

This report is public	
Development Management Performance - Designation Under Section 62A of the Town and Country Planning Act 1990	
Committee	Overview and Scrutiny Committee
Date of Committee	13 October 2026
Portfolio Holder presenting the report	Portfolio Holder for Planning and Enforcement, Councillor Aramini-Brant
Date Portfolio Holder agreed report	21 September 2026
Report of	Ian Boll, Executive Director – Place and Regeneration

Purpose of report

This report is to:

- Provide a summary of reflections and lessons learned from planning related decision making that impacted the Council's performance against the national performance threshold for the quality of decision making on major applications which led to designation on 15 June 2026
- Provide an update on the delivery of recommendations from the 2025 PAS Review
- Share the draft Designation Action Plan for comment and feedback
- Respond to the Council's Motion of 20 July 2026 on Planning Designation

1. Recommendations

The Overview and Scrutiny Committee resolves to:

- 1.1 Note the factors leading to designation, the financial and operational implications, lessons to improve planning performance and the actions being taken to secure removal of the designation.
- 1.2 Provide feedback and recommendations for consideration in the final proposed Designation Action Plan to be taken forward to the Executive for approval on 2 November 2026.

2. Executive Summary

- 2.1. On 15 June 2026, the Council was designated by the Minister of State under Section 62A of the Town and Country Planning Act 1990 for its quality of decision making on major planning applications. The national performance threshold is that less than 10% of the Council's decisions made on major applications should be overturned at appeal.
- 2.2. The Council made 116 decisions on planning applications for major development over the two-year monitoring period 1 April 2023 to 31 March 2025. The national performance indicator takes into account any appeal decisions made by 31 December 2025. There were 13 decisions overturned at appeal by that date, equating to 11.2% of the decisions made by the Council.
- 2.3. The consequence of designation is that a Designation Action Plan is expected to be prepared by the Council to improve performance and that applications for major development can be made directly to the Planning Inspectorate. Applicants continue to have the option of applying directly to the Council should they so wish. By 10 September 2026, one application under 62A had been made to the Planning Inspectorate (PINS).
- 2.4. Of the 13 appeals allowed by December 2025, 8 were appeals that followed officer recommendations of refusal (presented to and endorsed by Planning Committee) and 4 were Member overturns of officer recommendations. One case relates to an appeal against non-determination case.
- 2.5. A number of the officer's recommendations and committee decisions were not upheld at appeal because of changes in circumstances such as the district's five-year housing land supply position. A number of other cases involved planning judgement of officers or the Committee with advice from officers which proved to be unsustainable at appeal. There were also examples where the Council's defense at appeal could have been stronger. Officers have reviewed those cases and learnt from them.
- 2.6. The proposed Designation Action Plan now presented for comment (Appendix 1) has been informed by these lessons learnt. It also benefits from a review of Council's development management decision making undertaken by the Planning Advisory Service (PAS) in 2025.
- 2.7. PAS had been invited to undertake a review as the Council was considered for designation by the Minister of State in 2025 for the previous two-year monitoring period (2022-2024). The Council was not designated on that occasion, but the PAS review has been helpful in delivering improvement and in developing the proposed Designation Action Plan. A tracker highlighting the progress made on implementing the PAS recommendations is appended to this report (Appendix 3).
- 2.8. More generally, officers have considered and discussed areas of weakness in the interest of delivering necessary improvement and in the interest of seeking the Council's removal of designation at the earliest appropriate opportunity.
- 2.9. Officers have informally consulted with the Planning Advisory Service on the draft Designation Action Plan (Appendix 1) which has provided positive

feedback on the content and areas of focus. As such, the Council has been invited to present the work it has been doing to develop its Action Plan to the group of designated councils at the next workshop hosted by PAS on 6 October 2026.

- 2.10. Upon consideration and approval by the Executive, the Designation Action Plan will be submitted to MHCLG, and the delivery of improvement will continue. Members are asked to note that progress has already been made on areas of the Action Plan due to the response to the findings of the 2025 PAS review.

Implications & Impact Assessments

Implications		Commentary		
Finance		There are no financial implications arising from this report; the costs of delivering the plan are to be met from existing resources. This report it's seeking guidance from different committees regarding the current designation in relation to Major Applications. Kimberley Digweed, Finance Business Partner, 28 August 2026		
Legal		Legal services have been working with Planning and Development management and has attended some of the meetings set out in the report in order to provide advice and assistance for the Council to apply successfully for de-designation. The report sets out the context, statutory background and guidance for the action plan. Legal services will continue to provide advice and support for this process to implement the actions set out within the action plan. Denzil Turbervill, Head of Legal Services, 27 August 2026		
Risk Management		It is noted that a detailed risk, issue and opportunity log will be developed and put in place to proactively govern and manage the Designation Action Plan. This will be reported through the governance structure described within the paper and updates provided to the Performance and Insight Team as routine reporting. Celia Prado-Teeling, Performance & Insight Team Leader, 26 August 2026		
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				Not Applicable
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could		✓		There is no impact on equality identified as part of the delivery of the Designation Action Plan.

impact on inequality?				
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		There is no impact on people with protected characteristics identified as part of the delivery of the Designation Action Plan.
Climate & Environmental Impact		✓		Not Applicable
ICT & Digital Impact		✓		Not Applicable
Data Impact		✓		Not Applicable
Procurement & subsidy		✓		There is no procurement proposed as part of the delivery of the Designation Action Plan.
Council Priorities	Achievement of de-designation contributes primarily to the Council's priorities on Economy Prosperity (#1) and Quality Housing and Place Making (#4)			
Human Resources	There is no impact identified in relation to Human Resources as part of the delivery of the Designation Action Plan. A wider review of capacity vs demand within the Planning and Development Management services could lead to additional resource requests to the Corporate Leadership Team which would be submitted under a separate request. Claire Cox, Assistant Director of Human Resources, 14 September 2026			
Property	There is no impact in relation to Property that has been identified as part of the delivery of the Designation Action Plan.			
Consultation & Engagement	There is no public consultation proposed as part of the delivery of the Designation Action Plan.			

Supporting Information

3. Background

- 3.1. On 15 June 2026, the Council was designated by the Minister of State for Housing and Planning under section 62A of the Town and Country Planning Act 1990 for its quality of decision making on major applications. The national performance threshold is that less than 10% of the Council's decisions made on major applications should be overturned at appeal. The designation criteria is available at:
<https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation>
- 3.2. The Minister of State's letter (15 June) states the Council is, '*...expected to prepare an action plan for approval by the Department identifying actions that address the areas of weakness that led to the Council being designated. We will*

work closely with you in developing this plan and ensure that you have the support you need to improve so that the designation can be lifted as quickly as possible’.

3.3. In doing so the Council is expected to draw upon ‘sector or support’, particularly any support that is available through programmes funded by the Ministry of Housing, Communities and Local Government (MHCLG). Support has been made available from the Planning Advisory Service (PAS) which the Council has accepted and includes a review of its Pre-Application and Planning Performance Agreement processes / service in October 2026 and training for Members and Officers on best practice Planning Committees (date to be confirmed).

3.4. In assessing whether a designation should be lifted, the Secretary of State will consider:

- a. the potential capability of the designated local planning authority to deal effectively with applications for major or non-major development, as appropriate, in the future; and
- b. the effectiveness of the designated local planning authority in dealing with the relevant category of applications during the period of its designation.

3.5. A designation will be revoked if the Minister on behalf of the Secretary of State is satisfied that:

- a. the designated local planning authority has provided adequate evidence of sufficient improvement against areas of weakness identified in an initial assessment of its performance;

and provided that the designated local planning authority

- c. would not, at the time that decisions about de-designation are made, remain eligible for designation on the basis of the data available at the time;
- d. has completed, within the timescale specified, any administrative tasks required of the authority in association with applications made directly to the Secretary of State in the area, in at least 80 per cent of cases during the designation period (i.e. the period since designation on 15 June 2026); and
- d. has not, in the view of the Secretary of State, caused unreasonable delay in progressing and signing any section 106 agreements associated with applications submitted directly to him during the designation period.

If, having considered these criteria, the Secretary of State concludes that the designation should remain in place, the local planning authority will be given at least two weeks to set out any exceptional circumstances (supported by evidence) which, in its opinion, would make a continued designation unreasonable.

3.6. Since designation, the Council has:

- i. Engaged with the relevant officer at the Ministry for Housing Communities and Local Government (MHCLG) to fully understand the reasons and

implications of designation and the process for applying for de-designation once the necessary improvement has been secured.

- ii. Attended a meeting organised by PAS with all nine designated Councils on 14 July 2026. It had been expected to include a focused session on preparing an action plan but instead focused on insights from Uttlesford District Council on how it responded and exited from designation which had occurred in 2022.
- iii. Met with the Planning Inspectorate on 10 September 2026 to discuss the process of considering planning applications made directly to it and the expectations on the Council. The aim is to ensure that the Council is highly responsive in meeting the Inspectorate's requirements.
- iv. Attended a PAS workshop on 14 September 2026 on the preparation of Designation Action Plans. PAS provided the following advice:
 - a) get below 10% over a rolling 2-year period (this is the minimum requirement for seeking de-designation)
 - b) prepare and action plan and deliver on the actions
 - c) there is no prescribed format for an action plan, but no authority has been de-designated without one having been agreed and evidence of progress
 - d) submit an action plan as soon as possible after designation (at the time of the workshop all the attending designated authorities were developing their action plans)
 - e) MHCLG's preference is for a 'RAG' (Red, Amber, Green) approach to delivering the action plan
 - f) demonstrate that there has been some external scrutiny in preparing the action plan
 - g) the action plan be treated as a live document responding as required to identified issues and evidencing the delivery of improvement
 - h) there is normally a once-a-year opportunity to seek de-designation
 - i) it will be best to at least wait until after the December 2026 appeal figures have been confirmed (i.e. for the decision monitoring period April 2024 to March 2026)
 - j) as PAS liaises between Councils and MHCLG, test the de-designation case with PAS before submission
 - k) consider the overall performance of the Planning Service in making any de-designation case (i.e. including other Development Management indicators and Local Plan progress)
 - l) include a narrative to demonstrate that the Council is actively making progress and include all positive circumstances
 - m) allow time for MHCLG to consider the Council's case.
- v. Worked with PAS on a peer review the Council's current Pre-Application and Planning Performance Agreement processes. PAS visited the Council on 2 October 2026. Its provisional findings included reviewing how to positively provide for the engagement of Members in the pre-application process, reviewing templates used to provide clear responses, reviewing and simplifying the fee schedule, ensuring that the service offered is flexible to meet developer needs, reviewing performance expectations and timescales involved to be proportionate to the size and complexity of the proposed development, noting that one size does not fit all.

- vi. Arranged best-practice planning committee training for officers and Members of the Planning Committee (date to be confirmed).
- vii. Secured internal support to work with the Planning and Development Management services to develop and implement the Designation Action Plan (amongst other things) and recruited an Interim Planning Performance Manager to support performance monitoring and the delivery of improvement.
- viii. Developed the proposed Designation Action Plan which has been informed by recommendations made by PAS in 2025 and areas for improvement identified by officers from across the Council. Officers have also been mindful of the Government's ongoing reform of the planning system to help tackle the housing crisis and streamline the delivery of new homes and infrastructure. This includes the publication of a new National Planning Policy Framework (NPPF)¹ in August 2026 and the forthcoming National Scheme of Delegation².

3.7 On 20 July 2026, the Council agreed the following Motion:

"This Council notes with concern that:

1. *Cherwell District Council has recently been designated by the Secretary of State for Housing, Communities and Local Government for its performance in determining planning applications.*
2. *This is the first time that Cherwell District Council has been subject to designation.*
3. *Designation means that certain planning applications may be submitted directly to the Secretary of State, reducing the Council's role in determining development within the district.*
4. *The represents a significant reputational setback for the Council and may undermine public confidence in the integrity, effectiveness and timeliness of the local planning system.*
5. *The loss of planning application fee income and associated revenues may have financial implications for the Council at a time of continuing budgetary pressures.*
6. *This designation raises concerns regarding the effectiveness of the Council's planning performance management and the adequacy of measures taken to address known issues.*

This Council therefore resolves to:

- (a) *Reaffirm its commitment to a planning service that is efficient, transparent, accountable and capable of maintaining the confidence of residents, applicants and local communities and committed to continuous improvement.*
- (b) *Request that Full Council asks Overview and Scrutiny to include this matter on its work programme and to examine the factors leading to designation, the financial and operational implications, lessons to*

¹ <https://questions-statements.parliament.uk/written-statements/detail/2026-09-01/hcws298>

² <https://www.gov.uk/government/consultations/planning-committee-reform-draft-regulations-and-guidance/planning-committees-and-the-national-scheme-of-delegation-of-planning-functions-draft-guidance-for-local-planning-authorities-in-england>

improve planning performance and the actions being taken to secure removal of the designation.”

4. Details

Performance Context

- 4.1. As advised above, the Council made 116 decisions on planning applications for major development over the two-year period 1 April 2023 to 31 March 2025 and 13 (11.2%) of those decisions (including one non-determination case) were overturned at appeal which exceeds that national performance target of being under 10%.
- 4.2. A breakdown of the data informing the Council's designation position is provided in the table below. Eight of the 13 appeals allowed in the designation accounting period (2023-25) were decisions made within the previous two-year accounting period (2022-24).
- 4.3. Five of the appeals allowed arose from decisions made in July to December 2024.

April 23 - March 25		All Major Decisions	Appeals allowed	Result
Quarter 01	April - June 2023	11	2	18.18%
Quarter 02	July - September 2023	20	6	30.00%
Quarter 03	October - December 2023	14	0	0.00%
Quarter 04	January - March 2024	15	0	0.00%
Quarter 05	April - June 2024	16	0	0.00%
Quarter 06	July - September 2024	14	4	28.57%
Quarter 07	October - December 2024	17	1	5.88%
Quarter 08	January - March 2025	9	0	0.00%
Total		116	13	11.21%

- 4.4. For the period 2022-2024, the Council had been at 10.4%. On 26th November 2024, it was reported to the Council's Overview & Scrutiny Committee that two major planning application decisions were overturned at appeal by the Planning Inspectorate during Q2 2024/25. This amounted to 14.3% of the total of 14 major applications determined by the Council during Q2 of 2024/25. It was highlighted that officers were working to reduce the percentage of overturns at appeal by ensuring decision making is as robust as possible and liaising with the Portfolio Holder. At the same meeting the Committee established a planning application and appeals working group which met with the Assistant Director – Planning and the Head of Development Management on 25 February 2025.
- 4.5. A related action taken forward by the Head of Development Management was a personal review of all draft recommendations for refusal prior to being confirmed for presentation to Planning Committee. Shortly after the working group meeting, officers commenced engagement with the Planning Advisory Service to organise its review of the Council's decision making and to prepare the Council's exceptional circumstances case for submission to MHCLG. The exceptional circumstances case submitted in 2025 was accepted by the Minister of State and designation was avoided.
- 4.6. The Council's exceptional circumstances submitted in 2026 was not accepted and the Council was designated. It can be assumed that a slightly worse performance position for the period 2023-25 than for 2022-24 would not have assisted the Council's case.
- 4.7 The table below highlights the Council's performance on other national indicators for development management.

Measure and type of Application	Threshold and assessment period (April 2025 to March 2026)	CDC Performance
Speed of major Development (within time or within agreed extension of time)	60%	81.40% (35/43 applications)
Speed of non-major Development (within time or within agreed extension of time)	70%	79.37% (677/853 applications)
Measure and type of Application	Threshold and assessment period April 2023 to March 2025	CDC Performance
Quality of major Development (% of decisions overturned at appeal)	10%	11.2% (13 applications allowed at appeal, against 116 determined)
Quality of non-major Development (% of	10%	1.4% (29 applications allowed, against 2082

decisions overturned at appeal)		applications determined)
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- 4.8 Whilst there is always room for improvement generally, it is clear that the main performance issue has been on the quality of decision making on applications for major development. Performance needs to improve and be sustained, and the proposed Designation Action Plan has been prepared for that purpose. Wider improvement will be assisted by the Council's Transformation Programme and the full delivery of specific action plans. PAS has highlighted that the Council's wider planning performance will be relevant to any future application for de-designation.

Actions Since Designation

- 4.9 Since designation, the Council has:
- Attended a meeting organised by PAS with all nine designated Councils on 14 July 2026 which included a presentation from Uttlesford District Council on how it responded and exited from designation which had occurred in 2022.
 - Engaged with MHCLG to understand the process to apply for de-designation which has informed the recommended approach on the timeline to do this.
 - Liaised with PAS to agree additional support available to peer review the current Pre-Application and Planning Performance Agreement processes which took place on 2 October 2026 and agreed additional training to be provided to officers and Members of the Planning Committee.
 - Secured internal support to help develop and implement the Designation Action Plan and the response to designation more generally
 - Recruited an interim Planning Performance Manager to oversee performance and support delivery of the Designation Action Plan going forward
 - Developed the draft Designation Action Plan
 - Met with the Planning Inspectorate to ensure clarity on its expectations and the process for determining any applications for planning permission for major development and pre-application advice made to it rather than to the Council

Developing the Designation Action Plan

- 4.10 MHCLG has informally provided the following guidance in developing the Designation Action Plan:
- Be concise 'less is more' and provide an executive summary aimed at the Minister as an audience (note: the Action Plan will include an Executive Summary and supporting appendices including the update on delivery of the PAS Review 2025. The lessons learnt review will be separate from the Action Plan.
 - Set the tone as forward looking and not dwelling on the past – the Plan should not include content / arguments already made as part of the exceptional circumstance's consideration.

- iii. Be 'self-aware' to address areas of weakness and demonstrate that learning has been taken onboard and is being implemented. Factual data on the achievement of targets since designation and the forward forecast should be provided.
 - iv. Reflect the Council's relationship with its stakeholders and their confidence in the Council to develop a high-quality service. Indicators of this can include be the low number of 62A applications and feedback gathered as part of the PAS Pre-Application / Planning Performance Agreement Review that took place in October.
- 4.11 MHCLG has confirmed (18 August 2026) the following process to apply for reviewing the Action Plan and applying for de-designation:
- i. A Designation Action Plan is to be developed in a format preferred by the Council that should be endorsed by PAS (although not mandated) before submission to MHCLG. The Designation Action Plan does not need to be delivered in its entirety at the point of application, but sufficient progress needs to have been evidenced to demonstrate improvements to enable a sustained performance.
 - ii. In seeking de-designation, a forecast of performance against the national performance threshold for the quality of decision making on major applications is to be produced to provide confidence to MHCLG of sustained achievement below the 10% threshold. This needs to be supported by at least two new quarters of actual performance data at this level.
 - iii. Subject to above, the Council can apply to MHCLG for de-designation who will facilitate a decision to be made by the Minister of State for Housing and Planning.

Review of Performance and Lessons Learnt

- 4.12 The starting point in developing the action plan has been a review of the circumstances which have led to designation (confidential Appendix 2). This has focused on the following areas:
- a. analysis of officer recommendations, endorsed by committee but not upheld at appeal
 - b. review of Planning Committee decisions contrary to officer advice
 - c. wider assessment of officer recommendations
 - d. general analysis of officer recommendations / committee decision making
 - e. consideration of notable planning committee meetings
- 4.13 Confidential Appendix 2 presents a summary of the conclusions.

Key Factors in the Review

- 4.14 The review highlights a number of key factors in the 13 appeal decisions that led to designation. These are summarised below.

Five-Year Housing Land Supply (5YHLS) and the Weight Attributed to Housing Delivery

- 4.15 The district lost its five-year housing land supply position in 2024. Prior to that the Council monitored two separate land supply positions: one for Cherwell's needs, and one for Oxford's unmet housing needs for which the Council has a distinct suite of policies. However, following 2024 appeal decisions and a High Court judgment concerning one of those decisions, a combined assessment had to be prepared.
- 4.16 The aggregate position produced a lower land supply because of delays in the sites allocated in the Partial Review of the Local Plan being delivered. Over 2024 and 2025, the Council has had to manage major applications made in that context, notwithstanding the fact that at 31 March 2025, the district had 10,271 homes with planning permission awaiting construction. In a number of appeal cases, the original officer recommendation preceded the change in the five-year land supply position, but the Inspector's consideration had to take into account the updated position which was of significance in their decision.
- 4.17 More generally, Inspectors have generally given substantial weight to housing delivery and applied the 'tilted balance' in favour of sustainable development in the absence of a five-year housing land supply. Refusal reasons based on landscape harm or countryside encroachment have been outweighed by housing need. Many appeals were allowed because Inspectors concluded that sites were sustainable; the benefit of providing housing outweighed harm; and the lack of a five-year housing land supply favoured approval. Examples include cases at Fringford Road, Caversfield; Ambrosden; Chesterton; Warwick Road, Banbury; and Quarry Close, Bloxham.
- 4.18 The Council is limited in what it can do to facilitate delivery. However, in 2025 it prepared a Housing Delivery Action Plan with a view to supporting delivery (<https://www.cherwell.gov.uk/download/downloads/id/18055/final-cdc-housing-delivery-action-plan-august-2025.pdf>). Officer reflection on the district's position suggests that more could be done by way of continuous engagement with Members on improving the five-year land supply position.
- 4.19 The Housing Delivery Action Plan also needs to be reviewed and refreshed as part of the Designation Action Plan. However, it should be noted that significant progress has been made to establish relationships with key stakeholders such as ATLAS, Homes England and the Oxford Growth Commission.
- 4.20 The Council's Growth and Economy service has also introduced place-based Area Oversight Groups supported by developer forums which are used to engage with utility providers, developers, the County Council and others to overcome barriers to delivery in Banbury, Bicester and Kidlington with the support of the Planning services.

Quality of Officer Recommendations, Strength of Appeal Case and Committee Decisions

- 4.21 The review highlights that there were a small number of cases where the weight attached to particular planning issues (e.g. landscape harm) was not sustained at appeal. Reports to committee are signed off by the relevant Team Leader and the Head of Development Management but there are some lessons

arising from the outcome of those appeals. This is particularly important in the context of the new National Planning Policy Framework (August 2026), which the Minister of State for Housing and Planning has stated, ‘... *incorporates a number of substantive reforms designed to boost housing supply and unlock economic growth in the years ahead*’.

- 4.22 The service has also changed its approach by more robustly considering its landscape evidence and assessment. Officers now routinely seek independent landscape advice on major development proposals on the edge of settlements where landscape, visual impact or settlement character are likely to be key determining issues. This helps ensure that recommendations are supported by specialist evidence and that any subsequent appeal can be defended by appropriately qualified expert witnesses.
- 4.23 This national policy context is also central to ensuring decisions taken by the Planning Committee can be robustly defended at appeal.

Planning Advisory Service (PAS) Review 2025

- 4.24 The Council’s initial engagement with the Planning Advisory Service (PAS) was in 2025 when there were clear indications that the Government’s 10% threshold for decisions on applications for major development overturned at appeal was exceeded. As advised above, 10.4% of decisions taken during the period 2022-24 had been overturned at appeal.
- 4.25 In 2025, the Council invited PAS to undertake a review of the Council’s Planning Committee decision making. PAS visited the Council on 29 May 2025 and interviewed internal and external stakeholders. A final report was received on 27 August 2025. The findings and recommendations of PAS are important to the current designation context and implementation of the necessary changes is almost complete (see Appendix 3).
- 4.26 A significant change arising from the PAS Review has been the introduction of a smaller Planning Committee (a reduction from 18 to 11 Members) which accords with recent national planning reforms. Regulation 7 of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 now caps the size of Planning Committees to no more than 13 Members.
- 4.27 Work is also on-going to finalise a number of new procedures and protocols with a view to providing opportunity for Member involvement in pre-application developer engagement and to improve the processes supporting the Planning Committee. A Development Management Members’ Forum is now meeting regularly and being utilised to discuss planning issues with Members and to provide training. Process improvements have been implemented for reporting on appeals to planning committee and for undertaking site visits. An overall aim to ensure that all decision making is clearly evidence-based and can be robustly defended in any appeal situation.

Merton College (Rutten Lane) Appeal Case

- 4.28 A key learning experience has been the review of the handling of the Merton College / Rutten Lane planning appeal case which was undertaken by the Council’s auditors (Veritau) in July 2024 with a subsequent report being

provided in March 2025. Their report and a responding Action Plan were presented to the Accounts, Audit and Risk Committee in May 2025. Implementation of the Strategic Applications Action Plan is ongoing and being overseen by the Council's Transformation Team. The improvements identified are being separately managed but have informed the Designation Action Plan.

Section 106 Review

- 4.29 An internal review of the Council's section 106 process and the actions arising has also been informative. All relevant actions and lessons captured through these reviews have been considered in developing the Designation Action Plan. Further recommendations will follow from a recent audit.

The Designation Action Plan

- 4.30 The draft Designation Action Plan is provided at Appendix 1. It sets out the actions for delivering sustained improvement and reflects analysis within this paper and the outputs of lessons learnt sessions with officers. These are broadly grouped into the following themes:
- Baselining, Governance, Performance and Reporting
 - Engagement and Communication
 - Resourcing and Capacity
 - Processes, Systems and Tools
 - Training and Development
 - Continuous Improvement and Knowledge Management
- 4.31 It should be noted that the Council is currently delivering a Transformation Programme, Cherwell Futures, that includes wider improvements to the Planning and Development Management services such as updating IT systems, processes and reporting. Some elements of this programme of work forms part of the Designation Action Plan and will be delivered in parallel.

Next Steps

- 4.32 The Committee's observations on the Action Plan will be reflected upon by officers in developing the action plan further and will be considered by the Executive. The Executive's approval will be sought but the Action Plan will continue to be developed as required to deliver the necessary improvement in consultation with the Portfolio Holder for Planning and Enforcement. Feedback from the Planning Advisory Service will be particularly important.
- 4.33 Once the Council's improvement is evidenced shown to be sustained, consideration will be given to the appropriate timing for making a de-designation case to the Minister of State. Further performance data will be available in October. It will be proposed to the Executive that the timing of any case be delegated to the Executive Director in consultation with the Portfolio Holder.

5. Alternative Options and Reasons for Rejection

- 5.1 The committee is invited to provide its comments. Officers are cognisant of the Motion approved by Council in July 2026. No other options are suggested in the interest of proactive action.

6. Conclusion and Reasons for Recommendations

- 6.1. The Council has been designated because of its poor performance on decision making on planning applications for major development. The need to agree and deliver an action plan for improvement is clear. A review of the circumstances that have led to designation has been undertaken to inform the action plan and action is well underway supported by the 2025 PAS Review and wider improvement work. The Committee's consideration is invited.

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	
Appendix 1	Draft Designation Action Plan
Appendix 2	Confidential - Reflections and Lessons on Decisions
Appendix 3	Delivery of PAS Recommendations
Background Papers	Not Applicable
Reference Papers	Government designation criteria https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation Uttlesford District Council – section 62a applications to the Planning Inspectorate: https://www.gov.uk/government/collections/section-62a-planning-applications The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (the Regulations) Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England: https://www.gov.uk/government/publications/planning-committees-and-the-national-scheme-of-delegation-of-planning-functions-guidance-for-local-planning-authorities-in-england
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Executive Director Approval (unless Executive	Ian Boll, Executive Director – Place and Regeneration 2 October 2026

Director or Statutory Officer report)	
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