek Council's approval to amend the Capital Programme for 2021/22 in line with the Financial Regulations.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 to approve the increase in the Capital Programme of £1.240m Disabled Facilities Grant (DFG), funded by grant received from the Government.

#### **2.0 Introduction**

- 2.1 The Council's Financial Regulations require changes to the Capital Programme of over £50,000 to be approved by Council. This report sets out proposed changes to the Capital Programme recommended by the Executive.

#### **3.0 Report Details**

- 3.1 This report proposes to update the 2021/22 Capital Programme to reflect additional funding the Council has received for a specific purpose.
- 3.2 Disabled Facilities Grant – the Council has received £1.240m grant funding that must be used for Disabled Facilities. It is therefore proposed to increase the Capital Programme by £1.240m in order to utilise this grant funding.

#### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 It is recommended to amend the 2021/22 Capital Programme to incorporate this change. There will be no net additional costs to the Council as additional grant funding has been fully identified for the scheme.

## 5.0 Consultation

None, however, the proposal was considered and recommended to Council by Executive at their 6 September 2021 meeting.

## 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: Do not approve the changes to the Capital Programme. However, this would mean that the schemes would not be able to progress.

## 7.0 Implications

### Financial and Resource Implications

7.1 DFG funding has been received which can only be used for these purposes. Therefore, there are no additional net costs to the Council from funding either scheme.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845,  
[michael.furness@cherwell-dc.gov.uk](mailto:michael.furness@cherwell-dc.gov.uk)

### Legal Implications

7.2 The grant received must be spent in line with the grant conditions. There are no other legal implications associated with this report.

Comments checked by:

Richard Hawtin, Team Leader – Non-contentious Business, 01295 221695  
[richard.hawtin@cherwell-dc.gov.uk](mailto:richard.hawtin@cherwell-dc.gov.uk)

### Risk Implications

7.3 Projects must be managed well so that they are completed within their overall budget allocations. The above projects will be included in project/operational risks and escalated to the leadership risk register as and when necessary.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes 01295 221786  
[louise.tustian@cherwell-dc.gov.uk](mailto:louise.tustian@cherwell-dc.gov.uk)

### Equalities and Inclusion Implications

7.4 There are no equalities and inclusion implications arising directly from this report, however, the each of the schemes requested to be added to the Capital Programme will be expected to complete an Equality Impact Assessment to ensure any implications are identified and suitable mitigation activity is put in place.

Comments checked by:  
Emily Schofield, Acting Head of Strategy, 07881 311707, [emily.schofield@cherwell-dc.gov.uk](mailto:emily.schofield@cherwell-dc.gov.uk)

### **Sustainability Implications**

7.5 There are no sustainability issues arising directly from this report.

Comments checked by:  
Emily Schofield, Acting Head of Strategy, 07881 311707, [emily.schofield@cherwell-dc.gov.uk](mailto:emily.schofield@cherwell-dc.gov.uk)

## **8.0 Decision Information**

**Key Decision** N/A

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

**Wards Affected**

All

**Links to Corporate Plan and Policy Framework**

All

**Lead Councillor**

Councillor Tony Illott, Lead Member for Finance and Governance

### **Document Information**

**Appendix number and title**

- None

**Background papers**

None

**Report Author and contact details**

Leanne Lock, Strategic Business Partner – Business Support & Reporting, 01295 227098, [Leanne.lock@cherwell-dc.gov.uk](mailto:Leanne.lock@cherwell-dc.gov.uk)

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## **Cherwell District Council**

### **Council**

**18 October 2021**

## **Local Government and Social Care Ombudsman Annual Report 2020/21**

### **Report of the Director of Law and Governance and Monitoring Officer**

This report is public

### **Purpose of report**

To provide Council with the Local Government and Social Care Ombudsman's annual report on Cherwell District Council for the financial year 2020/21.

### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To receive the report and comment on the Local Government and Social Care Ombudsman's Annual Review of Cherwell District Council for 2020/21

### **2.0 Introduction**

- 2.1 Each year, the Local Government and Social Care Ombudsman (LGSCO) issues an Annual Review Report about each Council. This report attached at Appendix 1 details the complaints that were considered by the Ombudsman up to 31 March 2021.

### **3.0 Report Details**

#### **Local Government and Social Care Ombudsman (LGSCO)**

- 3.1 The LGSCO is the final stage for individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. They are a free service provided to people who have completed all stages of the Council's own complaints procedure and remain unhappy with the outcome. The LGSCO have guidelines regarding what they can investigate. Complainants must have complained to the Council within 12 months of becoming aware of the matter and been directly affected by the matter resulting in 'personal injustice'. Not all complaints will be investigated, for example if the Ombudsman does not feel they will find fault regarding the Council. Further information is available at: [lgo.org.uk](http://lgo.org.uk)

## Summary of Complaints and enquiries received by the LGSCO

- 3.2 The LGSCO did not accept new complaints and stopped investigating existing cases between March and June 2020. This may have reduced the number of complaints received and decided in the 2020-2021 year. The LGSCO received a total of 8 complaints and enquiries against Cherwell District Council for the period 1 April 2020 to 31 March 2021, this compares to 19 complaints and enquiries against Cherwell District Council for the period 1 April 2019 – 31 March 2020.
- 3.3 The number of complaints received by service area as categorised by the LGSCO are as follows for the period 1 April 2020 – 31 March 2021:

By LGSCO Category	Number of complaints received by the LGSCO
Planning & Development	5
Corporate Complaints	1
Environment Services & Public Protection & Regulation	2
Benefits & Tax	0
Highways & Transport	0
Housing	0

## Decisions made by the Ombudsman

- 3.4 The LGSCO returned decisions on 10 complaints against Cherwell District Council for the period 1 April 2020 – 31 March 2021. It should be noted that decisions may relate to complaints made in the previous year 2019-2020, investigations may not have been completed on all complaints received during the 2020-2021 period therefore a decision would not have yet been received. The number of complaints received, and decisions made in the one year period will always differ.
- 3.5 The 10 complaint decisions received against Cherwell District Council were categorised by the LGSCO as follows:

Referred to the Council for resolution	1
Closed after initial Enquiries	6
Investigated	3

- 3.6 This means that *Investigations* were carried out on 3 complaints, 2 fewer than in 2019-2020 period. The LGSCO report indicates that 0% of the 3 investigations were upheld, this compares to an average of 53% in similar authorities.
- 3.7 A summary of the complaints investigated are set out in Appendix 2. While every opportunity is taken by the Council to learn any corporate lessons from its handling of complaints there are no particular points to bring to Members' attention from the three complaints that were investigated by the LGSCO.

## General comment by the Ombudsman

- 3.8 The LGSCO commented in general terms to all councils that their investigations regularly highlight local complaint systems that are failing to respond properly to those that raise concerns. The LGSCO is "concerned about the general erosion to

the visibility, capacity, and status of complaint functions within councils” and whilst they are not underestimating the challenges that local authorities face and the difficulties of the last 15 months, they say that “these concerns are not new and cannot be wholly attributed to the trials of the pandemic”.

- 3.9 In the case of Cherwell District Council, however, the Council clearly publishes its complaints processes and signposts the rights of appeal to the next stages in each response, including the right of reference to the Ombudsman.

### **Comparison Information: Complaints and enquiries received by the LGSCO and decisions**

- 3.10 As detailed in sections 3.2 and 3.3, the LGSCO received 8 complaints and enquiries against Cherwell District Council during 2020-2021. For information and comparison, the table below sets out the number of complaints and enquiries received by the LGSCO in the two preceding years.

<b>LGSCO Category</b>	<b>2020/21</b>	<b>2019/20</b>	<b>2018/19</b>
Planning and Development	5	6	5
Corporate Complaints (i.e. non-social care)	1	3	0
Environment Services & Public Protection & Regulation	2	6	0
Benefits & Tax	0	2	5
Highways & Transport	0	1	2
Housing	0	1	0

(\* LGSCO stopped accepting new complaints between March and June 2020)

- 3.11 For information, the following table below sets our comparative data on the number of decisions in the preceding Years.

<b>LGSCO Decision</b>	<b>2020/21*</b>	<b>2019/20*</b>	<b>2018/19</b>
Complaints upheld	0	3	4
Complaints not upheld	3	2	3
Referred to the Council for resolution	1	2	3
Closed after initial Enquiries	6	11	4
Total decisions	10	18	14

(\* LGSCO stopped investigating existing cases between March and June 2020)

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 This is an annual report and provides Members with information with regard to the number of complaints received by the Local Government and Social Care Ombudsman against the Council and the decisions regarding complaints.

## **5.0 Consultation**

None

## **6.0 Alternative Options and Reasons for Rejection**

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

None as this report is submitted for information and comment only.

## **7.0 Implications**

### **Financial and Resource Implications**

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

Comments checked by: Michael Furness, Assistant Director of Finance, 01295 221845, [Michael.furness@cherwell-dc.gov.uk](mailto:Michael.furness@cherwell-dc.gov.uk)

### **Legal Implications**

7.2 There are no legal implications directly arising from the contents of this report.

Comments checked by:  
Chris Mace, Solicitor, 01295 221808, [chris.mace@cherwell-dc.gov.uk](mailto:chris.mace@cherwell-dc.gov.uk)

### **Risk Implications**

7.3 There are no risk implications arising directly from this report.

Comments checked by: Celia Prado-Teeling Performance Team Leader, [Celia.Prado-Teeling@Cherwell-DC.gov.uk](mailto:Celia.Prado-Teeling@Cherwell-DC.gov.uk)

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### **Wards Affected**

All

### **Links to Corporate Plan and Policy Framework**

N/A

### **Lead Councillor**

Councillor Tony Illott, Lead Member for Finance and Governance

## **Document Information**

### **Appendix number and title**

- Appendix 1 – Local Government and Social Care Ombudsman Annual Review Letter
- Appendix 2 - Summary of Cases Investigated by the Local Government and Social Care Ombudsman

### **Background papers**

None

### **Report Author and contact details**

Sharon Hickson, Democratic and Elections Officer,  
Tel: 01295 221554, [sharon.hickson@cherwell-dc.gov.uk](mailto:sharon.hickson@cherwell-dc.gov.uk)

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# Local Government & Social Care OMBUDSMAN

21 July 2021

*By email*

Ms Rees  
Chief Executive  
Cherwell District Council

Dear Ms Rees

## **Annual Review letter 2021**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

## **Complaint statistics**

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

### **Supporting complaint and service improvement**

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

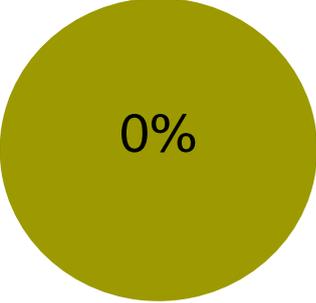
With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

Complaints upheld	
	<p><b>0%</b> of complaints we investigated were upheld.</p> <p>This compares to an average of <b>53%</b> in similar authorities.</p> <p><b>0</b> upheld decisions</p> <p>Statistics are based on a total of 3 detailed investigations for the period between 1 April 2020 to 31 March 2021</p>
Compliance with Ombudsman recommendations	
No recommendations were due for compliance in this period	
Satisfactory remedy provided by the authority	
The Ombudsman did not uphold any detailed investigations during this period	

**NOTE:** To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.

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## Appendix 2 - Summary of cases Investigated by LGSCO

	Summary of Complaint	LGSCO Decision Summary
1.	<p>Mr X complained the Council has failed to take appropriate enforcement action following a breach of planning permission and licence conditions on the park home site where he lives. He says this has reduced his access to recreational space on the site. He wants the Council to review the evidence and take enforcement action if necessary, to ensure the site has adequate recreational amenity in line with planning permission and licence conditions.</p>	<p>There is no fault in the Council's decision not to take enforcement action against a park home site owner for a breach of licence conditions.</p>
2.	<p>Mr X complains about development near his home and says the Council is failing to take enforcement action against the developer for:</p> <ul style="list-style-type: none"> <li>• not complying with the travel plan; and</li> <li>• carrying out building work without planning permission.</li> </ul> <p>Mr X says overspill parking from the development is anti-social and compromises residents' safety. Mr X wants the Council to take enforcement action or introduce a residents' only parking scheme.</p>	<p>There was no fault in how the Council responded to Mr X's reports of breaches of planning control on land near his home.</p>
3.	<p>Housing Homelessness</p>	<p>Investigation stopped and withdrawn at the request of the complainant</p>

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## **Council**

**Monday 18 October 2021**

### **Agenda Item 15, Motions**

**Motion Proposer: Councillor Ian Corkin**

**Motion Seconder: TBC**

**Topic: Planning**

#### **Motion**

“This council believes that planning works best when developers and communities work closely together to shape local areas when delivering new homes, infrastructure and commercial sites.

Notwithstanding the above, this Council further believes that the ability of individual residents to support or object to planning applications is an invaluable part of the planning system. As we await the emerging Planning Reform Bill, this council calls on the Leader of the Council to closely monitor the situation and lobby as appropriate, the Secretary of State for Levelling Up, Housing & Communities, The Local Government Association and the District Councils Network to ask them to support and uphold this vital principle”

**Motion Proposer: Councillor Kieron Mallon**

**Motion Seconder: TBC**

**Topic: Banbury FM**

#### **Motion**

“This Council welcomes Banbury FM’s objective to secure a licence to provide a locally run radio station dedicated to the listeners of North Oxfordshire.

More particularly, this Council supports Banbury FM’s aspiration to operate the local DAB multiplex and to secure an FM community radio licence when they become available.

This Council requests that the Leader writes to Ofcom and the Secretary of State for Digital, Culture, Media and Sport (DCMS) to convey our support to Banbury FM for its initiative to persuade Ofcom of Banbury FM’s community-mindedness and licensing credentials to ensure that Banbury FM’s laudable aims can be realised”.

**Motion Proposer: Councillor Ian Middleton**

**Motion Seconder: John Broad**

**Topic: Oxford Cambridge Arc**

**Motion**

“Council notes that the Government recently completed a public consultation on the Vision for The Oxford to Cambridge Arc.

The consultation appeared to be designed in such a way as to suggest that growth is a given and provided little opportunity to challenge the need for the Arc project.

The government commissioned Dasgupta Review criticised the UK's approach to growth and the belief that technological progress can overcome the exhaustibility of natural resources.

While there have been attempts to prioritise nature and climate action by proposing the Arc Environmental Principles, the recent consultation essentially ignored them.

This 'top-down' approach overrides public opinion, flies in the face of planetary resource constraints and is incompatible with the levelling up agenda or commitments to combat climate change.

Council notes these concerns and asks the Leader to write to the Minister for Levelling up, Housing and Communities, asking him to:

1. Set out clearly the Government's aims for the Arc, including expected costs, projected housing numbers and growth expectations.
2. Engage in genuine public consultation on the need for the Arc and if excessive growth should be targeted in the South East when other areas are in far greater need of investment to 'level up' the UK.
3. Ensure proper local democratic control, with local planning authorities able to set their own housing requirements based on local need.
4. Ensure local authorities within the Arc area have the powers and funding to protect biodiversity, enable nature restoration and maintain the highest environmental standards.”