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18 August 2003

Dear Sir

Department of the Environment Circular 18/84 - Part IV: Notification of Proposed Development
Proposed Accommodation Centre for Asylum Seekers - DSDC "A" Depot, near Piddington, Bicester, Oxfordshire

- I am directed by the First Secretary of State to say that consideration has been given to the report of the Inspector, Paul Taylor BSc (Hons) DipTP MRTPI, who held a non-statutory public local inquiry into proposals by the Home Office for an accommodation centre for asylum seekers at Piddington near Bicester, Oxfordshire. The inquiry sat for 14 days between 10 December 2002 and 3 March 2003.
- Following an objection by Cherwell District Council, on 16 July 2002, to the Notice of Proposed Development (NoPD), the Secretary of State decided that a non-statutory public local inquiry should be held to consider the issues raised by the NoPD. As a non-statutory inquiry, the Inquiry followed the spirit of the Town and Country Planning (Inquiries Procedure) (England) Rules 2000.
- The issues about which the Secretary of State asked to be informed were as follows:
 - The relationship of the proposed development to the adopted and any emerging development plan, and to Regional Planning Guidance for the South-East (RPG9);
 - The need for the proposed development;
 - The relationship of the proposals to Government advice in PPG1 (General Policy and Principles), PPG3 (Housing), PPG9 (Nature Conservation), PPG13 (Transport) and PPG25 (Development and Flood Risk); and
 - Whether any suggested conditions should be attached to any approval.
- The Inspector, whose conclusions are reproduced in the annex to this letter, recommended that approval be not given. A copy of his report is enclosed. All

Annex E

SCANNED

references to paragraph numbers, unless otherwise stated, are to that report. For the reasons given below, the Secretary of State disagrees with the Inspector's recommendation and approves the proposed development.

Procedural Matters

Application Process

5. At the inquiry, Cherwell District Council said that the use and application of Circular 18/84 – *Crown Land and Crown Development* – was wrong and that the Home Office should have used the procedure set out in Section 299 of the Town and Country Planning Act 1990 ("the 1990 Act"). For the reasons given by the Inspector in paragraph 14.4 of his report, the Secretary of State agrees that it was open to the Home Office to use either the provisions of Circular 18/84 or section 299 of the 1990 Act. He agrees with the Inspector that the proposal is clearly development by the Crown and that either the Home Office or the private contractor appointed to design build and operate could make a reserved matters proposal under the Circular 18/84 process.

Environmental Impact Assessment

6. The Secretary of State issued a Screening Direction on 13 August 2002 confirming that the development was not EIA development and that an Environmental Statement was not required to be submitted. The Secretary of State notes that there have been changes to the number of employees that are expected to be employed at the site but he agrees with the Inspector that the likely travel characteristics of the proposal have not materially altered sufficient to warrant reconsidering the Direction, or issuing a new Direction [IR14.5].

Development Plan

7. Section 54A of the Town and Country Planning Act 1990 requires that proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Oxfordshire Structure Plan 2011 and the adopted Cherwell Local Plan 1996. The Secretary of State notes that the second deposit draft of the review of the Local Plan was published in September 2002 and that an inquiry into unresolved objections will take place in September 2003 [IR 4.1]. Given the early stage this review has reached in its progress to adoption, the Secretary of State considers that this can be given only limited weight.

8. Other material considerations which the Secretary of State has taken into account are: Planning Policy Guidance Note 1 (PPG1): *General Policy and Principles*, Planning Policy Guidance Note 3 (PPG3): *Housing*, Planning Policy Guidance Note 9 (PPG9): *Nature Conservation*, Planning Policy Guidance Note 13 (PPG13): *'Transport'*, Planning Policy Guidance Note 25 (PPG25): *Development and Flood Risk*, and RPG9.

Nature of the Proposed development

9. For the reasons given by the Inspector at paragraphs 14.8 and 14.9 of his report, the Secretary of State agrees that the development would be a composite *sui generis*

use, i.e. a use that falls outside the Classes of the Town and Country Planning (Use Classes) Order 1987.

10. The Secretary of State notes the Inspector's concern at paragraph 14.11 of his report about the ability to take enforcement action against inappropriate parking in the vicinity of the development. However, he considers that the provisions of the legal agreement, signed by Cherwell District Council, Oxfordshire County Council, the Secretary of State for Defence and the Secretary of State for the Home Department under Section 299A of the Town and Country Planning Act 1990, together with powers available under the Highway Act 1980, are sufficient to ensure that the appropriate action could be taken, and that the risk therefore of unsightly and inconvenient parking is limited.

The Proposal in the context of the Development Plan

11. The Secretary of State agrees with the Inspector that there are no specific planning policies in the Development Plan (i.e. the Structure Plan and the Local Plan) that relate to either the provision of accommodation centres or that are specific to the site [IR 14.61].

12. For the reasons given by the Inspector at paragraph 14.63 of his report, the Secretary of State agrees that the proposal conflicts with Policy G1 of the Structure Plan both in respect of the aim to favour locations where the need to travel (particularly by private car) is reduced, and because it is not in one of the four preferred locations for development.

13. The Secretary of State does not agree with the Inspector that the proposal conflicts with policy E3. This states that "the provision of land for employment-generating development will be restrained and limited to activities which do not give rise to excessive or inappropriate traffic". Although the Secretary of State agrees that the proposal will be a significant generator of traffic, he does not consider that this traffic generation would be excessive or inappropriate. The proposal incorporates provision of a free minibus service which would be responsible for a significant proportion of the journeys being undertaken. Provision is also made for the construction of a new footway along Palmer Avenue. He therefore does not consider that the proposal would give rise to excessive traffic. Paragraph 8.16 of the Structure Plan, which is the explanatory text to policy E3, states that "proposals that give rise to a significant increase in the level of traffic generation in a town, in particular the movement of heavy goods vehicles", will not be appropriate. That is not the situation in this case. The development is not in a town and there is no evidence of an increase in the movement of heavy goods vehicles. The Secretary of State does not therefore consider that the traffic associated with the proposal would be inappropriate.

14. The Secretary of State does not agree with the Inspector that the proposal conflicts with policy G2(C) [IR 14.63]. The Secretary of State agrees that the proposals would be a significant generator of traffic. However, he considers that the Home Office has taken all reasonable steps to reduce traffic generation as part of the design of the proposal. The provision of facilities on-site will reduce the number of the journeys of the asylum seekers in the centre than would otherwise be the case. He also considers that the provision of a free minibus service and controlled parking measures will have a significant impact on the number of vehicle trips. In this respect, he considers that the Home Office has taken

considerable steps to ensure that the proposal has been designed so as to reduce the need to travel.

15. The Secretary of State agrees with the Inspector [IR 14.63] that the proposal conflicts, to a relatively small degree, with Policy G3 which requires authorities to be satisfied that the infrastructure directly required to service the development has been provided.

16. The Secretary of State agrees with the Inspector that the proposal does not conflict with Policy EN4 since it would not have an unacceptable environmental impact [IR 14.63]. For the reasons given by the Inspector in paragraph 14.63 of his report, the Secretary of State agrees that policies G5 and H1 do not apply to the proposal.

17. For the reasons given by the Inspector in paragraph 14.65 of his report, the Secretary of State agrees that the proposed development would not conflict with Policy C7 of the Local Plan since it would not cause demonstrable harm to the topography and character of the landscape.

18. For the reasons given by the Inspector at paragraph 14.65 of his report, the Secretary of State agrees that Policies EMP4 and H18 of the Local Plan do not apply to the proposal.

The Need for and Benefits of the Proposed Development

19. The Secretary of State agrees with the Inspector's summary, at paragraph 14.12 of his report, of current general Government policy on accommodation centres for asylum seekers. There is, as confirmed by the Home Office evidence to the inquiry, an urgent need for a trial of accommodation centres for asylum seekers, both in urban and non-urban locations, and this is an essential part of the Government's policy on asylum (Minister for Citizenship and Immigration, Beverley Hughes, 5 November 2002 – Document 16, Appendix 2). Given this clear national policy background, the Secretary of State does not agree with the Inspector that it is necessary for the Home Office to demonstrate convincing reasons why it is necessary for such a proposal to be located in a non-urban location [IR 14.14].

20. The Secretary of State does not agree with the Inspector that "there cannot be certainty that the proposed development is necessary because it is part of a novel trial concept and its performance cannot be guaranteed in advance" (IR 14.15). The Secretary of State agrees that, as a trial, the performance of the centre cannot be guaranteed. However, the Secretary of State considers that the need to carry out a trial is both necessary and urgent to enable the Home Office to consider the effectiveness of new methods of processing claims for asylum. The Home Office has undertaken to monitor and evaluate the success of the trial. The Secretary of State notes and agrees with the Inspector's conclusion that any failings in the trial would lead to operational improvements being made [IR 14.6].

21. The Secretary of State agrees with the Inspector that the likely benefits of the proposal, in terms of contributing to the development of a more efficient process for dealing with claims for asylum, need to be weighed positively when the overall final decision is made [IR 14.15].

Alternative Sites

22. The Secretary of State agrees with the Inspector, for the reasons given in paragraphs 14.18 – 14.20 of his report, that it is not necessary for the Home Office to carry out an exercise comparing the site against alternative locations.

Sequential Approach

23. For the reasons given by the Inspector in paragraphs 14.21 to 14.27 of his report, the Secretary of State agrees that there is no national planning advice that would require the Home Office to adopt a specific sequential approach in selecting the site for the proposed accommodation centre.

Previously Developed Land

24. For the reasons given by the Inspector in paragraphs 14.28 to 14.30 of his report, the Secretary of State agrees that the land within the application site should be regarded as previously-developed land. The re-use of previously developed land is an important objective in helping to create sustainable patterns of development. The Secretary of State agrees that the re-use of previously developed land is a factor that favours the proposal. Although he agrees with the Inspector that, on its own, the availability of previously-developed land is not sufficient reason for developing in a rural location, he considers that it is an important consideration given the Government's policy to identify non-urban (as well as urban) locations for trials of accommodation centres. He considers therefore that the proposal's utilisation of previously developed land is a factor that should be given significant weight.

Transport and Sustainability

25. The Secretary of State agrees with the Inspector that the proposed development would be in a relatively isolated rural location. He agrees also that it is too far to conveniently walk to the site from towns in the locality and that, in terms of distance, it is not a comfortable cycle ride to the site from towns in the area [IR 14.32]. This is not surprising given the rural location - paragraph 40 of PPG13 recognises that the potential, in rural areas, for using public transport and for non-recreational walking and cycling is more limited than in urban areas.

26. For the reasons given by the Inspector in paragraph 14.33 of his report, the Secretary of State agrees that the proposed development would be a significant generator of traffic. As such, the proposal is contrary to policies in PPG1, PPG13 and RPG9 which promote the location of such uses in urban areas which are well served by public transport. He agrees with the Inspector that rural locations such as this would be likely to have transport disadvantages [IR14.36]. This is an important factor that counts against the proposal.

27. However, the Secretary of State notes that it is anticipated that the free minibus to be provided by the Home Office would account for 31% of all vehicle journeys to the site and that, over the course of the next 10 years, this is expected to increase to 36%. He believes that, given the location of the site, this is a factor that mitigates the travel impact of the scheme.

28. The Secretary of State further notes that the evidence submitted to the inquiry did not suggest that the traffic caused by the proposed development would have a significant impact on the roads in the surrounding area.

Impact on the Character of the Area

29. The Secretary of State notes the Inspector's view that the area remains essentially rural in character, notwithstanding the presence of depots, the prison and other substantial buildings [IR 14.37]. However, the Secretary of State considers it relevant that the Council's own Supplementary Planning Guidance (Cherwell District Landscape Assessment) classifies the site as "being within degraded urban fringe type landscape area where the influence of built development is so great that the character has become unmistakably urban" [IR 14.37]. He places more weight on this Supplementary Planning Guidance than does the Inspector. He agrees that the proposal would result in the removal of a number of ugly and utilitarian buildings currently on the site. The Secretary of State agrees that the footprint of the proposed replacement buildings would be less but agrees also that they would be distributed more widely across the site [IR14.38].

30. The Secretary of State notes that little would be seen of the proposed development from public roads or footpaths and agrees with the Inspector that it would have a neutral impact on the character of the area [IR 14.40].

Impact on Local Services

31. For the reasons given by the Inspector in paragraph 14.42 of his report, the Secretary of State agrees there is no need for a requirement for the Home Office to make a financial contribution either in respect of the demands on local library or hospital services.

32. The Secretary of State has considered the Inspector's view that the Home Office should be required to contribute funding to the potential costs arising from the provision of additional social services. However, the Secretary of State considers that there is limited evidence that there would be such a demand. The Home Office confirmed in evidence to the inquiry that those who demonstrated a potential requirement for social care would be identified at the induction stage and would not be sent to an accommodation centre.

33. The Secretary of State agrees that there is likely to be a need for services for asylum seekers' children with special educational needs. However, although estimates of the costs arising from this need have been provided, there is a lack of any empirical evidence to accurately quantify the potential burden. The Secretary of State notes also that the estimates provided to the inquiry suggested that the number of children at the centre who might have special educational needs would be only 0.4% of the number in Oxfordshire as a whole. The Secretary of State therefore disagrees with the Inspector that such an impact would be disproportionate [IR 14.43].

34. The Secretary of State agrees that, in accordance with the guidance in Department of the Environment Circular 1/97 – *Planning Obligations*, the evidence does not suggest that the impact on service provision would be so great as to require funding to be guaranteed before the development goes ahead.

Pedestrian Safety

35. The Secretary of State notes that limited evidence was provided to the inquiry about the numbers of asylum seekers that are likely to walk outside the accommodation centre. Similarly, there is little evidence of the numbers of pedestrians currently using the roads surrounding the accommodation centre.

36. The Secretary of State considers that the facilities at the accommodation centre will be self-contained and that there should be no specific reason for asylum seekers to leave the site. He notes also that the free minibus service would be available to facilitate travel to local villages and towns. However, he agrees with the Inspector that there is a possibility that some of the asylum seekers would wish to explore their surroundings on foot and that the roads in the area are deficient in the provision of footways [IR 14.46]. In this respect, he agrees that the Home Office has probably underestimated the risks to pedestrians in assuming that asylum seekers would have no need to leave the Centre on foot.

37. The Secretary of State notes the Inspector's view that asylum seekers would be in considerable danger from high-speed traffic on the B4011 and Widnell Lane [IR 14.47]. He agrees that there would be risks with walking in this rural location. However, there is no evidence of the risk of such accidents involving pedestrians along these stretches of road and he considers it relevant that there is no record of any pedestrian accidents on these roads in the last five years. He does not agree therefore that the risk could, on the evidence before him, be considered to be "very serious" [IR 14.48].

38. The Secretary of State considers that the route along Palmer Avenue and Ploughley Road is the most likely route that asylum seekers (and employees) would use to get to the nearby villages of Amcott and Ambrosden and also to Bicester. He notes that, although there is a footway along Palmer Avenue, this is generally a substandard hardshoulder, with only a white line separating pedestrians from the traffic. The Secretary of State agrees with the Inspector therefore that, should approval be given, the provision of a formal footway along Palmer Avenue should be provided by way of a non-statutory Grampian condition [IR 14.48].

Employment

39. For the reasons given by the Inspector in paragraphs 14.49 and 14.50 of his report, the Secretary of State agrees that employment considerations should not count against the proposal [IR14.51].

Fear of Crime and Disorder

40. The Secretary of State agrees that fear of crime can be a material planning consideration and local residents have genuine concerns about the potential for an increase in crime and disorder. However, he does not agree with the Inspector that there is any evidence to support the view that these fears could be considered to cause psychological harm, as stated by the Inspector at paragraph 14.52 of his report. He does agree with the Inspector overall however that there is no evidence that asylum seekers are disproportionately inclined to commit crime or disorder. The Secretary of State

agrees that local residents' concerns about crime and disorder are not reasons for not approving the proposal [IR 14.53].

The Rights and Needs of Asylum Seekers

41. For the reasons given by the Inspector in paragraph 14.55 and 14.56 of his report, the Secretary of State agrees that concerns about the welfare and needs of asylum seekers are not sufficient to weigh against the proposal when seen in the light of the positive benefits arising from it [IR 14.56].

Section 299A Agreement

42. The Secretary of State agrees with the Inspector that the provisions of the agreement dated 14 April 2003 between Cherwell District Council, Oxfordshire County Council, the Secretary of State for Defence and the Secretary of State for the Home Department are essential, and reasonable, and directly related to the proposal. He agrees also that they should be considered an integral part of the proposal [IR 14.10]. The Secretary of State considers that the provision of a footway along Palmer Avenue is an important element of the proposal and that such provision should be made before the development is commenced.

Conclusion

43. As a *sui generis* use, there are no specific development policies regarding the proposed use and nor are there any particular policies regarding the notification site. However, the Secretary of State agrees that the proposal conflicts with Policy G1 of the Structure Plan with regard to the aim to concentrate traffic generating uses in locations that are well served by public transport. He agrees also that, in this respect, the proposed development would conflict with PPG1 and PPG13.

44. The Secretary of State agrees that there would be some risk to pedestrians in the area of the accommodation centre. However, for the reasons given above, he does not agree that this risk is as serious as suggested by the Inspector, particularly with the construction of a footway along Palmer Avenue. He agrees however that the risk to pedestrians remains a factor which counts against the proposal.

45. The Secretary of State agrees with the Inspector that the need for the proposed development, in accordance with Government policy on accommodation centres, is a substantial factor in favour of the proposal. The Secretary of State considers that this is a very important consideration and places great weight on this. He also agrees with the Inspector that the utilisation of previously developed land at the site is a positive factor in favour of the proposal.

46. PPG1 states that the re-use of previously developed land is an important supporting objective for creating more sustainable patterns of development. In this respect, although the location is not in an urban area, the re-use of this site conforms with that overall objective. The Secretary of State agrees that the proposal does not however meet the objective of concentrating development in locations well served by public transport, rather than out of centre locations. He recognises therefore that there are disadvantages in transport impact terms in locating any development in non-urban areas.

However, the Secretary of State notes that the centre would generally speaking provide all services needed by the asylum seekers on site so reducing their need to travel than would otherwise be the case. He recognises that there will be a need for employees to travel to and from the site. In this respect, the minibus service would provide an effective alternative means of transport to the private car, for both employees and asylum seekers, thereby reducing the number of journeys that might otherwise be made by car. The Secretary of State does not, against this background, agree with the Inspector that the proposal is inherently unsustainable [IR14.75]. However, in overall terms, he does agree that the relative inaccessibility, in terms of transport, is a significant factor that weighs against the proposal.

47. However, it is Government policy to trial, as a matter of urgency, accommodation centres for asylum seekers in non-urban locations. It is implicit that such locations will not be as sustainable as some urban locations. The Secretary of State takes a different view from the Inspector as to the weight to be placed on the various factors relating to the proposal. He considers that more weight should be accorded to the Government's policy on accommodation centres for asylum seekers, and the need to trial such centres in non-urban locations, and that less weight should be accorded to the risks to pedestrians which are not, in the view of the Secretary of State, as serious as the Inspector concludes.

48. Although there are no specific policies within the development plan regarding the site or accommodation centres generally, the Secretary of State agrees that the proposal conflicts with Policies G1 and G3 of the Structure Plan. However, he has concluded that other material considerations in this case, namely the Government's policy to trial non-urban accommodation centres for asylum seekers as a matter of urgency, and the re-use of previously developed land, indicate that he should determine the proposal other than in accordance with the development plan.

Formal Decision

49. For the reasons given above, the Secretary of State disagrees with the Inspector's recommendation and approves the development proposed in the Notice of Proposed Development subject to the following conditions:

1. Reserved Matters

1.1 Prior to Commencement of Development full details of the siting, design, layout and external appearance ("the reserved matters") of all buildings and landscaping forming part of the Development shall be submitted to and approved in writing by the District Council in consultation (as necessary) with the County Council.

1.2 The reserved matters relating to landscaping shall include a lighting scheme for the Development.

2. Time Limits

2.1 The application for approval of the reserved matters shall be made not later than the expiration of three years from the date of the Confirmed Notification.

2.2 The Development shall be begun not later than whichever is the later of the following dates:

2.2.1 The expiration of five years from the date of the Confirmed Notification; or

2.2.2 The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

3. Building Heights

Except for the sports hall which shall have a maximum height of 12 metres, all buildings within the Development shall be constructed as two storey buildings with a maximum height of 10 metres.

4. Occupation Restriction

4.1 No more than 750 Asylum Seekers shall be accommodated at the Development at any one time.

4.2 No children under the age of 18 shall be accommodated at the Development at any time unless they are accompanied by a parent or guardian.

5. Protection of Hedges and Trees

Prior to Commencement of Development the existing trees and hedges on the land which are to be retained on the Notification Site shall be preserved, fenced around and properly maintained in accordance with the advice in the Tree Protection Schedule attached at Appendix 5 of the S299A Agreement and none of the trees shall be felled, topped, lopped or uprooted without the prior consent of the District Council unless such tree has become dangerous. In the event of any trees dying or being seriously damaged or destroyed within five years from the completion of the Development, a new tree of a species first approved in writing by the District Council shall be planted and properly maintained in a position or positions first approved by the District Council.

6. Boundaries

Full details of the enclosures along all the boundaries of the Notification Site shall be submitted to and approved in writing by the District Council prior to the Commencement of Development.

7. Highways and Car Parking

7.1 Prior to the completion of any of the buildings within the Development, details of proposed white lining at the access junction onto the B4011 shall

be submitted to and approved by the District Council in consultation with the County Council and the approved white lining provided.

7.2 No vehicles shall enter the public highway from the Notification Site unless its wheels and chassis have been sufficiently cleaned to prevent material being deposited on the public highway.

7.3 No more than 135 car parking spaces including 5 disabled spaces will be provided in connection with the accommodation centre which forms part of the Development.

7.4 No more than 19 car parking spaces including 2 disabled spaces will be provided in connection with the hearing centre which forms part of the Development.

7.5 No development on the site shall be commenced until the provision of a footpath along Palmer Avenue, as set out in Drawings 1/608, 1/609, 1/610A, and 1/611 at Appendix 9 of the Section 299A Agreement, is agreed with the County Council as highway authority. The Development shall not be occupied until such a footpath has been provided.

8. Surface Water Drainage

Surface water drainage arrangements shall be carried out in accordance with details which shall include their phasing and specification of an outfall rate from the site), which shall have been submitted to and approved by the District Council before Commencement of Development.

9. Site Investigation

Prior to Commencement of Development a detailed site investigation shall be carried out to establish if the Notification Site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall have been first agreed with the District Council. Details of appropriate remedial measure (if necessary) and of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall be submitted to and approved by the District Council before Commencement of Development and shall then be implemented in accordance with the agreed details.

10. Foul Drainage

Prior to the occupation of any of the buildings within the Development a foul drainage system shall be installed in accordance with details to be submitted to and approved in writing by the District Council.

11. Great Crested Newts

Prior to Commencement of Development details of a proposed mitigation strategy for the well-being of great crested newts shall be submitted to and approved by the District Council (in consultation with English Nature), and thereafter implemented in accordance with the approved details.

12. User Restriction

The Development shall be used only for the purposes of an asylum seekers Accommodation Centre (including a reporting centre) and Hearing Centre and for no other purposes whatsoever, without the submission and approval of a formal planning application under the Town and Country Planning Act 1990 or notification under Part IV of Department of the Environment Circular 18/84.

13. Travel Plans

13.1 Construction Phase

13.1.1 Prior to Commencement of Development or (unless otherwise agreed in advance with the District Council in consultation with the County Council) any activity in clause 12.7.1 to 12.7.7 of the Agreement under Section 299A of the Town and Country Planning Act 1990, dated 14 April 2003, is carried out a construction phase travel plan shall be submitted to and approved by the District Council in consultation with the County Council.

13.1.2 The construction phase travel plan to be approved in Development Condition 13.1 shall include the Routeing Agreement.

13.2 Operational Phase

13.2.1 Prior to the occupation of any of the buildings within the Development the Travel Plan shall be submitted to the District Council. The submitted Travel Plan shall provide details of the following matters.

13.2.1.1 The proposals which comprise the Development and the forecast travel patterns;

13.2.1.2 The Travel Plan objectives, targets and financing;

13.2.1.3 The Travel Plan initiatives relating to:

(a) Walking;

(b) Cycling;

(c) Use of minibus and (if relevant) public transport services;

(d) Car sharing and other measures to reduce the number of single occupancy vehicle trips to the development; and

(e) Car park management and parking enforcement;

13.2.1.4 Annual monitoring and enforcement of the Travel Plan objectives and targets.

13.2.2 None of the buildings within the Development shall be occupied until the District Council have approved the Travel Plan in consultation with the County Council.

13.2.3 The Development shall be operated in accordance with the approved Travel Plan. In particular:

13.2.3.1 The provisions of the approved Travel Plan concerning the Travel Plan objectives, targets and monitoring shall be rigorously observed and performed; and

13.2.3.2 The Travel Plan initiatives shall be undertaken in accordance with the approved Travel Plan.

13.2.4 Any amendments to the Travel Plan resulting from the annual monitoring shall be submitted to and approved by the District Council in consultation with the County Council.

14. Education Facilities

14.1 Education Facilities shall be provided at the Notification Site in accordance with the Education Specification.

14.2 The education facilities in accordance with the Education Specification shall be available prior to the first Asylum Seeker with dependant children of compulsory school age being accommodated at the Development.

14.3 The education facilities shall be maintained in accordance with the Education Specification and shall be available for use at all times (except at weekends, on statutory bank holidays and in emergencies) when there are Asylum Seekers with dependant school children being accommodated at the Development.

15. Healthcare Facilities

15.1 Healthcare facilities shall be provided at the Notification Site in accordance with the Healthcare Specification.

15.2 The healthcare facilities in accordance with the Healthcare Specification shall be available from the Actual Opening Date and shall be maintained in accordance with the Healthcare Specification unless otherwise agreed with the District Council.

16. **Library Facilities**

16.1 Library facilities shall be provided at the Notification Site in accordance with the Library Specification.

16.2 The library facilities in accordance with the Library Specification shall be available from the Actual Opening Date and shall then be maintained in accordance with the Library Specification unless otherwise agreed with the District Council in consultation with the County Council.

50. A copy of this letter has been sent to Cherwell District Council and to all those who attended the inquiry.

Yours faithfully



Peter Bates
Authorised by the First Secretary of State
to sign in that behalf