

# Public Document Pack



**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

**Committee:** Overview and Scrutiny Committee

**Date:** Tuesday 3 June 2025

**Time:** 6.30 pm

**Venue:** 39 Castle Quay, Banbury, OX16 5FD

## Membership

Councillor Gordon Blakeway  
Councillor Phil Chapman  
Councillor Dr Isabel Creed  
Councillor Harry Knight  
Councillor Zoe McLernon  
Councillor Lynne Parsons

Councillor John Broad  
Councillor Gemma Coton  
Councillor Frank Ideh  
Councillor Simon Lytton  
Councillor Dr Chukwudi Okeke  
Councillor Barry Wood

**Substitutes** Any member of the relevant political group, excluding Executive members

## AGENDA

Overview and Scrutiny Members should not normally be subject to the party whip. Where a member is subject to a party whip they must declare this at the beginning of the meeting and it should be recorded in the minutes.

1. **Apologies for Absence and Notification of Substitute Members**
2. **Appointment of Chairman for the Municipal Year 2025/2026**
3. **Appointment of Vice-Chairman for the Municipal Year 2025/2026**

**4. 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.

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

To confirm as a correct record the minutes of the meeting held on 18 March 2025.

**6. Chairman's Announcements**

To receive communications from the Chairman.

**7. Urgent Business**

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

**8. Housing Delivery Action Plan** (Pages 13 - 52)

Report of the Assistant Director Planning and Development.

**Purpose of report**

To present a draft Housing Delivery Action Plan (HDAP) for consideration.

**Recommendations**

The Overview and Scrutiny Committee resolves:

- 1.1 To review the draft Housing Delivery Action Plan and identify any comments for consideration by the Executive at its meeting on 10 June 2025.

**9. Work Programme Planning for 2025 - 2026**

The Chairman and Assistant Director – Law and Governance/Monitoring Officer will advise Members of the process for suggesting items for the 2025-26 work programme, ahead of a detailed discussion at the next meeting of the Committee on 17 June 2025.

## **For Information - Scrutiny Guide**

The Scrutiny Guide is attached for information and reference.

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

### **Information about this Meeting**

#### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or 01295 221534 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.

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If you make a representation to the meeting, you will be deemed by the council to have consented to being recorded. By entering the Council Chamber or joining virtually, you are consenting to being recorded and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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#### **Queries Regarding this Agenda**

Please contact Emma Faulkner / Martyn Surfleet, Democratic and Elections  
democracy@cherwell-dc.gov.uk, 01295 221534

**Shiraz Sheikh**  
**Monitoring Officer**

Published on Friday 23 May 2025

## **Cherwell District Council**

### **Overview and Scrutiny Committee**

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 March 2025 at 6.30 pm

#### **Present:**

Councillor Dr Isabel Creed (Chairman)  
Councillor Nigel Simpson (Vice-Chair)  
Councillor Gordon Blakeway  
Councillor John Broad  
Councillor Phil Chapman  
Councillor Andrew Crichton  
Councillor Frank Ideh  
Councillor Simon Lytton  
Councillor Lynne Parsons

#### **Substitute Members:**

Councillor David Rogers (In place of Councillor Barry Wood)  
Councillor Gemma Coton (In place of Councillor Grace Conway-Murray)

#### **Apologies for absence:**

Councillor Grace Conway-Murray  
Councillor Harry Knight  
Councillor Barry Wood

#### **Also Present:**

Councillor David Hingley, Portfolio Holder for Strategic Leadership  
Councillor Rebecca Biegel

#### **Also Present Virtually:**

Councillor Tom Beckett, Portfolio Holder for Greener Communities  
Councillor Jean Conway, Portfolio Holder Planning and Development Management  
Councillor Ian Middleton, Food Champion

#### **Officers:**

Gordon Stewart, Chief Executive  
Nicola Riley, Assistant Director Housing and Wellbeing  
Shona Ware, Assistant Director Customer Focus  
Celia Prado-Teeling, Performance Team Leader  
Michael Carr, Interim Principal Officer - Scrutiny and Democratic Lead  
Martyn Surfleet, Democratic and Elections Officer

Officers Attending Virtually:

Ian Boll, Corporate Director Communities  
Claire Cox, Assistant Director Human Resources  
David Spilsbury, Head of Digital and Innovation

66 **Declarations of Interest**

There were no declarations of interest.

67 **Minutes**

The minutes of the meeting of the Committee held on 11 March 2025 were agreed as correct record and signed by the Chairman.

68 **Chairman's Announcements**

The Chairman made the following announcement;

Given the nature of the agenda items and the participants for each item, the order would be item 6 – Housing Action Plan Update as the first main item, followed by Item 9 – Transformation Programme, then item 8 - the Annual Delivery Plan and Performance Outcomes, then Item 7 – Everybody's Wellbeing Strategy Impact Assessment, due to the same officers supporting these items.

69 **Urgent Business**

There were no items of urgent business.

70 **Housing Action Plan Update**

The Committee considered a presentation from the Head of Development Management on the Councils Housing Delivery Action Plan.

In introducing the report, the Head of Development Management advised that at present, the Council could demonstrate a 2.3 year supply of housing against a 5 year housing supply target. The emerging Action Plan would identify the measures that the Council intended to undertake to help improve housing delivery in Cherwell.

Members were briefed on the timeline for the production of the Action Plan, and were advised that it was anticipated the draft plan would be presented to the Committee at its June meeting.

In response to a question regarding the pros, cons and risks of proceeding to Regulation 19 with the Local Plan rather than returning to Regulation 18 and the potential impact on speculative planning applications, the portfolio holder for Planning and Development Management advised that at this stage, returning to regulation 18 was not an option, the entire process of drafting a Local Plan would have to start again if significant changes were required. Proceeding to Regulation 19 stage as planned would provide greater protection for the council with regards to speculative applications.

### **Resolved**

- (1) That having given due consideration, the Housing Action Plan update be noted.
- (2) That a further report be brought to the next meeting of the Overview and Scrutiny Committee on the 03 June 2025.

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### **Transformation Programme**

The Committee considered a presentation and report from the Assistant Director Customer Focus on the Council's Transformation Programme, covering an introduction, next steps, strategic alignment, and implications.

The Portfolio Holder for Strategic Leadership introduced the report, advising members that the programme began in June 2024 with an external consultant supporting services to deliver a three phase piece of work:

- Phase 1 – Cost Based Service Catalogue
- Phase 2 – Demand & Effectiveness Proposals
- Phase 3 – Service Level Options

Members were advised that panel sessions were implemented with the purpose to confirm that proposals were credible, implementation was achievable, the risks were appropriately assessed, and the potential benefits realistic.

It was also advised that PA Consulting were commissioned in January 2025 to help develop plans for achieving the transformation opportunities identified from the first three phases, specifically covering:

- Programme Set up.
- Agile Delivery – Process Automation
- Culture Change

This work concluded in early March 2025, and the final report, as part of a case for change, would be considered by the Executive as soon as practicable.

The Portfolio Holder for Strategic Leadership detailed that savings had been built into next year's budget from the £4.1m of identified effectiveness

changes from the phase 2 work. These efficiencies were identified by services without impacting service delivery and the levels residents currently receive from the Council. Any impact on service delivery would depend on the financial situation facing the Council at the time of budget setting, and as per the usual process there would be consultation on any proposed service level changes.

In response to a question regarding the impact of Local Government Reorganisation on the Transformation Programme, the Portfolio Holder for Strategic Leadership explained that the work was essential for ensuring the council was in the best position, having implemented strategic efficiencies for any future changes.

In response to a question on the involvement of both the Executive and the Overview and Scrutiny Committee in the process of the Transformation Programme, members were advised that regular updates would be provided throughout the process.

In response to a question on the possible implementation of Artificial Intelligence (A.I.) within the Councils service areas, the Head of Digital and Innovation advised that the integration of A.I. within service areas was being looked into as a way to enhance efficiency and improve accessibility to the services provided by the council.

### **Resolved**

- (1) That having given due consideration, the Transformation Programme report be noted.

## **72 Annual Delivery Plan and Performance Outcomes Framework for 2025 - 2026**

The Committee considered a report and presentation from the Assistant Director – Customer Focus on the Annual Delivery Plan and Performance Measures 2025-26 detailing the Council's new vision and strategic priorities.

The Portfolio Holder for Corporate Services introduced the report, detailing the overarching 5-year strategy that would be underpinned by Annual Delivery Plans for each year of the Corporate Plan period. The Annual Delivery Plans aim to set out the strategic actions for delivering each year, towards achieving the priorities established in its Corporate Strategy. Members were also advised that the council's progress towards achieving its strategic priorities and measuring service delivery would be set out through a series of Key Performance Indicators (KPIs).

In response to a question regarding tenant surveys, the Assistant Director - Housing and Wellbeing explained that there were reliant and robust relationships with housing providers and that milestones were in place to help them conduct surveys.



It was proposed by Councillor Parsons and seconded by Councillor Creed that in relation to the quarterly milestones within the Annual Delivery Plan, the following methodology and approach be adopted:

- Quarter 1 - Survey of tenants to analyse and establish a baseline for concerns and needs
- Quarter 2 - Establish a monitoring framework based on the analysis of the above
- Quarter 3 - Hold a registered providers forum
- Quarter 4 - Further survey of tenants to inform actions for 2026/27.

The Committee discussed the motion. On being put to the vote, there were 6 votes for, 1 vote against and 2 abstentions. It was agreed that recommendations should be submitted to Executive as soon as practicable.

It was proposed by Councillor Parsons and seconded by Councillor Creed that that the Key Performance Indicators (KPI) on Number of Homeless Households living in Temporary Accommodation retain the number of homeless households living in Temporary Accommodation and include an additional KPI metric on the number of people who are in nightly charged accommodation.

The Committee discussed the motion. On being put to the vote, the motion was upheld unanimously, and it was agreed that the recommendation should be submitted to Executive as soon as practicable.

### **Resolved**

(1) That having given due consideration, the Annual Delivery Plan and Performance Measures 2025-26 report be noted.

(2) That it be recommended to the Executive:

- i. That the Key Performance Indicators (KPI) on Number of Homeless Households living in Temporary Accommodation retain the number of homeless households living in Temporary Accommodation and include an additional KPI metric on the number of people who are in nightly charged accommodation.
- ii. That in relation to the quarterly milestones within the Annual Delivery Plan the following methodology and approach be adopted:

- Quarter 1 - Survey of tenants to analyse and establish a baseline for concerns and needs
- Quarter 2 - Establish a monitoring framework based on the analysis of the above
- Quarter 3 - Hold a registered providers forum
- Quarter 4 - Further survey of tenants to inform actions for 2026/27.

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## **Everybody's Wellbeing Strategy Impact Assessment**

The Committee considered a report from the Assistant Director Housing & Wellbeing, providing an overview of the "Everybody's Wellbeing" Strategy and baseline outcome measures planned to be collected from the annual satisfaction survey and six-monthly citizen space surveys.

The Portfolio Holder for Healthy Communities introduced the report, informing members that feedback from the surveys would be collected to assess the need and impact while also linking into the Wellbeing Service plan. As well as working with performance team, annual satisfaction survey questions around wellbeing would be asked and collected to produce a baseline of where residents currently see their wellbeing and how they interact with areas of the wellbeing service, enabling the wellbeing team to establish a base and continually ask these questions on a six-month period to review progress. Action plan measures would be reported a quarterly basis.

In response to a question on the impact of Local Government Reorganisation (LGR) on the future of the Strategy as well as service levels across the district, the Assistant Director Housing & Wellbeing advised that LGR was in its very early stages, and as such would not impact on plans for several years. Work carried out in the interim would look to provide a firm foundation for whatever form of local authority existed in the future.

In response to a question regarding public participation in the surveys and what initiatives were in place to boost interaction, the Assistant Director Housing & Wellbeing advised that measures were being taken to involve young people more and that it was important to capture as many residents as possible. The council actively used its current social media channels for outreach but would also look into other platforms as appropriate.

### **Resolved**

- (1) That having given due consideration, the Everybody's Wellbeing Strategy Impact Assessment report be noted.

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## **Scrutiny Working Groups Update**

The Committee received reports on the work of the Climate Action, Equality, Diversity and Inclusion and Food Insecurity working groups for the 2024 – 2025 municipal year.

The Chairman of each working group presented the findings and recommendations of each group to the Committee. Recommendations from each group would be taken forward to Executive for consideration in the next Municipal Year.

The Portfolio Holders for Greener Communities, Corporate Services and Healthy Communities thanked the respective working groups and their support officers for their work and recommendations.

## **Resolved**

- (1) That the Scrutiny Working Groups update be noted.
- (2) That the Equality Diversity and Inclusion Scrutiny Report be agreed, adopted and referred to the Executive for an Executive Response, as set out in the Annex to the Minutes (as set out in the Minute Book).
- (3) That the Climate Action Scrutiny Report be agreed, adopted and referred to the Executive for an Executive Response, as set out in the Annex to the Minutes (as set out in the Minute Book).
- (4) That the Food Insecurity Scrutiny Report be agreed and adopted, as set out in the Annex to the Minutes (as set out in the Minute Book).
- (5) That the Planning Application Appeals Scrutiny Recommendations set out in the Scrutiny Update Briefing Report be agreed, as set out in the Annex to the Minutes (as set out in the Minute Book), and be referred to the Executive for an Executive Response and
- (6) That a scrutiny report be prepared setting out the findings of the Planning Application Appeals scrutiny inquiry and brought before the next meeting of the Committee for consideration and agreement.

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## **Work Programme Update**

The Chairman advised the Committee that as it was the end of the Municipal year the current work programme had concluded. A new work programme including the previously agreed Housing Action Plan update report, would be produced once the Committee had been re-appointed following the Full Council meeting on 21 May 2025.

The Chairman thanked the Committee for their participation throughout the municipal year.

## **Resolved**

- (1) That the Scrutiny Work Programme 2024-25 be agreed.
- (2) That a report on the Housing Action Plan be brought to the next meeting of the Overview and Scrutiny Committee on the 03 June 2025.

The meeting ended at 9.19 pm

Chairman:

Date:

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This report is public	
Housing Delivery Action Plan	
<b>Committee</b>	Overview & Scrutiny Committee
<b>Date of Committee</b>	3 June 2025
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Planning & Development Management, Councillor Jean Conway
<b>Date Portfolio Holder agreed report</b>	29 April 2025 & 22 May 2025
<b>Report of</b>	Assistant Director – Planning and Development

## Purpose of report

To present a draft Housing Delivery Action Plan (HDAP) for consideration.

## 1. Recommendations

The Overview and Scrutiny Committee resolves:

- 1.1 To review the draft Housing Delivery Action Plan and identify any comments for consideration by the Executive at its meeting on 10 June 2025.

## 2. Executive Summary

- 2.1 A Housing Delivery Action Plan (Appendix 1) has been prepared in response to the Council's Annual Monitoring Report 2024 (AMR) which was presented to the Executive in February 2025. The AMR assessed the Council's five year housing land supply position and concluded that the Council could only demonstrate a 2.3-year supply. The Executive resolved that a Housing Delivery Action Plan be prepared in consultation with the Portfolio Holder for Planning and Development Management.
- 2.2 At a meeting on 28 January 2025, the Committee requested that the report on the Housing Delivery Action Plan be submitted to a future meeting of the Committee.
- 2.3 Appendix 1 to this report is the draft report to the Executive which provides the context. Appendix 2 comprises the draft Housing Delivery Action Plan.

## Implications & Impact Assessments

Implications	Commentary
<b>Finance</b>	If findings and actions of the HDAP are agreed by the Executive, there is the potential need for additional resource to help with delivering improvement plans/action plans. However, if signing up

	<p>more PPAs, this would bring in more income to cover the costs of additional planning staff. Also, the action plans will help reduce the number of appeals, reducing the risk of further costs to the Council. Kelly Wheeler, Finance Business Partner, 29 April 2025</p>
<b>Legal</b>	<p>The report notes the need for the Council to re-assess its housing land supply following appeal decisions in 2024 as well as a High Court Judgement.</p> <p>Subject to the comments above, the report indicates that the result of these cases was to require Cherwell to produce a combined assessment of Cherwell and Oxford's unmet needs and produce a 5 year housing supply based on this combined need.</p> <p>The report sets out how the Housing Delivery Action Plan allows us to do this and therefore comply with our legal requirements going forward.</p> <p>The report also sets out the risks and impact to the Council if this approach is not followed.</p> <p>The report comments on delays which can be caused by completion of S106 Agreements and other planning obligations. The two tier nature of Cherwell/OCC means that we often require input from both authorities and sealing to take place from both authorities before the agreements can complete. It is also important to note that detailed negotiations need to take place in advance of legal instructions being provided in order to ensure that negotiations are not on-going during the legal drafting stage, therefore avoiding delays.</p> <p>These points are currently being worked on between the planning and legal departments as part of the transformation process and both departments are making a number of changes to the process to help improve the speed of delivery for these agreements going forward.</p> <p>Denzil – John Turbervill, Head of Legal Services</p>
<b>Risk Management</b>	<p>As things currently stand the proposed plan requires more resource than what is currently available to deliver it. Therefore the main risk with agreeing the action plan is the extent to which it can be implemented and therefore meet the desired outcomes. The council therefore has three options:</p> <p>To produce an action plan that meets the budget envelope available  Agree the plan and identify the budget needed to deliver it  Agree which projects can be paused to redirect the resources needed to deliver the plan</p> <p>Shona Ware, Assistant Director, Customer Focus, 30 April 2025</p>

<b>Impact Assessments</b>	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equality Impact</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		N/A
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		N/A
<b>Climate &amp; Environmental Impact</b>		X		The action plan is not new planning policy but rather to help facilitate meeting existing policy. The environmental implications of development are considered through Local Plan and planning application processes
<b>ICT &amp; Digital Impact</b>				N/A
<b>Data Impact</b>				N/A
<b>Procurement &amp; subsidy</b>				N/A
<b>Council Priorities</b>	<b>Quality housing and place making</b> – to deliver sustainable and strategic development that meets Cherwell's needs now, and in the future and to achieve more high quality, secure, and affordable housing that caters for the diverse needs of our residents.			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			
<b>Consultation &amp; Engagement</b>	The Action Plan was discussed with Cllr Creed and Cllr Conway. There will also be future consultation with developers and stakeholders.			

## Supporting Information

### 3. Background

- 3.1. The appended draft report to the Executive provides the relevant background.

### 4. Details

- 4.1. The appended draft report to the Executive provides the five year housing land supply context and introduces the proposed Housing Delivery Action Plan.

### 5. Alternative Options and Reasons for Rejection

- 5.1 Recommend to the Executive that it seeks reconsideration of the Housing Delivery Action Plan.

Officers consider that the proposed action plan provides the necessary foundation for improving the housing land supply situation. It can be reviewed in response to changing circumstances in consultation with the Portfolio Holder for Planning and Development Management.

### 6. Conclusion and Reasons for Recommendations

- 6.1 In order to improve the district's housing land supply position and address the obstacles and delays to housing delivery, officers would advise that the Action Plan be endorsed. However, it is for the Committee to make any observations to the Executive.

## Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

## Document Information

Appendices	
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<b>Appendix 1</b>	Housing Delivery Action Plan
<b>Background Papers</b>	<a href="#">Executive</a> , 3 <sup>rd</sup> February 2025
<b>Reference Papers</b>	<a href="#">Annual Monitoring Report</a> 2024
<b>Report Author</b>	Paul Seckington, Head of Development Management
<b>Report Author contact details</b>	<a href="mailto:Paul.Seckington@cherwell-dc.gov.uk">Paul.Seckington@cherwell-dc.gov.uk</a>
<b>Corporate Director Approval (unless Corporate Director or Statutory Officer report)</b>	Ian Boll, Communities Director, 30 April 2025

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This report is public	
Housing Delivery Action Plan	
<b>Committee</b>	Executive
<b>Date of Committee</b>	10 June 2025
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Planning & Development Management, Councillor Jean Conway
<b>Date Portfolio Holder agreed report</b>	29 April 2025
<b>Report of</b>	Assistant Director – Planning and Development

## Purpose of report

To present a Housing Delivery Action Plan (HDAP) and seek agreement to the actions to improve Cherwell's five year housing land supply position.

## 1. Recommendations

That the Executive resolves:

- 1.1 To approve the Housing Delivery Action Plan for publication and to invite comment
- 1.2 To instruct officers to keep the Housing Delivery Action Plan under review, having regard to comments received, and to make any necessary changes in consultation with the Portfolio Holder for Planning and Development Management
- 1.3 To instruct officers to present a comprehensive review of the five year housing land supply position to the Executive, should there be evidence of a significant change.

## 2. Executive Summary

- 2.1 The Housing Delivery Action Plan (Appendix 1) is prepared in response to the Council's Annual Monitoring Report 2024 (AMR) which was presented to the Executive in February 2025. The AMR assessed the Council's five year housing land supply position and concluded that the Council could only demonstrate a 2.3-year supply. The Executive resolved that a Housing Delivery Action Plan be prepared in consultation with the Portfolio Holder for Planning and Development Management.
- 2.2 The purpose of this plan is to outline the actions the Council will take to improve housing delivery and achieve a requisite five year housing land supply.
- 2.3 This Action Plan complements existing Council plans, policies and strategies which provide a framework for the delivery of the Council's housing priorities.

## Implications & Impact Assessments

Implications	Commentary
<b>Finance</b>	<p>If findings and actions of the HDAP are agreed, there is the potential need for additional resource to help with delivering improvement plans/action plans. However, if signing up more PPAs, this would bring in more income to cover the costs of additional planning staff. Also, the action plans will help reduce the number of appeals, reducing the risk of further costs to the Council.</p> <p>Kelly Wheeler, Finance Business Partner, 29 April 2025</p>
<b>Legal</b>	<p>The report notes the need for the Council to re-assess its housing land supply following appeal decisions in 2024 as well as a High Court Judgement.</p> <p>Subject to the comments above, the report indicates that the result of these cases was to require Cherwell to produce a combined assessment of Cherwell and Oxford's unmet needs and produce a 5 year housing supply based on this combined need.</p> <p>The report sets out how the Housing Delivery Action Plan allows us to do this and therefore comply with our legal requirements going forward.</p> <p>The report also sets out the risks and impact to the Council if this approach is not followed.</p> <p>The report comments on delays which can be caused by completion of S106 Agreements and other planning obligations. The two tier nature of Cherwell/OCC means that we often require input from both authorities and sealing to take place from both authorities before the agreements can complete. It is also important to note that detailed negotiations need to take place in advance of legal instructions being provided in order to ensure that negotiations are not on-going during the legal drafting stage, therefore avoiding delays.</p> <p>These points are currently being worked on between the planning and legal departments as part of the transformation process and both departments are making a number of changes to the process to help improve the speed of delivery for these agreements going forward.</p> <p>Denzil – John Turbervill Head of Legal Services</p>
<b>Risk Management</b>	<p>As things currently stand the proposed plan requires more resource than what is currently available to deliver it. Therefore the main risk with agreeing the action plan is the extent to which it can be implemented and therefore meet the desired outcomes. The council therefore has three options:</p> <p>To produce an action plan that meets the budget envelope available. Agree the plan and identify the budget needed to deliver it</p>

	Agree Agree which projects can be paused to redirect the resources needed to deliver the plan  Shona Ware, Assistant Director, Customer Focus, 30 April 2025			
<b>Impact Assessments</b>	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		N/A
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		N/A
<b>Climate &amp; Environmental Impact</b>		X		The action plan is not new planning policy but rather to help facilitate meeting existing policy. The environmental implications of development is consider through Local Plan and planning application processes
<b>ICT &amp; Digital Impact</b>				N/A
<b>Data Impact</b>				N/A
<b>Procurement &amp; subsidy</b>				N/A
<b>Council Priorities</b>	<b>Quality housing and place making</b> – to deliver sustainable and strategic development that meets Cherwell’s needs now, and in the future and to achieve more high quality, secure, and affordable housing that caters for the diverse needs of our residents.			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			
<b>Consultation &amp; Engagement</b>	The Action Plan was discussed with Cllr Creed and Cllr Conway. There will also be future consultation with developers and stakeholders			

## Supporting Information

### 3. Background

- 3.1. At the February 2025 meeting of the Executive, members approved the preparation of a Housing Delivery Action Plan in response to the findings of the Annual Monitoring Report which found that the Council only had a 2.3 year supply of housing over the five year period 2024-2029.
- 3.2. As reported in February, the assessment of the five year land supply position was affected by an appeal decision in which it was considered by a Planning Inspector that the calculation for Cherwell's requirements and that for the district's contribution to the unmet housing needs of Oxford should be amalgamated. It was also affected by the Government's publication of a new standard method for assessing 'Local Housing Need' alongside a new National Planning Policy Framework (NPPF) in December 2024. This significantly increased the quantum of housing for Cherwell that needed to be factored into the five-year supply calculation.
- 3.3. As set out in the proposed Action Plan (Appendix 1), this had led to a higher five-year target against which the supply of deliverable housing is measured. From a housing supply perspective, the largest factor affecting the district's ability to meet this target has been the delay in the sites allocated for development in the Partial Review of the Local Plan (2020) – those to help meet Oxford's needs.
- 3.4. The current five-year housing land supply position can only be addressed by increasing the supply of housing that can be shown to be 'deliverable' over the rolling five-year period. This can be achieved by accelerating identified supply or by appropriately approving new supply where there is evidence of sufficient delivery within the five-year period to have positive impact on the land supply position. The attached Action Plan therefore analyses the causes of under delivery (i.e. sites that should have progressed further by this point in time) and the overall supply of housing, and sets out a series of measures and actions to tackle them.

### 4. Details

#### Key Issues

- 4.1. The Council's Annual Monitoring Report 2024 assessed the Council's five year housing land supply position and concluded that the Council could only demonstrate a 2.3-year supply.
- 4.2. Revised NPPF and national Standard Method calculations for local housing need have increased the annual housing need to 1871 dwellings for the current five year period 2024-2029 (including the planned requirement for Oxford's needs). Once a new Local Plan is adopted, the housing requirement from that Plan would be applied to land supply calculations instead of the Local Housing Need figure arising from the Standard Method.

- 4.3. At 31 March 2024, the district had over 8,000 homes with outline or full planning permission that had not yet been built. The Council has very limited influence in bringing forward approved sites. Developer finances and circumstances including upfront costs, market conditions and competition are influential as are constraints such as utility capacity and the timing of infrastructure works. Planning performance affects the speed at which new planning permissions are granted (including the completion of legal agreements) and the speed at which detailed matters are approved or discharged. Accelerating delivery requires unblocking the development pipeline where required. This is important so that any five year land supply shortfall is not met unnecessarily by additional unplanned development.

### **Past Housing Delivery**

- 4.4. The Cherwell Local Plan 2011-2031 was adopted by the Council in 2015. It makes provision for the development of 22,840 homes; an annualised requirement of 1,042 dwellings per annum.
- 4.5. Prior to Local Plan adoption, a total of 2052 homes were delivered from 2011-2015: an average of 513 homes per annum. Post-adoption, from 2015 to 2023, the level of housing delivery exceeded the requirements of the Plan. A total of 10,260 homes were completed over that eight year period (an average of 1282 per annum). 39.6% of those homes were completed at Banbury, 30.1% at Bicester and 30.3% elsewhere including at Heyford Park (2015-2023).
- 4.6. However, in 2023/24, total completions dropped to 805 new homes. 24.5% were built at Banbury, 28.1% at Bicester and 47.4% elsewhere. This fall in delivery in part reflects national and local housing market conditions and in part the complexity in delivering the Local Plan's remaining strategic development sites, particularly at Bicester (Graven Hill, North West Bicester, and South East Bicester) where specific site circumstances and infrastructure constraints are delaying delivery.
- 4.7. The Partial Review of the 2011-2031 Local Plan, required to contribute in meeting Oxford's unmet housing needs, was adopted in 2020 following delays caused by a lengthy Local Plan Examination and an unsuccessful legal challenge. The Plan had been prepared in the interest of securing delivery of an additional 4,400 homes from 2021 to 2031 with a staggered housing trajectory provide for 1,700 homes in the first five years to 2026. Although, most sites are progressing through the development management process, to date there has been no delivery.

### **Future Housing Delivery**

- 4.8. The Local Housing Need for Cherwell arising from the national Standard Method has increased significantly to 1118 dwellings per annum (a 63% increase). In addition, a further allowance for Oxford's unmet needs has to be included in the calculations. This results in a revised annual requirement (including a required 5% buffer) of 1871 dwellings.
- 4.9. The current supply of sites considered to be 'deliverable' (not just developable) indicates that the district will fall well short of the required 1871 new homes per annum. The AMR reported that for the period 2024 to 2029, there is presently a total shortfall of 5017 homes in demonstrating a five-year supply (a deliverable supply of 4339 homes compared to a requirement of 9356).

## **Summary of Key Actions that are being taken/proposed to be taken:**

- 4.10 The Action Plan at Appendix 1 has been prepared in the interest of the Council doing all that it reasonably can to address this five year land supply shortfall. In summary, this includes:
- i. submit the new Local Plan for examination and adopt it as soon as possible thereafter
  - ii. utilise the Council's Area Oversight Groups to bring together stakeholders and agree on local priorities
  - iii. increase the use Planning Performance Agreements (PPAs) and a Planning Improvement Plan to improve efficiency of planning processes
  - iv. engage with the Planning Advisory Service (PAS) and review planning decision making process where required to support improvement
  - v. reconvene regular developer forums
  - vi. review the pre-application advice service.
  - vii. implement an Action Plan to support the management of strategic planning applications.

## **Monitoring**

- 4.11 It is proposed that the actions will be monitored and reviewed quarterly with the benefit of development monitoring information, developer engagement and stakeholder feedback

## **Stakeholder engagement on the Action Plan**

- 4.12 Subject to the Executive's approval, officers propose publishing the Action Plan without delay in taking positive steps to address the five year land supply shortfall. However, it is also proposed to invite comments upon it from developers and statutory consultees and to keep it under review in consultation with the Portfolio Holder for Planning and Development Management having regard to feedback received.

## **Risks**

- 4.13 Implementing the Action Plan, along with other planned improvements and measures, will require officer resources. The Assistant Director – Planning and Development and Corporate Director – Communities are seeking to make the appropriate provision within existing budgets.

## **5. Alternative Options and Reasons for Rejection**

- 5.1 Seek reconsideration of the Housing Delivery Action Plan.



Officers consider that the proposed action plan provides the necessary foundation for improving the housing land supply situation. It can be reviewed in response to changing circumstances in consultation with the Portfolio Holder for Planning and Development Management.

## 6. Conclusion and Reasons for Recommendations

- 6.1 In order to improve the district's housing land supply position and address the obstacles and delays to housing delivery, it is recommended that the attached Action Plan is agreed.

### Decision Information

<b>Key Decision</b>	N/A
<b>Subject to Call in</b>	N/A
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All

### Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Housing Delivery Action Plan
<b>Background Papers</b>	<a href="#">Executive</a> , 3 <sup>rd</sup> February 2025
<b>Reference Papers</b>	<a href="#">Annual Monitoring Report</a> 2024
<b>Report Author</b>	Paul Seckington, Head of Development Management
<b>Report Author contact details</b>	<a href="mailto:Paul.Seckington@cherwell-dc.gov.uk">Paul.Seckington@cherwell-dc.gov.uk</a>
<b>Corporate Director Approval (unless Corporate Director or Statutory Officer report)</b>	Ian Boll, Communities Director, 30 April 2025

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DISTRICT COUNCIL  
NORTH OXFORDSHIRE

## **Cherwell District Housing Delivery Action Plan 2025**

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## 1. Introduction

### 1.1 Background

- 1.1.1 The National Planning Policy Framework (NPPF) and related guidance set out the government's objective to significantly boost the supply of homes and that Local Planning Authorities (LPAs) have a critical role in planning for and delivering an adequate supply of housing.
- 1.1.2 In particular, LPAs need to demonstrate a **5-year housing land supply** to show that it has enough identified, suitable, and deliverable land to meet its housing needs for the next five years. The supply is calculated as follows:
- **Five-year timeframe:** The supply must cover a rolling five-year period from the current date.
  - **Identified sites:** The council must have specific sites allocated or with planning permission that are expected to come forward for housing development.
  - **Suitable:** The land must be appropriate for housing in terms of location, accessibility, and environmental constraints.
  - **Deliverable:** There must be a realistic prospect that housing can be delivered on these sites within the five-year period. This considers factors like viability, infrastructure, and developer interest.
- 1.1.3 Up until recently, Cherwell District Council (CDC) has monitored and calculated two separate housing land supply positions: one for Cherwell's needs<sup>1</sup>, and one for Oxford's unmet needs<sup>2</sup>.
- 1.1.4 However, following 2024 appeal decisions and a recent High Court judgment, a combined assessment of the district's housing land supply position for both needs is now required. Furthermore, in December 2024, the Government published a revised NPPF and a new revised Standard Method calculation for assessing housing need.
- 1.1.5 Using the latest Standard Method calculations there is now a need to provide 1118 dwellings per annum to meet Cherwell's needs (compared to 742 under the previous

<sup>1</sup> Based on the Cherwell Local Plan 2011-2031 (Part 1) – see para 4.3

<sup>2</sup> Based on Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need – see para 4.3

method) plus adding in Oxford's Unmet needs results in a revised annual requirement (including a 5% buffer) of 1871 dwellings. This is a level of housing delivery that has not been delivered in Cherwell before.

- 1.1.6 The Council's latest combined assessment, as detailed in CDC's 2024 Annual Monitoring Report (AMR) shows that the District can only demonstrate a 2.3 year housing land supply for the period 2024 to 2029, as detailed below:

Description	5-year Period 2024 to 2029
Combined base requirement over next 5 years plus buffers	9356
Revised Annual Requirement (Over next 5 years)	1871
Deliverable Supply Over Next 5 Years	4339
Total Years Supply Over next 5 Year	2.3
Shortfall	-5017

### 1.2 Purpose of the Housing Delivery Action Plan

- 1.2.1 The purpose of this Housing Delivery Action Plan is to outline the actions the Council will take to improve housing delivery and achieve a requisite 5-year housing land supply.
- 1.2.2 This Action Plan complements existing Council plans, policies and strategies which provide a framework for the delivery of the Council's housing priorities. These include the following:

#### *Corporate Plan (2025-2030)*

- 1.2.3 The Corporate Plan has key priorities to increase delivery of affordable and green housing and deliver the new Local Plan and at the heart of the Council's Vision is its commitment to being "a modern Council, inspiring and enabling positive, lasting change".

#### *Housing Strategy (2025-2030):*

- 1.2.4 The Strategy sets out how the Council will respond to challenges in delivering and managing high-quality housing across all tenures in the District over the next 5 years. The Three priority areas of the strategy are:
- Increase the supply and diversity of affordable housing to ensure the right types of housing are available in the right places;
  - Improve the quality and sustainability of our homes and build thriving, healthy communities; and

- Enhance opportunities for residents to access suitable homes and have housing choices.

### 1.3 Aims and Scope of the Action Plan

1.3.1 The main aims and scope of the Housing Delivery Action Plan are as follows:

- To provide an analysis of the key reasons for the current under-delivery of new homes in the district against its housing requirement;
- To identify the measures the Council has already undertaken and intends to take to increase and accelerate the delivery of new housing in the district; and
- To identify the monitoring arrangements for the Housing Delivery Action Plan.

## 2. The Housing Delivery Test (HDT)

### 2.1 HDT explained

2.1.1 The HDT, introduced by the government, monitors housing delivery by Local Planning Authorities against annual targets. It measures net additional dwellings delivered over the previous **three-year period** against the homes the Government requires each Local Planning Authority (LPA) in England to deliver.

### 2.2 HDT Requirements

2.2.1 The Government publishes results on performance for each LPA on an annual basis. The HDT has three requirements:

- If delivery is less than 95% of the housing target, the LPA should prepare an Action Plan.
- If delivery is less than 85% of the housing target, the LPA should include a 20% buffer in calculating its 5-year housing land supply.
- If delivery is less than 75%, the presumption in favour of sustainable development (NPPF para. 11 d) is engaged.

2.2.2 The recently published HDT for CDC demonstrates that we have actually delivered 146% against the last three-year HDT monitoring period. Therefore, this Action Plan



is being put together voluntarily to support improved housing delivery, in order to achieve the requisite five-year housing land supply, not an Action Plan required by the Housing Delivery Test.

### **3. The Implications of Not Having a Five-Year Housing Land Supply**

#### **3.1 The 'tilted balance' is engaged**

3.1.1 The absence of a five-year supply 'tilts the balance' in the weighing-up of considerations involved in decision making. The presumption in favour of sustainable development at para. 11(d) of the NPPF is engaged.

3.1.2 This states that (where there is a lack of a five-year supply) planning permission should be approved unless:

- a proposed development is in a defined protected area or the asset is of particular importance which provides a strong reason for refusal; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

#### **3.2 Material Considerations and the Development Plan**

3.2.1 The tilted balance does not guarantee planning permission nor does it replace the statutory responsibility of the decision-maker to consider whether planning permission should be granted in accordance with the Development Plan, when read as a whole, unless material considerations indicate otherwise. The NPPF and whether the 'tilted balance' would be engaged are potential material considerations.

3.2.2 Planning permission can still be refused where the tilted balance is engaged if the harm associated with a proposed development outweighs the benefits.

### **4. Housing Delivery Analysis**

### 4.1 Geographical Context

- 4.1.1 Cherwell District is a largely affluent district in the South East of England. It is connected to London, Birmingham and Oxford by fast rail links from Banbury, Bicester and a few of its villages and has attractive features such as a rich fabric of historic settlements, buildings, parks and other green spaces, plus a wide and expanding economic employment base.
- 4.1.2 The strategic highway network also provides ready access to those cities and beyond for Cherwell residents, its workforce and businesses via the M40 motorway and the A34 and A43 trunk roads.
- 4.1.3 However, the district faces specific constraints, including Green Belt policies, infrastructure delays, and market conditions

### 4.2 Local Housing Market

#### Property Prices and Affordability

- 4.2.1 The median house price in the District in September 2023 was **£396,000**, which is significantly higher than the UK average of £282,000 in 2024, although lower than the Oxfordshire wide and South East wider level. Sold houses data from 2023-24 suggests that the average price for properties sold in Bicester and Kidlington were around 21% higher than those sold in Banbury (source: Zoopla).
- 4.2.2 The District's median gross annual workplace-based earnings in 2023 were **£30,749** which is lower than the Oxfordshire median of £34,005 but higher than the national figure of £29,669. The workplace earnings to house price ratio within Cherwell is wider therefore than at a national level. In 2021, the house price to workplace earnings ratio was over 10 times and this gap has widened such that by 2023 it was almost 13 times, compared to a national ratio of 9.5 times. This means that purchasing a home is out of the reach for many working households and significantly more difficult than across much of the UK.
- 4.2.3 Affordability is not just an issue for homeowners and those seeking homeownership. It is a cross-tenure issue, and the issues facing the private rented sector are similarly challenging. The median rental cost per month for a property in Cherwell in 2022 was **£975**. This is below the Oxfordshire level of £1100 but higher than the overall national and South East levels. Median rents in Cherwell rose **11+%** over the 3 prior years, which is a faster acceleration than in the County as a whole.
- 4.2.4 The private rented sector locally is a challenging market with high demand for accommodation and a buoyant market. Therefore, those that are on the lowest incomes face the most significant challenges in accessing private rented sector tenancies.

- 4.2.5 As Cherwell is adjacent to Oxford city, prices have been pushed up by the Oxford market and its thriving rental market, driven by its location, commerce and student market, particularly in HMO's. Median rents in Oxford city are around £300 per month more than they are in Cherwell and, given their proximity, it also affects rental properties in Kidlington and is also starting to affect Bicester, following improvements in rail connectivity with Oxford.

### Social Housing Demand

- 4.2.6 There are presently just over 2,000 households in Cherwell on the Council's housing register, and this has increased by almost 100% in the last five years.
- 4.2.7 There were 546 lettings through the housing register in 2023/24. There is an identified increasing need for 1-bedroom accommodation within Cherwell, with 50% of new applicants in the year requiring a 1-bed property and 84% requiring either 1 or 2-bed accommodation.
- 4.2.8 Fortunately, the supply of smaller accommodation is strong, both through new delivery and through relets, so waiting times for this type of social accommodation is shorter than for larger 4 and 4+ bedroom family accommodation, regardless of what priority band applicants are in. The average wait for a larger property in 2023/24 through the housing register was 2 years and 11 months.

## **4.3 Local Planning Context**

### Cherwell Local Plan 2011-2031 (Part 1)

- 4.3.1 This Local Plan, adopted in July 2015, sought to boost significantly the supply of housing from previous years, and meet the objectively assessed need for Cherwell identified in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This is a total of 22,800 homes from 2011 to 2031 or some 1140 dwellings per annum. The Plan's spatial strategy is to direct most development to Banbury and Bicester. In addition, some growth was proposed at the former RAF Upper Heyford. Elsewhere development is limited.
- 4.3.2 Over the Plan period 10,129 homes are to be provided at Bicester, 7,319 at Banbury, and 5,392 in the rural areas, including Heyford and Kidlington.
- 4.3.3 The Cherwell Local Plan 2011-2031 was adopted in 2015 and hence is over five years old. A review of the Plan's policies was presented to the Executive in January 2021. The review concluded that the majority of the Plan's policies were generally up to date. This included the Local Plan requirement of 1,142 homes per annum (22,840) which then remained the default starting point for the purposes of calculating the 5-year supply.

- 4.3.4 A further review in 2023 however, concluded that the strategic policies in the adopted local plan relating to housing needed updating. Subsequently the Council reverted to applying the standard methodology for the assessment of local housing need for Cherwell for the purpose of calculating the five-year housing land supply.

### Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need

- 4.3.5 In the 2015 Local Plan the Council committed to working on an on-going basis with all other Oxfordshire local authorities to address the need for housing across the Oxfordshire Housing Market area. All of the Oxfordshire councils accepted that Oxford cannot fully meet its own needs. This Partial Review Local Plan subsequently identified land for 4,400 additional homes to meet Cherwell's agreed share of Oxford's unmet need to 2031. This was adopted in September 2020.
- 4.3.6 As this local plan is less than 5-years old the housing requirements of the Partial Review continues to be applied for the purpose of calculating the five-year housing land supply for Cherwell's contribution to Oxford's unmet housing need.

### Emerging Cherwell Local Plan Review 2042

- 4.3.7 The Council is currently preparing a new local plan for the district which covers the period 2020 to 2042. The pre-submission (Regulation 19) Plan was published for consultation between December 2024, and 25 February 2025. Submission for examination is expected early summer 2025.
- 4.3.8 This emerging Local Plan requires 20,042 homes to be delivered to meet housing need between 2020 and 2042. This equates to 911 dwellings per annum. An additional 4,545 homes are provided to help deliver further social/affordable housing, support place making and provide contingency. This brings the total number of homes planned to 24,587.

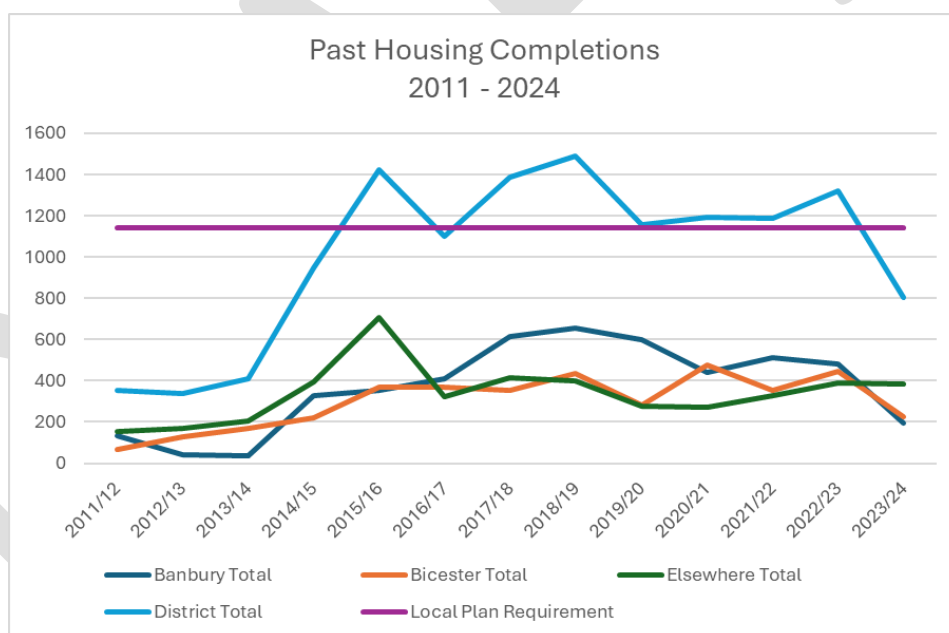
### Neighbourhood Planning

- 4.3.9 There are a number of 'made' neighbourhood plans in the district.
- Hook Norton Neighbourhood Plan - 19 October 2015
  - Bloxham Neighbourhood Plan - 19 December 2016
  - Adderbury Neighbourhood Plan - 16 July 2018
  - Mid-Cherwell Neighbourhood Plan - 14 May 2019
  - Weston-on-the-Green Neighbourhood Plan - 19 May 2021
  - Deddington Neighbourhood Plan – 22 May 2024

## 5. Housing Delivery Progress

### 5.1 Current Position

- 5.1.1 Cherwell has for many years facilitated the delivery of new homes, and for the most part exceeded local plan targets. However, the significant increase in Cherwell's housing requirement presents a significant challenge moving forward. Current delivery rates indicate that the Council will fall well short of the required 1871 new homes per annum.
- 5.1.2 The 2024 AMR shows that of the 13,117 homes built since 2011, 37% have been at Banbury, 30% at Bicester and 33% elsewhere in the district. In 2023/24, 28% of completions were at Bicester, 24% at Banbury and 47% elsewhere. The graph below shows how this figure has fluctuated over the past thirteen years and in particular that developments at the two main towns of the district and where most development is focused and allocated in the Local Plan has dropped significantly in the past year, with more being built in the rural areas.



- 5.1.3 When compared with the required annual delivery rate required by the 2015 adopted Cherwell Local Plan this is an average under delivery of 131 dwellings per annum, although for most of the past 13 years delivery has been above that required by the local plan.
- 5.1.4 However, there has been a noticeable dip in delivery in the monitoring year 2023/24, with only 805 dwellings completed. Early indications are that this trend is continuing in 2024/25.

## 5.2 Progress of Allocated Sites

5.2.1 The progress being made on strategic sites (100 or more dwellings) allocated in the 2015 Local Plan, is detailed below:

Site	Allocation	Permissions	% of allocation granted permission	Completions (2011 – 2024)	% of allocation built	Permissions remaining
<b>BICESTER</b>						
North West Bicester	6000	2642	44%	412	7%	2230
Graven Hill	2100	750	36%	511	24%	239
South West Bicester Phase 2	726	649	89%	649	89%	0
South East Bicester	1500	1500	100%	0	0%	1500
Gavray Drive	300	0	0%	0	0%	0
<b>Total</b>	<b>10626</b>	<b>5541</b>	<b>52%</b>	<b>1572</b>	<b>15%</b>	<b>3969</b>
<b>BANBURY</b>						
Canalside, Banbury	700	19	3%	0	0%	19
Southam Road	600	627	105%	537	90%	90
West of Bretch Hill	400	480	120%	480	120%	0
Bankside Phase 2	600	820	137%	0	0%	820
North of Hanwell Fields	544	590	108%	590	108%	0
Bolton Road	200	78	39%	0	0%	78
South of Salt Way (West)	150	343	229%	324	216%	19
South of Salt Way (East)	1345	1448	108%	359	27%	1089
Drayton Lodge Farm	250	320	128%	0	0%	320
Higham Way	150	0	0%	0	0%	0
<b>Total</b>	<b>4939</b>	<b>4725</b>	<b>96%</b>	<b>2290</b>	<b>47%</b>	<b>2435</b>
<b>ELSEWHERE</b>						
Former RAF Upper Heyford	2361	2590	110%	1150	49%	1440
<b>TOTAL</b>	<b>17926</b>	<b>12856</b>	<b>72%</b>	<b>5012</b>	<b>28%</b>	<b>7844</b>

5.2.2 The above table demonstrates that almost all the allocations at both Banbury and Heyford have been granted planning permission, but only 52% at Bicester. Furthermore, whilst delivery at Banbury and Heyford has been coming forward, with almost 50% of the housing from the allocations being completed, Bicester has only

completed 15% of its housing from the allocations. Most notable is the completion of just 7% of the largest allocation in the Local Plan, the 6000 houses at North-West Bicester.

### 5.3 Progress of Windfall/Rural Sites

- 5.3.1 At the Category A and Category B villages, the adopted Local plan anticipated that about 750 largely windfall developments would come forward within the plan period to 2031. In fact, over 1,130 dwellings have actually been completed on sites at and around those settlements and permissions exist for more. In particular, 219 houses have been delivered at Adderbury, 313 at Ambrosden, 313 at Bloxham, 180 at Deddington and 200 at Hook Norton.

### 5.4 Progress of Allocated Sites for Oxford's Housing Needs

- 5.4.1 The progress being made on the sites allocated to meet Oxford's unmet need in the Partial review Local Plan, is detailed below:

Site	Allocation	Applications	Resolution to approve	Permissions Issued	% of allocation granted permission	Completions
Policy PR6a - Land East of Oxford Road	690	690	690	0	0%	0
Policy PR6b - Land West of Oxford Road	670	0	0	0	0%	0
Policy PR7a - Land South East of Kidlington	430	370	0	370	86%	0
Policy PR7b - Land at Stratfield Farm	120	118	118	0	0%	0
Policy PR8 - Land East of the A4	1950	2200	2200	0	0%	0
Policy PR9 - Land West of Yarnton	540	540	0	540	100%	0
<b>TOTAL</b>	<b>4400</b>	<b>3918</b>	<b>3008</b>	<b>910</b>	<b>21%</b>	<b>0</b>

- 5.4.2 The above table demonstrates that whilst applications have been submitted for 89% of the 4400 housing allocated (with nearly all the sites having adopted Development



Briefs) only two sites have the benefit of planning permission, equating to 910 houses, which is just 21%. Leaving 3490 houses yet to receive permission.

- 5.4.3 Whilst applications for 3008 of these dwellings (86%) have been to planning committee and have received a resolution to approve, which shows that delivery is expected to start and will pick up over the coming years, the delay to the Partial Review sites being developed is a big factor in the under delivery of housing.

### **5.5 Affordable Housing Progress**

- 5.5.1 The AMR shows that in the monitoring year 2023/24, there were 266 net affordable housing completions secured through Section 106 agreements. This figure represents an annual increase in affordable housing completions since the 2021/22 monitoring year. Furthermore, affordable housing completions accounted for approximately 33% of the total net housing completions (805 homes) in 2023/24.
- 5.5.2 The AMR indicates that 99% of social housing in Cherwell is delivered by Registered Providers, highlighting the importance of this partnership for future affordable housing provision.
- 5.5.3 The AMR acknowledges a significant imbalance between the high demand for social housing and the limited supply, particularly for larger family homes.

## **6. Challenges to Delivery / Planning Processes**

### **6.1 Power Supply**

- 6.1.1 One of the biggest issues to delivery at Bicester has been ensuring sufficient electricity supply to meet the demands of the growing town. A number of sites have stalled as capacity in the grid to serve the homes is not there and not anticipated for a number of years. This has affected confidence of the housebuilders on some sites to start building if the houses cannot connect to the grid.

### **6.2 Transport Infrastructure**

- 6.2.1 Whilst 6,000 homes have been allocated for development at North-West Bicester in the 2015 Local Plan and over 2,230 have been granted permission, only 412



dwellings have thus far been completed on the site. Lack of funding to construct an essential new strategic link road to serve the largest North-West Bicester allocation has been a major constraint.

### 6.3 Foul Drainage

- 6.3.1 Foul water drainage capacity limitations have been significant constraints to development completions around Kidlington, particularly on the Partial Review Sites. This has delayed the ability of the LPA to grant planning permission for these sites while this matter is being resolved.

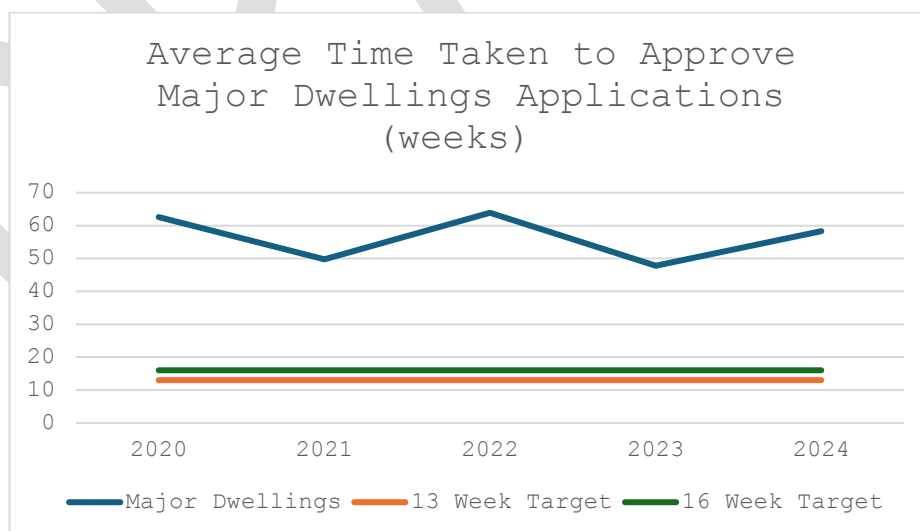
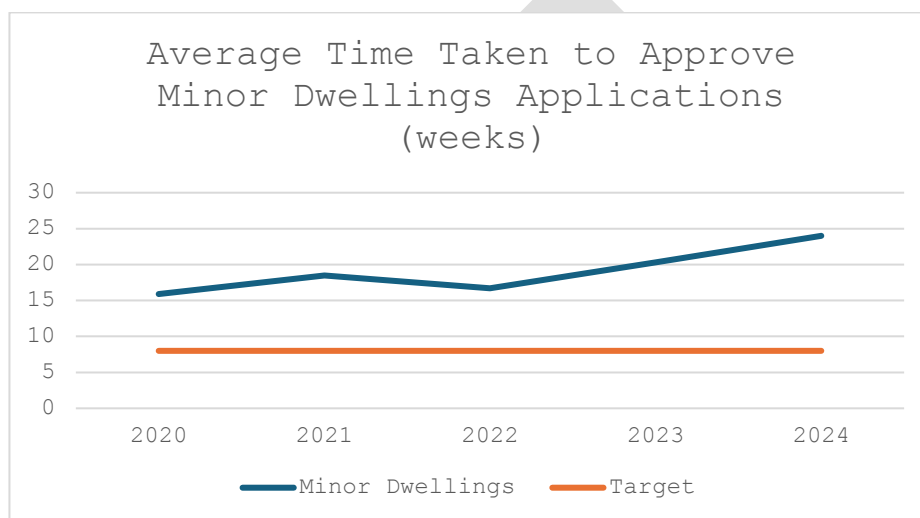
### 6.4 Planning Performance

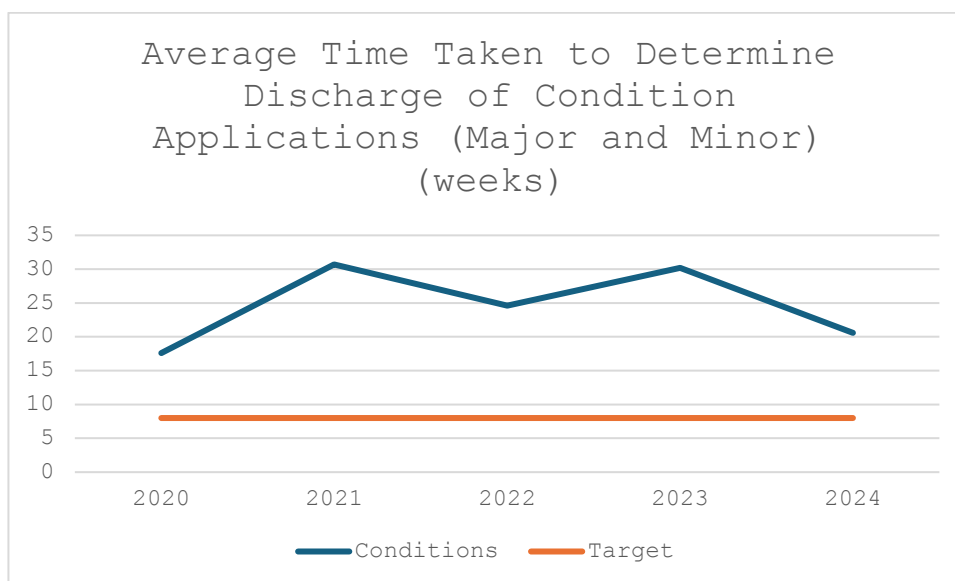
- 6.4.1 The LPA is significantly exceeding Government targets for the Speed of determining applications with over 80% of both major and non-major applications decided on time. However, in terms of quality of decision making the Council has gone over the 10% Threshold, due to the number of major appeals allowed. See table below:

Measure and type of Application	Threshold and assessment period October 2023 to September 2024	CDC Performance
<b>Speed</b> of major Development	60%	86.21% (50/58 applications determined in time)
<b>Speed</b> of non-major Development	70%	82.97% (955/1151 applications determined in time)
Measure and type of Application	Threshold and assessment period April 2022 to March 2024	CDC Performance
<b>Quality</b> of major Development	10%	10.4% (12 applications allowed at appeal, against 115 determined)
<b>Quality</b> of non-major Development	10%	0.74%

		(17 applications allowed, against 2308 applications determined)
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6.4.2 In addition, whilst the Council is meeting the targets on Speed, this is heavily reliant on the use of 'Extension of Time', which means applications are taking a lot longer to determine than the 8, 13 and 16 week timeframes. which delays the granting of planning permissions. In addition the delays in granting discharge of condition applications has been significantly above the 8 week target over the last 5 years. See graphs below:





6.4.3 The time taken to determine applications and discharging conditions does contribute to delaying delivery of developments.

## 6.5 Consultation Responses

6.5.1 A significant proportion of the major planning applications are delayed due to the time taken to engage with statutory consultees and awaiting their response, and the repeat requests for amended/more information. In particular the Environment Agency, OCC Highways and National Highways. These delays can add many months if not more than a year to the consideration of applications.

## 6.6 Legal Agreements

6.6.1 Following on from the above the process of agreeing developer contributions to affordable housing and infrastructure through legal agreements (Section 106 agreements) can significantly delay delivery by planning permissions taking a long time to be issued whilst finalising the S106 agreement (often by more than a year and occasionally up to several years).

6.6.2 For example, in 23/24, 58 applications for major development (including S106 agreements) were determined. 48 were determined within time or with an agreed extension of time, but only 12/58 (21%) were determined within time without using an agreed extension of time. The average time taken to determine applications with a S106 was 67 weeks.

## 6.7 Planning Appeals

- 6.7.1 Whilst there is a presumption in favour of sustainable development (NPPF para.11d), the perception of some stakeholders is that individual planning decisions do not always reflect this, and that this can adversely affect housing delivery in the District.
- 6.7.2 The Council's failure to successfully defend refusals of planning permission for housing developments, particularly around Banbury, Heyford Park and some of the Category A villages and in a number of cases following Member overturns of Officer recommendations of approval has resulted in the Government formally identifying Cherwell District Council as an underperforming authority because more than 10% of refusals for major housing projects have been overturned at appeal in the last two years (10.4%).
- 6.7.3 In addition, dealing with a high number of planning appeals over the past few years, particularly the significant number of Public Inquiries has taken up a significant amount of time and resource, taking our most experienced planning officers and solicitors away from processing live applications, leading to additional delays.

### 6.8 Staffing

- 6.8.1 Despite the successful filling of all vacancies within the Development Management Team with permanent or agency staff, the sheer number of applications received, coupled with the intricate nature of strategic development proposals and the requirements of Planning Performance Agreements, places considerable pressure on the service. Resource levels are subject to ongoing review, with careful consideration given to budgetary limitations.

### 6.9 External factors

- 6.9.1. *Market Conditions:* Fluctuations in the housing market, including house prices and demand, affect the viability of development and the willingness of developers to build. The lower completion rates in 2023/24, reflect the broader national market conditions.
- 6.9.2. *Construction Costs:* Rising costs of materials and labour are making developments less financially viable, potentially leading to delays or cancellations, particularly for affordable housing projects with tighter margins. The slow rates of delivery on ongoing strategic sites with the benefit of planning permission reflects this.
- 6.9.3. *Environmental Regulations:* Increasingly stringent environmental regulations, such as those related to biodiversity net gain, can create significant hurdles and delays for housing developments, requiring complex mitigation strategies.
- 6.9.4. *Infrastructure Providers:* The timely delivery of essential infrastructure (roads, utilities, schools, healthcare) by external agencies is critical for making housing

developments viable and sustainable. Delays in infrastructure can hold up housing completion.

## 7. Key Actions and Responses

### 7.1 Interventions and Partnerships

- 7.1.1 This Housing Delivery Action Plan focuses on the intervention options open to the Council, recognising that a wide range of partners will need to be involved in helping to achieve the objectives of the Housing Delivery Action Plan. This will involve working with landowners, developers, registered providers and development bodies, as well as infrastructure providers to ensure that more new housing is delivered within Cherwell District.
- 7.1.2 The Council is committed to working constructively with Government and other partners to take advantage of funding opportunities to help deliver new housing and supporting infrastructure, in line with national planning policy.

### 7.2 What the Council has done / is doing so far

- 7.2.1 Table 1 below provides the specific actions that have been undertaken by CDC so far / in progress in tackling housing supply and delivery.

### 7.3 What more the Council will do

- 7.3.1 Table 2 sets out the proposed actions to further tackle housing supply and delivery.

### 7.4 The Housing Delivery Action Plan for CDC

- 7.4.1. The 11 actions within Tables 1 & 2 below form the Housing Delivery Action Plan for CDC to address the under delivery of housing in Cherwell District.

**Table 1 – The Actions the Council has undertaken / is undertaking so far**

Action	Description	How is/will this help supply and delivery?	Timescale (short/medium/long/ongoing)	Responsible Teams	Action progress at April 2025
<b>1. Local Plan</b>	Prepare and adopt a new Local Plan to meet Cherwell's needs, protect its environment and secure sustainable development.	The adoption of the plan would bring the annual housing target down to 911 from 1118 in the current local plan, making delivery more achievable	Medium - It is expected that the Local Plan will be adopted in 2026.	Planning Policy	Consultation on the Regulation 19 version of the Local Plan took place between December 2024 to Feb 2025.  The Planning Policy team are now preparing documents for the Council to consider and for submission as soon as possible.
<b>2. Oxford Sewage Treatment Works (OSTW)</b>	Engagement with MHCLG / DEFRA / Environment Agency / Thames Water / developers / CDC / OCC / WODC to find a solution to the capacity issue at the OSTW.	For many months applications had been held in abeyance due to an objection by the Environment Agency on applications in and around Oxford due to environmental harm that would be caused by new development as a result of OSTW being at capacity.  By overcoming this issue, applications would be a step closer to receiving permission	Short -	Development Management  Assistant Director	A series of high level meetings with these external partners has led to the Environment Agency withdrawing their objections to the developments in and around Oxford. This resulted in Thames Water confirming that the Oxford Sewage Treatment Works will be upgraded in time to serve these developments, including the partial review sites within CDC.
<b>3. CDC Area Oversight Groups (AOGs)</b>	These groups have been established to bring together key stakeholders and agree local priorities under an Area Priority Plan. Groups meet quarterly. Stakeholders include County, District and Town/Parish Councillors, developers / landowners, education establishments, businesses, community groups etc.	<b>Key Areas of Work</b> <ul style="list-style-type: none"> <li>Supporting Planning colleagues to resolve outstanding S106 issues.</li> <li>Engagement with / applying for funding from MHCLG / Homes England.</li> <li>Developer Forum engagement / specific landowner discussions to resolve issues ahead of planning.</li> <li>Energy infrastructure needs – engagement with the newly formed National Energy System Operator through Regional Energy Strategic Plan Forums for Central England.</li> <li>Helping manage local expectations around S106 contributions and infrastructure improvements, particularly around timescales.</li> </ul>	Ongoing	Banbury Area Lead  Bicester Area Lead  Kidlington Area Lead  Development Management  Planning Policy  Economic Development	<b>Area Leads</b> have been appointed to advance / take actions against Area Priority Plans.  <b>Area Priority Plans</b> outline projects and actions that help address area priorities. This is a working document which is monitored and updated by the associated Area Lead.  <b>AOG Officer Meetings</b> – Ahead of the quarterly AOG meetings, officers from the District and County meet to provide updates from their area of specialism. This enables Area Leads to provide updates at AOG meetings and reduce the time burden on other officers.  <b>Area Developer Forums</b> are being / have been established to enable discussions to take place outside the planning arena, where Area Leads can provide CDC updates, shared developer issues can be discussed, and opportunities can

		<ul style="list-style-type: none"> <li>Planning / preparation for the receipt of S106 infrastructure contributions to ensure efficient spend / delivery.</li> </ul>			<p>be explored. These forums will meet quarterly and feed into the AOGs.</p> <p><b>Area Economic Forum / Action Groups</b> will be established to engage key area companies to better understand how we can support local businesses. These groups will meet quarterly and feed into the AOGs.</p>
<b>4. Planning Performance Agreements (PPAs)</b>	A PPA is a project management tool which allows us to work with applicants within a framework of agreed timescales, actions and resources for handling particular applications. We look to agree identifiable stages: such as pre-application, application, and post decision and plan for the required elements of each stage.	The securing of PPAs helps fund the department as well as secure additional and dedicated resource and expert advice. This in turn provides focus and resource to ensure timely decision on applications and overcome issues.	Short and ongoing	Development Management	<p>We currently have PPAs in place for a high number of large-scale housing (and other) applications across the district. Particularly around Bicester and North of Oxford.</p> <p>Developers will be encouraged to enter into PPAs across the district</p>
<b>5. Planning Improvement Plan</b>	Officers have been carrying out a Planning improvement Plan since mid 2023, which followed service review. This resulted in areas where improvements were highlighted and a number of improvements proposed to put in place, to provide efficiency in working practices, quicker decisions and improved customer service.	This is helping to speed up the average times to determine applications and analyse data.	Medium and Ongoing	Development Management Planning Policy	<p>To date the Improvement Plan, has resulted in the implementation of a number of standardised report templates and checklist reports, return of the Duty Officer system; process checklist, local validation list, improved sign off processes, staff training, councillor training, creation of an interactive dashboard of planning data; updated suite of planning conditions, regular team meetings and so on.</p> <p>However, progress on the Improvement Plan has slowed due to heavy caseloads, other competing priorities and sufficient resource to deliver the improvements</p>
<b>6. Engagement with the Planning Advisory Service (PAS)</b>	We need to reduce the % of decisions on major developments overturned at appeal. We have been discussing the matter with the Planning Advisory Service (PAS) who are to undertake a	Alongside the Peer Review, Officers, with guidance from PAS, are putting together an Action Plan for the processing of major applications. The outcome is expected to improve decision making and increased approvals of acceptable development	Short	Development Management Planning Policy	The decision making review has been organised and will take place in May 2025



	review with a focus on decision-making.				
<b>7. S106 Process Improvement</b>	In recognition of the lengthy time taken to determine applications with a S106, officers have put in place a S106 Process Improvement Project looking at the end to end process involved.	The aim is to reduce the average time taken to determine major applications with a S106 to 32 weeks by September 2025.	Short – completion of Action Plan by 31 <sup>st</sup> March 2025	Development Management  Transformation Team	Whilst good progress has been made mapping the process and highlighting areas of improvement and putting actions together to improve the process, progress has stalled due to heavy caseloads, other competing priorities and sufficient resource to deliver the improvements.
<b>8. Management of Strategic Planning Applications - Action Plan</b>	An Action Plan is being put together to ensure that there are improved processes in place to project manage the strategic planning applications	<p>The aim of the Outcome of the Action so that they support delivery of the housing (and other development) and the applications are considered in as an efficient and timely way as possible.</p> <p>It also looks to reduce the number of planning appeals and to minimise the risks of costs that might be awarded against the Council following appeal decisions.</p> <p>The Key Themes of the Actions within the plan are:</p> <ul style="list-style-type: none"> <li>• Service Improvement</li> <li>• Applicant Engagement</li> <li>• Strategic Partnerships and Stakeholder Management</li> <li>• Committee</li> <li>• Performance Management</li> <li>• Planning Officer Recommendations</li> <li>• Planning Performance Agreements</li> <li>• Resource and Document Management</li> </ul>	Finalisation of Action Plan - Short  Implementation - Ongoing	Development Management  Strategic Programme Board  CLT  PH Briefings  Head of Digital and Innovation Resources & Transformation  Customer Services Manager  ICT  Planning Policy	The Action Plan is currently being drafted and will be reported to the Corporate Leadership Team, Overview and Scrutiny Committee and BPM, before seeking endorsement by the Executive in June 2025
<b>9. Local Area Energy Plans (LAEP)</b>	The Council, with all the other Oxfordshire authorities, is working to develop Local Area Energy Plans (LAEPS) for Oxfordshire.	As the UK transitions away from fossil fuels to renewable, locally generated energy sources, the energy grid will need to work differently to store and distribute energy. The grid also needs to be prepared for fluctuations in energy demand which result	Medium – The LAEPS will be developed throughout 2025.	Climate Action Team.	The LAEPS are currently being developed and there will be a number of opportunities for communities and stakeholders to engage with their development. The process for validating Plans for each district is scheduled for early 2026.



		<p>from the delivery of other council ambitions, such as housing delivery and decarbonisation.</p> <p>The LAEPs will bring together this information together to provide a plan of clear, community-focused actions for transforming how energy is generated, used and managed in Oxfordshire. The LAEPs will identify the actions needed within each district, alongside cross-boundary initiatives to be delivered at the county level.</p>			
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**Table 2 – The Further Actions the Council proposes to do**

Action	Description	How is/will this help supply and delivery?	Timescale (short/medium/long/ongoing)	Responsible Teams	Proposed Actions
<b>9. Agents / Developers Forum &amp; improved engagement with Developers</b>	Reconvene regular developer forums and to build relationships with developers and housebuilders to understand the challenges in bringing sites forward.	By understanding the challenges and issues in bringing sites forward, solutions and ways forward could be found to unlock the barriers and delays preventing developments commencing and/or progressing. It will also assist in tracking delivery of housing.	Short – Medium to be set up by Summer 2025  Then ongoing	Planning Policy  Development Management	<p><b>Month 1 – 3 - Proactive Development Monitoring &amp; Information Gathering (Immediate &amp; Ongoing):</b> We will implement a robust system to closely monitor the progress of significant housing developments (5-year horizon), proactively seeking regular, structured updates and information directly from developers starting. This ongoing process will allow us to identify potential delays and offer targeted Council support.</p> <p><b>Month 4- 6 - Regular Developer Forums for Collaboration (Short-Term &amp; Ongoing):</b> We will establish and host regular forums bringing together Council officers and developers. These forums will serve as key platforms for discussing progress, addressing challenges collaboratively, and exploring opportunities for accelerated delivery.</p>
<b>10. Review of Pre-</b>	The current pre-application service and charging schedule has not been renewed	<b>Reduce Delays:</b> The planning process can be slow, and pre-application advice is intended to streamline it. The review will	Medium – to be completed in 6 months	Development Management	<b>Month 1 - Establish a Review Team and Define Scope and Objectives</b>

<b>Application Advice Service</b>		<p>identify bottlenecks and areas for improvement.</p> <p><b>Improve Quality of Applications:</b> Better pre-application advice can lead to fewer invalid applications and fewer revisions, saving time for both applicants and the council.</p> <p><b>Increase Housing Delivery:</b> A more efficient planning service will encourage development, including much-needed housing.</p> <p><b>Ensure Consistency and Transparency:</b> A clear and well-defined pre-application process will ensure that all applicants are treated fairly and understand what is expected of them.</p> <p><b>Align with National Policy:</b> Planning policies and best practices evolve. A review will ensure the council's approach is up-to-date and compliant.</p> <p><b>Improve Customer Satisfaction:</b> A good service will lead to better relationships with developers and the community.</p>			<p><b>Month 2 – 3 - Data Collection and Analysis</b></p> <ul style="list-style-type: none"> <li>Review existing pre-application records</li> <li>Survey applicants:</li> <li>Interview planning officers:</li> <li>Benchmark against other councils:</li> <li>Analyse relevant policies and guidance.</li> </ul> <p><b>Month 4 – Identify Key Issues and Opportunities and Develop Recommendations, i.e.</b></p> <ul style="list-style-type: none"> <li>Service Standards:</li> <li>Online Portal</li> <li>Officer Training:</li> <li>Review Fees and Charges:</li> <li>Scope of Advice:</li> <li>Promote use of Planning Performance Agreements (PPAs):</li> </ul> <p><b>Month 5 - Consultation and Stakeholder Engagement</b></p> <p><b>Month 6 – Implementation Plan (Month 7):</b></p> <p><b>Ongoing - Monitoring and Evaluation based on</b></p> <p><b>Key Performance Indicators (KPIs):</b></p> <ul style="list-style-type: none"> <li>Average time taken to provide pre-application advice.</li> <li>Number of applications submitted following pre-application advice.</li> <li>Percentage of applications approved following pre-application advice.</li> <li>Applicant satisfaction with the pre-application service.</li> <li>Reduction in the number of invalid applications.</li> <li>Speed of determining planning applications.</li> </ul>
<b>11. Review of Planning Conditions</b>	<p>This review is to enable Cherwell District Council to streamline planning conditions and accelerate both the commencement of development and the discharge of conditions.</p>	<p><b>Overarching Principles:</b></p> <ul style="list-style-type: none"> <li><b>Proportionality:</b> Ensure conditions are necessary, reasonable, and directly related to the development.</li> <li><b>Clarity:</b> Use unambiguous language in all conditions.</li> </ul>	<p>Long – to be completed in 8 months</p>	<p>Development Management</p>	<p><b>Months 1-2 Internal Audit of Current Practices:</b></p> <ul style="list-style-type: none"> <li>Data Collection:</li> <li>Discharge Application Analysis:</li> <li>Staff Feedback:</li> <li>Benchmarking:</li> </ul>

		<ul style="list-style-type: none"> <li>• <b>Efficiency:</b> Design processes to minimize delays and administrative burden.</li> <li>• <b>Collaboration:</b> Foster better communication between the council, applicants, and statutory consultees.</li> <li>• <b>Transparency:</b> Make information about conditions and the discharge process readily accessible.</li> </ul>			<p><b>Month 3 - Stakeholder Engagement:</b></p> <ul style="list-style-type: none"> <li>▪ Developer Forum</li> <li>▪ Consultee Feedback</li> </ul> <p><b>Month 4 – 5 Develop a Revised Approach to Planning Conditions:</b></p> <ul style="list-style-type: none"> <li>▪ Standard Condition Review:</li> <li>▪ Condition Templates and Guidance</li> <li>▪ Upfront Conditions</li> <li>▪ Staged Conditions</li> </ul> <p><b>Month 6 - Streamline the Discharge of Conditions Process:</b></p> <ul style="list-style-type: none"> <li>▪ Clear Timelines and Communication</li> <li>▪ Standard Information Requirements and report templates</li> <li>▪ Risk-Based Approach: allowing for a lighter touch for less complex matters.</li> </ul> <p><b>Month 7 - Improve Internal Processes and Training</b></p> <p><b>Month 8 onwards - Implementation and Monitoring (Months 7 onwards)</b></p> <ul style="list-style-type: none"> <li>▪ Monitor key performance indicators (KPIs) such as the average number of conditions per permission, the time taken to discharge conditions, and applicant satisfaction levels.</li> <li>▪ Conduct regular reviews of the effectiveness of the new procedures and guidance, making adjustments as necessary based on data and feedback.</li> </ul>
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## **8. Monitoring Arrangements**

- 8.1 The 11 actions set out in this plan will be monitored and reviewed annually.
- 8.2 Monitoring information will be collected from various sources, including the Annual Monitoring Report, the Corporate Plan, Quarterly Returns, appeals monitoring, and housing trajectory data.
- 8.3 The Council will continue to maintain a strong housing-related evidence base and set future goals for housing delivery to support increased housing delivery.
- 8.4 Furthermore, the Council does welcome suggestions on the existing action plan measures and any future actions the Council may take to help support house building in Cherwell District. If you do have any suggestions on the existing or further measures the Council can take to support housebuilding within Cherwell, please contact us using the following details:

[planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)

## **Cherwell District Council Overview and Scrutiny Process.**

This document is designed to be used as a reference guide alongside the detailed section of the Constitution Part 4a.

It builds upon the Cherwell Council Scrutiny Guide February 2025.

**May 2025**

**By Michael Carr**

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## **Appendices**

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## **1. Introduction**

### ***What is Overview and Scrutiny?***

- 1.1. Overview and Scrutiny is a key part of local authority decision making governance arrangements. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within local authorities, with an Executive making executive Key Decisions, Overview and Scrutiny Committees to provide a check and accountability and provide an opportunity for non-Executive Members to make reports and recommendations to the Executive and a full Council that sets the overall policy and budgetary framework.
- 1.2. Councils operating executive decision making arrangements are required to create one or more Overview and Scrutiny Committees made up of councillors who are not members of the Executive,
- 1.3. Cherwell District Council operates an Executive/Cabinet and scrutiny decision making model, which is broadly, conceptually, based on the Westminster Parliamentary model, which has a government Cabinet executive and parliamentary select committees.
- 1.4. The purpose of Overview and Scrutiny is to ensure that decision-making in local government is transparent, accountable and provides an opportunity for non-executive Members of the Council to contribute to policy making and review. The scrutiny process should help to ensure that all decisions are taken in the interests of the residents of Cherwell.
- 1.5. Scrutiny committees are led by elected Members of the Council, which provides them with a particular democratic mandate and legitimacy.
- 1.6. Scrutiny committees are independent and hold the Executive to account by acting as a “critical friend”, as well as providing a vehicle for the wider membership of the Council to contribute to policy development and review.
- 1.7. Overview and Scrutiny committees have the power to consider any issue which “affects the area or the area’s inhabitants” and to examine cross-cutting issues and context to local decision making, including local partnerships and community wellbeing.
- 1.8. Overview and Scrutiny committees may:
  - require information that is held by the Council (with councillors sitting on overview and scrutiny committees having particular rights to access certain information - for example, information that might be commercially confidential),
  - require attendance at committee meetings by Executive members and Council officers,
  - require from the Executive responses to recommendations made by scrutiny committees.



### ***What are the aims of scrutiny?***

- 1.9. At Cherwell District Council the aims of scrutiny are:
- To contribute to ongoing service improvement
  - To hold the Executive to account on behalf of local residents
  - To contribute to policy development and review through scrutiny reports and recommendations to the Executive.
- 1.10. Scrutiny meets these aims by carrying out independent scrutiny inquiries and reviews of Council and community policies and services. These are carried out either as a full Committee or by a small group of Members in a time-limited scrutiny working group.

### ***What are the benefits of scrutiny?***

- 1.11. Overview and Scrutiny should help to drive improvement and accountability in local government through the democratic and governance process. It can also help to build a more inclusive decision making process by involving non-executive members, as well as community partner organisations and local people.

### ***How does scrutiny work at Cherwell?***

- 1.12. Every local authority is required to put in place arrangements for Overview and Scrutiny; however the particular arrangements for this is for the individual authority to decide. In Cherwell, scrutiny undertakes the majority of its scrutiny inquiries through the main Overview and Scrutiny Committee, but also via a combination of scrutiny working groups and spotlight reviews.
- 1.13. Cherwell Council has one Overview and Scrutiny Committee (OSC), established by the Council, to carry out the Overview and Scrutiny function.
- 1.14. The OSC is politically proportionate and meets roughly six times a year. The Committee may consider any policy issue across the range of Council services or which affect the wellbeing of the local community. This includes services provided by, or on behalf of the Council; or by external agencies. Scrutiny can consider the impact of Council policies and decisions and outcomes for residents.
- 1.15. It may consider issues before the Executive makes a decision (“pre-decision scrutiny”) and also has the power to Call In any Executive Decision made by the Executive or delegated to an officer, for review.
- 1.16. Regulatory decisions, i.e. those relating to planning or licensing applications, are not within the remit of OSC.
- 1.17. Section 5 of the OSC Constitution provides more detail on the specific functions of Committee.

## **2. Advice and Support to Scrutiny Committees**

- 2.1. Scrutiny committees also receive professional advice from council chief officers and directorates according to their purview. In particular scrutiny committees may draw upon the advice and support of the Council's statutory officers, including the Monitoring Officer, Chief Finance Officer and Chief Executive.
- 2.2. In addition, Overview and Scrutiny committees receive advice and administrative support from the Democracy and Elections Team.
- 2.3. Scrutiny committees may also be allocated with support from one or more Scrutiny Officers, to provide specialist advice and support on the scrutiny process and provide practical support in drafting scrutiny reports and recommendations, preparing briefings, drafting report requests and acting as an interlocutor between scrutiny committees, the Executive and council departments.

### The Monitoring Officer

- 2.4. The Monitoring Officer is the statutory officer responsible for the legal governance of a local authority. As such, this includes providing advice and support on the Council's Constitution, governance and decision making arrangements and relationships, including Overview and Scrutiny.

### Scrutiny Officers

- 2.5. Scrutiny officers provide professional impartial advice and support to members of the scrutiny committees leading up to a scrutiny meeting, during the meeting itself and subsequently. They can advise on the scrutiny process, as well as support with analysis and desk research on items being considered by scrutiny and assist in developing questions to witnesses, scrutiny reports and scrutiny recommendations for agreement by the committee.

### Democratic Services Officers

- 2.6. The scrutiny committees may also be allocated committee support from the Democracy and Elections Team. Democratic Service Officers provide specialist committee advice and support on committee procedures and provide the committee administration, including agenda preparation, agenda and reports publication, drafting and publishing committee minutes and following up on matters arising from committee meetings. Democratic Service Officers work closely with scrutiny officers to ensure the smooth running of the committee and scrutiny processes.

### Departmental Officers

- 2.7. Senior Council officers for each department provide expert advice and support on Council services within their purview, this includes advice and support to Overview and Scrutiny Committees when scrutiny committees are considering matters within their departmental and service area.

- 2.8. Council departmental officers provide advice and information on issues being considered by Scrutiny to ensure that Scrutiny Members have access to the information and expert advice they need to understand issues they are considering. In the scrutiny process they are the key “expert witnesses”, being responsible for the delivery of Council policy and services and also being experts in their respective areas.
- 2.9. Council departments provide information reports to scrutiny committees and other information requested, for matters being considered by the Overview and Scrutiny Committee and its Scrutiny Working Groups. In addition to information requests made ahead of or during a committee, senior officers should review the Annual Scrutiny Work Programme to anticipate reports requested to be provided to scrutiny committees and the deadlines for reports.
- 2.10. Because Council officers also advise and support the Executive and because senior officers also manage services and make decisions (including Key Decisions where delegated to them), their role is also part of supporting Executive accountability by answering questions in committee, along with the Executive.

### **3. Appointing the Chairman and Vice-Chairman**

- 3.1. A special meeting of the Overview and Scrutiny Committee will be scheduled as soon as possible after the Annual Council Meeting, when committee appointments have been approved, to allow the Overview and Scrutiny Committee to consider any proposals for the appointment of Chairman and Vice Chairman from among its members. Any member of the Overview and Scrutiny Committee may stand to be elected for these positions and any member may propose (and second a proposal) for any other member for to make their case for being appointment as Chairman and Vice Chairman, so long as those persons accept the nomination.
- 3.2. Prior to the meeting, those wishing to stand for Chairman Vice Chairman will have an opportunity address fellow committee members, explaining their reasons for being considered for the role(s). This is also an opportunity for any member wishing to propose another member of the Committee to explain their reasons for the proposal. The expectation is that an informal session will take place shortly before the formal Committee meeting to facilitate discussions between members who wish to be considered for the role of Chairman and Vice Chairman.
- 3.3. The Chairman of OSC has a responsibility for establishing the profile of the committee, its influence across the council and its ways of working, as well as ensuring that the scrutiny process is managed in a fair and balanced environment, is free from political point scoring and allows for effective scrutiny of all issues presented for consideration. Members putting themselves forward for the role may wish to use these points as guidance for the basis of their discussions with the committee.
- 3.4. Committee members will have the opportunity to ask questions of the prospective chairs and vice-chairs before the formal meeting.

- 3.5. The appointment of Chairman will normally take place at the first formal meeting of the Committee in the usual way.
- 3.6. The Monitoring Officer or his representative will call for nominations to the position of Chairman of the Committee, with seconders as appropriate. Voting will take place for each nominated candidate, via a show of hands, in line with section 4, paragraph 4.26 of the Constitution, with steps repeated as necessary until one candidate is successful.
- 3.7. The newly appointed Chairman will then take the Chair, and preside over the appointment of the Vice Chairman, which will follow the same process. Once the Vice Chairman has been appointed, the meeting will be brought to a close.
- 3.8. *Note – those wishing to stand as Chairman/Vice Chairman will be expected to attend in person.*

#### **4. Work Planning**

- 4.1. Scrutiny committees should plan their work carefully throughout the year to ensure that the scrutiny process can be effective. At Cherwell Council this includes development of an Annual Scrutiny Work Programme of issues that will be considered throughout the year through its main committee and through commissioned scrutiny working groups, as well as planning ahead of scrutiny committee meetings to plan out the objectives, key information required, key lines of enquiry and possible outcomes for each scrutiny topic.
- 4.2. There are normally six formal committee meetings scheduled throughout the year. In addition, OSC can appoint working groups to carry out detailed research and inquiries on behalf of the formal Committee (as detailed in Constitution section 4a)

##### The Annual Scrutiny Work Programme

- 4.3. Each year the scrutiny committees consider and agree a programme of work for the municipal year ahead, after considering what the key issues facing the Council and local community where consideration by a scrutiny committee might add value are. Usually, the work programme is for the municipal year period following the Annual Council Meeting, from June to May the following year.
- 4.4. Each year, in drawing up the Annual Scrutiny Work Programme, there is held an informal planning session, where members of the scrutiny committees may consider and discuss proposed topics for inclusion on the work programmes.
- 4.5. This informal session with members of the scrutiny committee allows for the committee to consider key background information and to consult the relevant Council directorates and other stakeholders on the key issues for the Council and community partners that may usefully be considered by the scrutiny committees and to identify:
  - the main topics for consideration throughout the year,
  - the purpose and scope of each topic
  - when each topic should be considered, and

- which departments, external agencies and expert witnesses should be called as witnesses to provide evidence.
- 4.6. The identified topics can then be developed into a work programme for the scrutiny committee that can be agreed by the next formal meeting of the committee, reported to full Council and used to plan the meetings of the committees throughout the year ahead.

#### Topic Selection and Prioritisation

- 4.7. Initial subjects for consideration will be requested from members of the Committee at a work programme planning session, with committee members given the opportunity to suggest subjects for inclusion on the Annual Scrutiny Work Programme.
- 4.8. Scrutiny members should consider key background information for the Council and the District to help prioritise and scope its Work Programme topics. This includes key strategic documents such as:
- Cherwell District Council Corporate Plan
  - the Annual Delivery Plan priorities,
  - Cherwell District Council Residents' Survey
  - Annual Corporate Performance reports
  - Budget Performance reports
  - The Executive Forward Plan.
- 4.9. An important document the Committee may wish to refer to during the planning session is the Executive Forward Plan (also known as the Executive work programme), the statutory document that is published on a monthly basis covering a rolling four-month period. More detailed information on the requirements of the Forward Plan can be found in section 6 of the Constitution, paragraph 6.1.
- 4.10. OSC may find it useful to refer to the latest version of the Forward Plan throughout the year, as well as during the work programme planning session, to consider upcoming items for the Executive and whether they would benefit from detailed discussion by OSC.
- 4.11. The OSC should prioritise possible issues carefully to ensure that only a manageable amount of issues are selected for consideration throughout the year; eg no more than twelve substantive issues and ensure that the issues selected are of significance to the Council and local residents and where consideration by the scrutiny committee can add value to the decision making process.
- 4.12. The OSC should be clear on the purpose of consideration by the scrutiny committee. Broadly there are two main rationales for scrutiny review, either:
- To provide accountability – eg performance reports and reviews,
  - Policy development and review – considering policy and service areas before a decision by the Executive – eg “pre-decision scrutiny”.
- 4.13. The proposed Work Programme needs to balance issues throughout the year and ensure that these are timely, appropriate and when scrutiny review can be effective, eg when a policy or service review reaches maturation, when information becomes

available and ahead of when the Executive will make a decision on the issue (so that the Executive may receive recommendations from the OSC).

- 4.14. The OSC should review proposed issues for the Annual Scrutiny Work Programme to ensure that work of the Committee remains timely, adds value and does not duplicate activity already underway or undertaken by external regulators.
- 4.15. After the planning session, the Chairman and Vice Chairman will meet with officers from the Democratic and Elections Team to consider which subjects will be taken forward for the formal Annual Scrutiny Work Programme and what style of scrutiny (see the options below) would best suit each subject. The proposed Annual Scrutiny Work Programme will be presented to OSC at the next meeting for approval.
- 4.16. The OSC should review the Annual Scrutiny Work Programme throughout the year to ensure that work of the Committee remains timely, adds value and does not duplicate activity already underway or undertaken by external regulators. The working group scoping document ensures that the key questions that members want to address are listed.
- 4.17. The Chairman of the Committee will be responsible for allocating the Committee's time to each work programme item, to ensure the best approach to each subject.

"Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that if work programming is robust and effective there might well be issues that they want to look at that nonetheless are not selected."

*Statutory Scrutiny Guidance 2024*

### ***How do Committees choose what to scrutinise?***

- 4.18. The OSC should ensure that it consults key stakeholders in developing its Annual Scrutiny Work Programme, particularly the main departments and chief officers of the Council and the Executive. Additionally, suggestions can be received from partner organisations or the public.
- 4.19. Effective scrutiny requires a balanced work programme, which examines the most important challenges facing the district and responds to the concerns of residents.
- 4.20. It is important to remember that scrutiny is an independent member-led process and it is ultimately the responsibility of the Chairman and the committee to determine what is scrutinised and when. This should, however, be based upon officer advice.
- 4.21. Appendix 1 explains some of the key factors in determining whether an issue should be scrutinised.
- 4.22. Here are a few key points to remember when choosing subjects to scrutinise:
  - It is not possible to scrutinise everything that might be suggested. Therefore, a rigorous approach should be taken to prioritising which topics are to be scrutinised.

- thinking about the work of commissioned organisations and the monitoring other public bodies, and how scrutiny inquiries should involve and engage external witnesses and partner organisations
- The Committees have to be realistic about what can effectively be scrutinised and needs to be prepared to say 'No' to some suggestions and be able to explain why they will not be scrutinised.
- It is also important to consider what the best method to deal with any given scrutiny topic is. The choice may depend on the nature of the activity and the capacity of members and officers to conduct further topic groups within the suggested timeframe.
- If necessary, further items can be added to the work programme during the year, with additional meetings between the Chairman, Vice Chairman and officers being scheduled as necessary.

### ***What methods are there to conducting scrutiny?***

- 4.23. Overview and Scrutiny can use a range of different approaches depending on the issue being scrutinised. An important part of the work planning process is deciding on how a topic will be examined. Using the full range of methods open to it, scrutiny will be able to mix in-depth and searching inquiries with concise and effective reviews.
- 4.24. Here are some examples of different methods open to committee, some of which are discussed in more detail below:
- Whole committee scrutiny working groups
  - Scrutiny working groups with other non-executive Members of the Council
  - Single issue meetings ("Spotlight Reviews")
  - Calling witnesses or experts to provide specific information to members at committee
  - Site visits.

## **5. Scrutiny Pre-Meetings and Agenda Planning**

- 5.1. There are normally six meetings of the OSC in each municipal year. Ahead of the main meeting, but after the formal agenda and reports have been published, an informal meeting of the committee members may be held with the scrutiny officer to plan the key lines of enquiry, questions and possible outcomes for each item, which may include considering possible draft conclusions and recommendations from the committee.

### Scrutiny Planning Meetings

- 5.2. Before the start of each formal meeting, an informal meeting of the committee may also be held to organise the key questions and possible outcomes for each item.
- 5.3. The agenda for the informal pre-meetings should include:
- Introduction by the Chairman (setting out the purpose of the meeting)

- Briefing on the Meeting Plan – including main agenda items, key witnesses for each item, proposed agenda timetable etc
- Key Questions in Committee – prioritisation, rationalisation and allocation of questions for each agenda item.
- Possible Outcomes – including key consultation and scrutiny recommendations. Key questions need to be included for these to ensure that they are evidence based.

- 5.4. These informal meetings can be important to making the scrutiny process effective, as they provide an opportunity for members of the committee to get organised in considering the key information they need to find out, organising their questions for the main meeting and considering possible outcomes from the meeting, such as proposed key conclusions and recommendations. Attendance and participation in these meetings is therefore highly encouraged.
- 5.5. There should be a clear rationale and agenda for the pre-meetings so that it is clear to members what the meetings are for. The meeting also provide an important opportunity for the Chairman and scrutiny officers to discuss the approaches, meeting plan and outcomes with the members of the committee.
- 5.6. These meetings should pay particular attention to the possible key conclusions, observations and recommendations to the Executive which may arise in the main meeting. It can be very challenging to develop appropriate conclusions and scrutiny recommendations in the formal meeting, so this is an important opportunity to consider how these might be framed and worded.
- 5.7. Scrutiny recommendations should be clearly addressed to the relevant decision maker (eg the Executive), and SMART (specific measurable, achievable, realistic and time based). They also need to be clearly linked to evidence received in the report and in questions, so links back to planning the key questions. This usually requires some consideration and forethought.

“Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.”

Statutory Scrutiny Guidance 2024

### Scrutiny Briefing Plans

- 5.8. Ahead of each meeting, the scrutiny officer will normally provide a short briefing on the meeting, including the expected participants, the items being considered, along with any suggested considerations for the committee. The scrutiny officer will normally provide a specific briefing for the Chair of the committee to provide additional guidance on the main stages and directives from the chair.
- 5.9. The scrutiny officer may also provide advice on suggested key lines of enquiry and suggested questions to witnesses, which may discussed in committee.



## **6. Options and Approaches for Scrutiny Reviews**

### ***Single item on a committee agenda***

- 6.1. This may offer limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue.

### ***At a single meeting - ‘Spotlight Review’***

- 6.2. Either a formal committee meeting or an informal working group or briefing session. This could provide an opportunity to have a single public meeting about a given subject, or to have a meeting at which evidence is taken from a number of appropriate officers or subject matter experts.

### ***A Scrutiny Working Group - ‘light touch’ review (eg two or three meetings)***

- 6.3. A shorter scrutiny review may be most effective even for complex subjects. Properly planned and focused, they allow members to swiftly reach conclusions and make recommendations, over a short time period such as a couple of months.

### ***A Scrutiny Working Group - longer-term - ‘full length’ review***

- 6.4. Multiple meetings spread over a number of months. This is most appropriate when scrutiny needs to dig into a complex topic in significant detail. This may be suited to the most complex subjects, due to the length of time and wider resource implications for a long review.

## **7. Scrutiny Working Groups**

- 7.1. Working groups involve a small number of councillors looking at an issue in greater detail, in some cases over a day. This process is more time consuming for councillors and officers than other scrutiny activities. Consequently, issues for topic groups are carefully prioritised. In order to make sure that the review is as effective as possible, it is vital that the scope of the review is well-defined.
- 7.2. For this reason each review starts with the completion of a scoping template (see appendix 3) which outlines the key lines of enquiry,, outcomes and constraints, time-scale, key sources of information and principal witnesses.
- 7.3. At its meeting, the working group will hear from a range of witnesses and the lead officer. Depending on the topic, this may include expert witnesses and stakeholders, service users, managers and the relevant executive member/s.

- 7.4. Councillor questioning skills are a significant element of scrutiny and the quality of the questions is instrumental to achieving clear outcomes and strong recommendations.
- 7.5. A short report on the scrutiny inquiry undertaken, its findings, key witnesses and evidence considered and scrutiny recommendations (and the evidence to substantiate those recommendations) is referred to the OSC for ratification and agreement and then published.. The relevant Executive member is required to respond to the report and its recommendations within two months. Six months following the scrutiny, the OSC will monitor implementation of the recommendations.

## **8. 'Call In' of Executive Decisions**

- 8.1. The Local Government Act 2000 allows Overview and Scrutiny Committees to Call In any Executive Key Decision for review (these are Key Decisions taken by the Executive or a key decision made by officers, but not yet implemented).
- 8.2. Unless it meets exemption criteria (detailed in paragraph 13.1 of Part 4a the Constitution), any Executive or officer Key Decision can be called in by noon within four working days of publication of a Key Decision made by the Executive or by an officer (Executive decisions will be published as soon as practicable after the Executive meeting). A key decision can be called in for scrutiny by five Non-Executive members specifying the reason or reasons for the proposed Call In review.
- 8.3. A meeting of OSC will be held within 10 working days. Implementation of the decisions will be delayed while OSC meets and considers the decision.
- 8.4. One of the councillors who submitted the Call In notice are expected to address the committee and, for Key Decisions made by Executive, the relevant Executive Member will respond on behalf of the Executive.
- 8.5. Having reviewed the decision, OSC can:
  - a) Let the decision stand (take no further action).
  - b) Refer the decision back to the Executive or officer (as the case may be) for re-consideration, stating its concerns and the decision that the Committee wish the decision taker to make.
  - c) Determine if the reviewed decision is contrary to the policy framework or to the budget; and in which case refer the matter to Full Council for consideration. Decisions referred for further consideration remain suspended until redetermined.
- 8.6. Call In should not be used on a subject that has previously been considered by OSC.
- 8.7. *Sections 13 to 17 of the OSC Constitution give more detailed information and guidance on the call-in process at Cherwell.*

## **9. Access to Information and Reports**

- 9.1. A scrutiny committee needs access to relevant information the authority holds and to receive it in good time, if it is to do its job effectively. This need is recognised in law, with members of scrutiny committees enjoying powers to access information<sup>1</sup>
- 9.2. Scrutiny committees normally access information through requesting officer reports to committee for items on the agenda and may also request information at a meeting of the committee.
- 9.3. Where the committee makes requests for information in committee, this is normally made available to all members of the committee thereafter. This should be done before or at the next meeting of the committee.

### **Report Requests**

- 9.4. There is a general expectation that officers will provide a written report for items on a scrutiny committee agenda. There is a standard format for this, which should provide the main information pertinent to the matter under consideration. Scrutiny members should expect this standard report be made available to the committee and not simply a PowerPoint presentation slides.
- 9.5. The general expectation is that reports will be made available to a committee upon request with a reasonable notice period, sometimes at relatively short notice. However, scrutiny members should also be aware of the time it can take to prepare a formal report and also the Council's operational report clearance processes and make report request in good time to allow for this.
- 9.6. The report also needs to be available at least five "clear days" ahead of the meeting as a minimum to meet the statutory publication deadlines. Deadlines for reports should normally be provided with the report requests. The deadline for final reports will usually be at least ten days ahead of a meeting to allow time for compilation and publication within the statutory deadlines.
- 9.7. As far as practicable, five to six weeks before a meeting of the committee, a report request is submitted by the scrutiny officer to the relevant department, which provides a still brief but more detailed scope of the topic and the key information to be addressed in the report. This is normally drawn up by the scrutiny officer in consultation with the Chairman of the committee.
- 9.8. This should be used by the department to guide the preparation of any requested reports to the committee.

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<sup>1</sup> Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017. ↪ [The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#)

- 9.9. The report requests should include the subject for consideration, the purpose of the inquiry, the key lines of enquiry being addressed, the relevant Executive Member and directorate, any external witnesses anticipated and the deadline date for submission of any papers for publication with the agenda, (which must be at least 5 “clear days” before the meeting). Normally, a draft copy of the report will be requested for at a week before the final report deadline to allow the Chairperson of the scrutiny committee to review the draft report.

#### Scrutiny Agenda Publication

- 9.10. Scrutiny agendas and papers must be published five clear days in advance of the meeting and are published on the Council website.

### **10. Questions in Committee**

- 10.1. Members of scrutiny committees will put questions to witnesses in committee, including to Executive Members, council officers and external witnesses. Putting the right questions in a scrutiny committee can be key to ensuring that the scrutiny process is effective in obtaining evidence in support of scrutiny recommendations and in providing focused accountability. Scrutiny Members need to be careful however that questions are focused and strategic towards the objectives of the scrutiny inquiry being undertaken.
- 10.2. Broadly, the purpose of questions in committee is either:
- To hold the executive to account,
  - To better understand the area under consideration,
  - To seek information to inform the development of any proposals (scrutiny recommendations) or conclusions drawn from the matter under consideration.
- 10.3. Questions from the committee may be put in committee without any advance notice and answered in committee.
- 10.4. Questions from members of the committee may be sent to the scrutiny officer or collated ahead of the meeting, and with the permission of the members of the committee, submitted to the department, may provide for a more considered or extensive answers in committee, but such questions are still to be put and answered at the meeting, along with any supplementary information made available in response.

### **11. Scrutiny Reports and Recommendations**

- 11.1. The main statutory role of scrutiny committees is the power to make reports and recommendations to the Executive. Scrutiny recommendations may be made in committee to the Executive or other local decision makers. The Executive has a statutory duty to respond to scrutiny reports and recommendations made.
- 11.2. Scrutiny reports and recommendations may be drawn up in advance, with the advice and support of a scrutiny officer, sometimes through a Scrutiny Working Group. Scrutiny reports and recommendations are agreed by resolution of the committee in committee.

- 11.3. The resolutions of the committee should be put to the committee verbatim by the Chair (or through the clerk or scrutiny officer in assisting the Chair), or tabled in written form (such on an officer report with officer recommendations). Such proposed resolutions may then be debated and amended before being resolved upon. Scrutiny recommendations may also include those made in scrutiny reports agreed in committee (e.g. through Scrutiny Working Groups).
- 11.4. Consideration should be given before and during the meeting as to how scrutiny recommendations should be worded so that they are worded in the most meaningful and effective way. The wording of scrutiny recommendations should be framed in such a way as to provide possible executive decisions if agreed by the Cabinet (or other decision maker).
- 11.5. As far as possible, scrutiny recommendations should be SMART – Strategic, Specific, Measurable, Achievable and Time-based.
- 11.6. What is the best way to make sure our recommendations are implemented?
- 11.7. A scrutiny inquiry will conclude by making recommendations to decision-making bodies, such as the Council's Executive.
- 11.8. The following tips can help ensure that scrutiny recommendations are implemented:
- Recommendations that are specific, strategic, substantive, achievable and few in number.
  - Recommendations based on logical argument drawing on evidence.
  - Ensure those responsible for implementing recommendations are asked about what the feasibility of proposed recommendations and can suggest modifications in evidence if that is going to make it more likely that the recommendation will be implemented.
  - Recommendations will be drawn up and presented clearly by the working group as part of its final report. Executive, via the appropriate Executive member, will provide a response to all recommendations explaining the reasons for accepting or not accepting any of the recommendations.
  - Implementation of recommendations should then be monitored.

## **12. The Executive Response**

- 12.1. Once a scrutiny committee has resolved to make a report and/or recommendations to the Executive, the scrutiny report and/or recommendations are referred to the Executive (or other decision maker) for an Executive Response.
- 12.2. The Scrutiny Officer will prepare an officer cover report to the Executive or Executive Member (as appropriate) to present the scrutiny report or recommendations and once this is authorised for publication by the Monitoring Officer, will be placed upon the agenda of the Executive. This serves as the formal notice to the Executive of a scrutiny report or recommendations. This notice must require the Executive to respond within two months of receiving the report notice.

- 12.3. Where a scrutiny report or recommendations are referred to the Executive, at the relevant meeting of the Executive, the Chairman of the OSC relevant Scrutiny Working Group will be permitted, at the discretion of the Chairman of Executive (the Leader), to briefly address Executive to provide a brief oral summary report on the key findings and scrutiny reports and recommendations being made, requesting an Executive Response to any reports and recommendations made.
- 12.4. It is a statutory duty of the Executive to respond a scrutiny committee:
- (a) to consider the report or recommendations,
  - (b) to respond to the scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,
  - (c) if the overview and scrutiny committee has published the report or recommendations, to publish the response.

<http://www.legislation.gov.uk/ukpga/2000/22/section/9FE>

- 12.5. The Executive Response is made at a formal meeting of Executive (or other decision making body), by formal resolution.
- 12.6. The draft Executive Response should be drawn up in advance by the relevant department, in consultation with the relevant decision maker. The Executive Response should provide clear executive decisions for each scrutiny recommendation.
- 12.7. The Executive Response should be drafted in such a way as to provide clarity on whether the scrutiny recommendation is agreed or rejected, or if an alternative course will be agreed, the relevant portfolio holder (Executive member), the implementing department and when the agreed actions and decisions will be implemented.
- 12.8. The Executive must respond **within two months** beginning with the date on which it received the notice of the scrutiny report or recommendations.

### **13. Scrutiny Review of Implementation**

#### **13.1. *How are recommendations monitored?***

- 13.2. Six months after the OSC has made recommendations to the Executive, progress on the implementation of those recommendations should be reported to OSC. The format of the monitoring may differ from subject to subject, but may include:
- A table listing each recommendation with a 'progress' column
  - A written report from relevant Executive member/officer
  - A presentation
- 13.3. OSC should evaluate and assess the impact of their previous recommendations, referring back to the initial scoping document and compiling a brief evaluation summary for publication.

## **14. Scrutiny Co-optees**

- 14.1. The constitution allows co-option of external people to assist with specific scrutiny reviews (section 4a, paragraph 6.9). Such co-options can be made to the formal OSC, however it is more likely that committee will want to appoint co-optees to task and finish scrutiny working groups that are established for specific reviews.
- 14.2. Once a scrutiny working group has decided to co-opt members, Expressions of Interest to join the working group may be sought from the desired background, included other non-executive Members of the Council, external organisations, experts in the field, service users.
- 14.3. In considering co-option of people outside of the Council and external organisations particular care should be given to consider appropriate persons, mindful of the fact that people and organisations may have particular political and personal interests in an issue. Elected Members and external cooptees need to bring an objective and independent mindset to the scrutiny process, along with their knowledge and expertise.
- 14.4. In seeking Expressions of Interest the following details need to be defined and communicated to people who may be interested, the following steps may be followed:
  - the subject under review
  - an indicative timeframe for the whole review
  - an estimate as to the number of meetings that the co-optees will be expected to attend
  - the format and anticipated location of the meetings, i.e. online via MS Teams, in person at Council offices, or a hybrid approach
  - how interested parties should make their application, eg. via a CV and covering letter, email or application form
  - the deadline for applications/expressions of interest.
- 14.5. In identifying Expressions of Interest from external people and organisations, an advertisement of the co-option opportunity may be sent out to relevant agencies and advertised through Council media and other available media, providing the details of the role and scrutiny inquiry.
- 14.6. Members of the scrutiny working group may consider expressions of interest received, creating a short list for interview. Shortlisted candidates will be invited to attend a meeting, and the task and finish group will decide who to appoint.
- 14.7. The Scrutiny Working Group will reserve the right to not appoint any co-optees following interview.
- 14.8. Any appointments made will be for a specified time period, likely to coincide with the estimated timeframe for the scrutiny inquiry.

- 14.9. Once the recruitment process has completed, meetings of the scrutiny working group will take place in line with the process detailed at paragraph 6.6 of the Constitution.

## **15. Scrutiny Training and Development**

- 15.1. The Statutory Scrutiny Guidance 2024 says that Local Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively and that authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.
- 15.2. Cherwell District Council draws up an annual programme of scrutiny training and development for members and officers, including training and development for new members of the a scrutiny committee, training and development for all members of the OSC and scrutiny working groups, scrutiny training for all members of the Council, including Members of the Executive, training for council officers involved with Overview and Scrutiny.

## **16. Further resources and reviewing and updating of this guide**

- 16.1. The Monitoring Officer and Democratic and Elections Team will periodically review this guide with the Chairman and Vice Chairman, gathering feedback from OSC as required, to ensure it remains up-to-date and appropriate.
- 16.2. In addition to this guide and the formal CDC Constitution, OSC members may wish to consult further resources, such as the LGA's Councillor Workbook on Scrutiny - <https://www.local.gov.uk/publications/councillors-workbook-scrutiny> (updated September 2023) which gives more detailed information about possible approaches to Scrutiny.
- 16.3. *This guidance should be read in conjunction with the [Cherwell District Council Constitution](#)<sup>2</sup> and the [Statutory Scrutiny Guidance](#)<sup>3</sup> issued by the Ministry of Housing, Communities & Local Government.*

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<sup>2</sup> The Cherwell District Council Constitution  
<https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=531&MIId=3982&Ver=4&Info=1>  
(Accessed 11 February 2025).

<sup>3</sup> Statutory guidance - Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities, Ministry of Housing, Communities and Local Government  
Published 22 April 2024



## **Appendix 1**

### **Role Profiles**

The role profiles shown below highlight the key elements of each role within OSC, to inform members ahead of their involvement with the Committee. They are not exhaustive or prescriptive, and are for guidance only.

#### **OSC Chairman**

The OSC Chairman (or Vice Chairman in their absence) may be required to:

- Chair the formal Committee meetings.
- Provide leadership and direction to the Committee.
- Direct the management of meetings in accordance with the Council Procedure Rules, impartially and objectively and considering advice from the committee staff and Monitoring Officer.
- Lead the committee in prioritising its work so as to ensure effective scrutiny
- Encourage all members of the Committee to engage with the scrutiny process.
- Develop a constructive relationship with Executive.
- Develop a constructive relationship with the Corporate Leadership Team
- Meet with officers as required to receive agenda briefings, plan scrutiny reviews (as detailed in section 2 above) and to discuss possible future additions to the work programme, i.e. from the Executive Forward Plan.
- Where the Committee has been asked to provide comments or feedback to a decision maker, i.e. Executive or Full Council, the Chairman will be expected to attend the relevant meeting to provide feedback on behalf of the Committee.
- Be prepared to brief their wider political party or group on the business to be considered by the Committee.

#### **OSC Vice Chairman**

The OSC Vice-Chairman will be expected to deputise for the Chairman should they be absent or unavailable.

The Vice Chairman is to mirror the Chairman's responsibilities and act as supportive advisor and second set of eyes over the Chairman role.

The Vice-Chairman can Chair in full or parts of a committee meeting as determined by the Chairman.

Where officer meetings/agenda briefings are arranged, the Vice-Chairman will be invited as a matter of course.

The Vice-Chairman should ensure they are familiar with the Chairman role profile above.

## **Appendix 1**

### **OSC Committee Members**

OSC Committee members are expected to:

- Engage and participate in the development of an effective work programme during work programme planning sessions.
- Engage with all stages of the scrutiny process, including informal briefings and work planning meetings
- Consider issues in a non-party political and impartial manner.
- Participate in scrutiny working groups established by the OSC.
- Analyse and if necessary challenge information presented to the Committee.
- Read agendas in advance of meetings and submit questions to officers in advance, to assist them with their pre-meeting preparation.
- Propose and consider observations and recommendations based on the Committee's deliberations.
- Conduct independent research/reading outside formal committee meetings if required.
- Brief their wider political party or group on the business to be considered by the Committee.
- Act as a point of contact for members of the public, external organisations and other members.

### **Scrutiny Working Group Members**

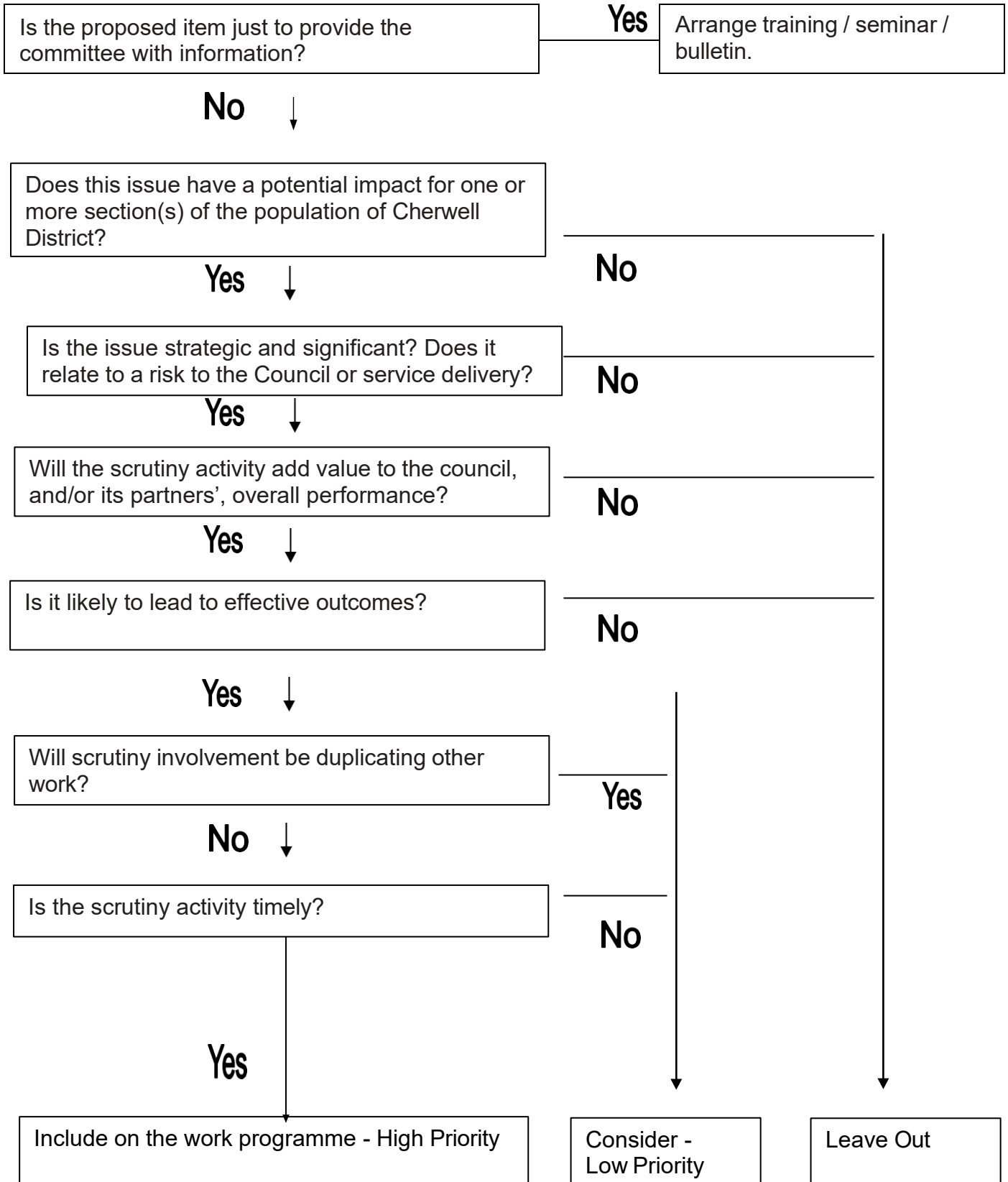
If OSC decide to establish a working group to review a particular subject, any non-executive Member from across the Council can be appointed to sit on that group.

Executive Members are not allowed to sit on OSC or scrutiny working groups and may not vote on scrutiny recommendations, however they can contribute to reviews in their capacity as Portfolio Holders and provide useful background information.

If appointed to a scrutiny working group, members may be required to:

- Contribute to the scoping stage of a review, to help determine the best approach to the subject under review.
- Attend additional meetings to progress work in relation to the review (timetable to be determined by each working group).
- Take responsibility for one or more areas of the agreed scope of the review, conducting independent research/reading/visits/discussions as necessary.
- Contribute to the end of review report and recommendations, and support the presentation to the full Committee at the conclusion of the review.

## Criteria for selecting scrutiny topics





## TOPIC Review Group Scoping Document

This scoping template is designed to assist councillors and officers in establishing the focus of a scrutiny review group. It emphasises the need for scrutiny review groups to have a clear purpose, rationale and focus for their work, and to make the best use of the resources available within a given time frame.

This document will act as a reference guide throughout the review process to ensure the does not deviate from its intended purpose.

<b>Review Group Overview &amp; Scrutiny Committee Member Lead</b>	<i>The name of the Member(s) suggesting the subject.</i>
<b>Membership</b>	<i>This would be the working group working on the review – not necessary at initial suggestion stage.</i>
<b>Officer Support</b>	<i>Anticipated officer involvement, e.g. departments with knowledge of the subject</i>
<b>Background</b>	<i>What has led to the subject being suggested for review</i>
<b>Rationale</b>	<i>What is the justification for the subject being suggested for review</i>
<b>Indicators of Success</b>	<i>Potential outcome of the review, e.g. a new policy being drafted, a new process being adopted etc.</i>
<b>Out of Scope</b>	<i>What will not be considered during the review</i>
<b>Method / Approach</b>	<i>A brief outline of how the review would be completed</i>
<b>Guest speakers / Witnesses / Experts</b>	<i>Brief outline of any specialists or experts who may be invited to take part in the review</i>
<b>Evidence required and documents</b>	<i>Brief outline of information</i>
<b>Site Visits</b>	<i>Subject to covid restrictions, if any visits are anticipated.</i>
<b>Risks</b>	<i>Availability of councillors and officers to progress the work</i>

### Appendix 3

<b>Projected Start Date</b>		<b>Draft Report Deadline</b>	
<b>Meeting Frequency</b>		<b>Projected Completion Date</b>	

**Approved by Overview & Scrutiny Committee**

**Date:**

### Draft Outline of meetings

(Review Group members are reminded that they will be required to undertake evidence gathering and work outside of the meetings detailed below to ensure that the Review completion date is met)

Meeting 1 –
Meeting 2 –
Meeting 3 –
Meeting 4 –
Meeting 5 –

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